

ESTTA Tracking number: **ESTTA499935**

Filing date: **10/15/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Research Horizons LLC dba Phoenix Marketing International		
Entity	Corporation	Citizenship	New York
Address	6423 Montgomery St. Rhinebeck, NY 12572 UNITED STATES		

Correspondence information	Scott A Spry COO Research Horizons LLC dba Phoenix Marketing International 5 Commonwelath Rd. 1B Natick, MA 12572 UNITED STATES scott.spry@phoenixmi.com Phone:5083156193		
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Applicant Information

Application No	85378053	Publication date	10/09/2012
Opposition Filing Date	10/15/2012	Opposition Period Ends	11/08/2012
Applicant	Pitney Bowes Inc. World Headquarters One Elmcroft Road Stamford, CT 069260700 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2011/03/03 First Use In Commerce: 2011/03/03 All goods and services in the class are opposed, namely: Computerized tracking and tracing of mail and packages allowing customers to track data and run reports as proof that mailings were sent in a timely manner
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4096270	Application Date	06/29/2011
Registration Date	02/07/2012	Foreign Priority Date	NONE
Word Mark	INTELLIVIEW		

Design Mark	<h1>Intelliview</h1>
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 2011/06/15 First Use In Commerce: 2011/06/15 Analysis of market research data and statistics; Consultation services, namely, creative and strategic consultation regarding development and production of marketing campaigns for others; Market research; Market research and market intelligence services; Market research services; Market segmentation consultation; Market study and analysis of market studies; Marketing analysis services; Marketing research services; Marketing services, namely, conducting consumer tracking behavior research and consumer trend analysis; Marketing services, namely, consumer marketing research; On-line business research service that allows the user to analyze opinion trends contained in documents on the Internet; Online business research services that allow users to share opinions with a marketing research company related to everyday consumer products and services; Online business research services that allow users to analyze advertising campaigns; Provision of market research information; Statistical evaluations of marketing data</p>

Related Proceedings	Research Horizons LLC owns Intelliview in the same classification
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Attachments	85358991#TMSN.jpeg (1 page)(bytes) October 15.txt (1 page)(961 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Signature	/Scott A. Spry/
Name	Scott A Spry
Date	10/15/2012

October 15, 2012

Trademark application Opposition to application number 85378053 for Intelliview.

By Research Horizons LLC dba Phoenix Marketing International owners of trademark registration number 4096270 for Intelliview.

Phoenix opposes the issuing of the trademark in the same classification given our ownership of the existing mark. Our product is utilized by the same target business audience that the mark we oppose would be targeted. While our product expands beyond the direct mail usage they indicate it is included as part of our product and our product could be used just for direct mail.

This would result in significant confusion? the applicants client base is the same client base that would purchase our product.

If you require additional information please contact me.

Scott A. Spry

COO

Research Horizons LLC dba Phoenix Marketing International

Scott.spry@PhoenixMI.com

508-315-6193

Submitted:

/Scott A. Spry/