

ESTTA Tracking number: **ESTTA517462**

Filing date: **01/23/2013**

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	Peter Starykowicz		
Entity	Individual	Citizenship	UNITED STATES
Address	2355 S Robert Ct Round Lake, IL 60073 UNITED STATES		

Correspondence information	Peter Starykowicz 2355 S Robert Ct Round Lake, IL 60073 UNITED STATES pstaryk@gmail.com		
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Applicant Information

Application No	85673477	Publication date	12/25/2012
Opposition Filing Date	01/23/2013	Opposition Period Ends	01/24/2013
Applicant	KC Running Company 3879 W. 95th St. Leawood, KS 66206 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. First Use: 2012/04/01 First Use In Commerce: 2012/07/10 All goods and services in the class are opposed, namely: Charitable fundraising services by means of conducting walking and running events incorporating post-race parties featuring music
Class 041. First Use: 2012/04/01 First Use In Commerce: 2012/04/01 All goods and services in the class are opposed, namely: Entertainment services, namely, arranging and conducting walking and running events incorporating post-race parties featuring music

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is merely descriptive	Trademark Act section 2(e)(1)

Mark Cited by Opposer as Basis for Opposition

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	The Glo Run		
Goods/Services	-Entertainment services, namely, arranging and conducting walking		

	and running events incorporating post-race parties featuring music. - Charitable fundraising services by means of conducting walking and running events incorporating post-race parties featuring music
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Attachments	descriptive.txt (1 page)(367 bytes) confusion.txt (1 page)(289 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 USPS Express Mail Post Office to Addressee on this date.

Signature	/Peter Starykowicz/
Name	Peter Starykowicz
Date	01/23/2013

The mark "GLOW RUN" is being opposed because it is a descriptive mark. The Term "Glow Run" is a commonly used term describing the type of run that it is. There are many different events that are named "Glow Run" or describe themselves as a glow run because it is understood by the general public that this is a common term describing the type of event that it is.

There are many marks in use prior to the first use of the "Glow Run" mark by "KC Running Company" that can be confused by the general public as being the same mark. These marks are listed below:

- "The Glo Run," theglorun.com
- "G.L.O.W. 5k Run," glow5k.com
- "Glow Run," glowrun.com