

ESTTA Tracking number: **ESTTA523408**

Filing date: **02/25/2013**

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	Guess?, Inc.
Granted to Date of previous extension	02/24/2013
Address	1444 South Alameda Street Los Angeles, CA 90021 UNITED STATES

Attorney information	Michael J. MacDermott Christie, Parker & Hale, LLP P.O. Box 29001 Glendale, CA 91209-9001 UNITED STATES pto@cph.com
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**Applicant Information**

Application No	79109091	Publication date	08/28/2012
Opposition Filing Date	02/25/2013	Opposition Period Ends	02/24/2013
International Registration No.	1106652	International Registration Date	12/05/2011
Applicant	GAUDI' TRADE S.P.A. Via Nuova Ponente, 29 I-41012 CARPI (MO) ITALY		

**Goods/Services Affected by Opposition**

Class 025. All goods and services in the class are opposed, namely: Clothing, namely, coats, mantles, raincoats, overcoats, waistcoats, parkas, anoraks, blousons, dresses, dresses for women, suits, skirts, jackets, sport jackets, blazers, wind-resistant jackets, trousers, sport trousers, jeans, pants, shorts, shirts, T-shirts, blouses, jerseys, sweaters, cardigans, pullovers, stockings, socks, underwear, corsets, nightgowns, pajamas, bathrobes, bathing suits, sun suits, sweat suits, ties, neckties, scarves, shawls, foulards, gloves, sashes and belts, breeches, vests, camisoles; footwear, namely, casual and sporting shoes, boots, slippers and sandals; headgear, namely, caps and hats
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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. Application/	NONE	Application Date	NONE
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Registration No.			
Registration Date	NONE		
Word Mark	GJ		
Goods/Services	APPAREL, EYEWEAR, HANDBAGS, JEWELRY AND WATCHES		

Attachments	Notice of Opposition.pdf ( 3 pages )(39308 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 First Class Mail on this date.

Signature	/Michael J. MacDermott/
Name	Michael J. MacDermott
Date	02/25/2013

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

In the matter of trademark application **Serial No. 79/109,091**  
For the mark GJ GAUDI JEANS (STYLIZED)  
Published in the Trademark *Official Gazette* on August 28, 2012 (the term for opposition having  
been extended to February 25, 2013)

Guess?, Inc.		
	Opposer,	Opposition No.
v.		
GAUDI' TRADE S.P.A.		NOTICE OF OPPOSITION
	Applicant.	

Guess?, Inc. (hereinafter "Guess"), a Delaware corporation, whose address is 1444 South Alameda Street, Los Angeles, California 90021, believes that it will be damaged by registration of the mark shown in application Serial No. 79/109,091 and hereby opposes the same.

As grounds for opposition, Opposer alleges that:

1. Since in or about the year 1981, Opposer, through its predecessors and related companies, have been continuously engaged in the manufacture and sale of a wide variety of apparel and fashion accessories.

2. Since prior to Applicant's priority date, Opposer has continuously used in commerce the mark GJ (hereinafter the "GJ Mark"), in connection with the sale of a variety of apparel and fashion accessories, including handbags, jewelry, watches and eyewear.

3. Through the use and promotion of its GJ Mark over a period of time and by virtue of the quality of the goods sold in connection with said mark, Opposer has built up a valuable goodwill and reputation in connection with its GJ Mark which would be jeopardized by Applicant's use and registration of the mark GJ GAUDÌ JEANS (Stylized) for the goods in Serial No. 79/109,091.

4. Applicant's goods for which she seeks to register the mark GJ GAUDÌ JEANS (Stylized) are identical or closely related to the goods sold by Opposer under its GJ Mark.

5. Applicant's mark GJ GAUDÌ JEANS (Stylized) so resembles Opposer's GJ Mark previously used in commerce by Opposer and not abandoned, as to be likely, when applied to the goods of Applicant, to cause confusion or to cause mistake or to deceive.

6. Opposer would be damaged by the issuance to Applicant of a registration of the mark GJ GAUDÌ JEANS (Stylized) mark for the Class 25 goods set forth in Application Serial No. 79/109,091.

WHEREFORE, Opposer prays that this opposition be sustained and that application Serial No. 79/109,091 be refused.

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Docket No. 110.2\*115/G440

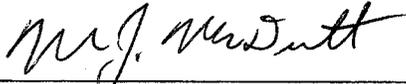
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Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date February 25, 2013

By 

Michael J. MacDermott  
Attorneys for Opposer  
P.O. Box 29001  
Glendale, California 91209-9001  
626/795-9900

### CERTIFICATE OF SERVICE

I certify that on February 25, 2013 the foregoing **NOTICE OF OPPOSITION** is being served by mailing a copy thereof by first-class mail addressed to:

Lawrence E. Laubscher, Jr.  
Laubscher & Laubscher PC  
1160 Spa Road, Suite 2B  
Annapolis, MARYLAND 21403

By 

Jennifer L. Peterson  
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MM/jlp

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