

ESTTA Tracking number: **ESTTA525926**

Filing date: **03/11/2013**

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	Baja Designs, Inc.		
Entity	Corporation	Citizenship	CA
Address	185 Bosstick Blvd San Marcos, CA 92069 UNITED STATES		

Correspondence information	Deanne Moore Baja Designs, Inc. 185 Bosstick Blvd San Marcos, CA 92069 UNITED STATES deanne@bajadesigns.com Phone:7605600450		
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Applicant Information

Application No	85581206	Publication date	03/05/2013
Opposition Filing Date	03/11/2013	Opposition Period Ends	04/04/2013
International Registration No.	NONE	International Registration Date	NONE
Applicant	Furneaux Media Productions Pty Ltd 200 Miller Street, Fitzroy North Victoria, 3068 AUSTRALIA		

Goods/Services Affected by Opposition

Class 041.

All goods and services in the class are opposed, namely: Education services, namely, providing classes, seminars, workshops, television education programmes, online education classes, programmes and seminars on the subject of motor vehicle driving, road safety, driver skills, driver education, roadside assistance, driver instruction, driving skills, driver health, safety and welfare, automobile maintenance and repair; training services, namely, providing classes, seminars, workshops, television education programmes, online education classes, programmes and seminars on the subject of motor vehicle driving, road safety, driver skills, driver education, roadside assistance, driver instruction, driving skills, driver health, safety and welfare, automobile maintenance and repair; entertainment services, namely, television programmes, online broadcasts, downloadable broadcasts, television and online programs relating to driving skills and driving skill contests; provision of motor vehicle skill competitions and contests, motor vehicle driving skills, competitions involving questions about motor vehicle driving, motor vehicle safety, motor vehicles; sporting and cultural services, namely, provision of television programmes, online broadcasts, downloadable broadcasts, television and online programs relating to driving skills and driving skill contests; provision of motor vehicle skill competitions and contests, motor vehicle driving skills, competitions involving questions about motor vehicle driving, motor vehicle safety, motor vehicles, all of the foregoing provided live, broadcast on television, and transmitted online; television entertainment

services, namely, providing classes, seminars, workshops, television education programmes, online education classes, programmes and seminars on the subject of motor vehicle driving, road safety, driver skills, driver education, roadside assistance, driver instruction, driving skills, driver health, safety and welfare, automobile maintenance and repair; organisation of events, namely, providing classes, seminars, workshops, television education programmes, online education classes, programmes and seminars on the subject of motor vehicle driving, road safety, driver skills, driver education, roadside assistance, driver instruction, driving skills, driver health, safety and welfare, automobile maintenance and repair; organization of competitions, namely, providing competitions involving classes, seminars, workshops, television education programmes, online education classes, programmes and seminars on the subject of motor vehicle driving, road safety, driver skills, driver education, roadside assistance, driver instruction, driving skills, driver health, safety and welfare, automobile maintenance and repair; electronic game services provided by means of the Internet, telephone, and mobile telephone; non-downloadable Internet games

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.	4297960	Application Date	07/09/2012
Registration Date	03/05/2013	Foreign Priority Date	NONE
Word Mark	BD		
Design Mark			
Description of Mark	The mark consists of the stylized letters "BD" inside a hexagon.		
Goods/Services	Class 035. First use: First Use: 2010/04/01 First Use In Commerce: 2010/04/01 Retail store, mail order, and Internet retail store services featuring motorcycle, bicycle and four-wheel vehicle parts and accessories		

Attachments	85672136#TMSN.jpeg (1 page)(bytes) BD opposition to trademark.pdf (1 page)(84079 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	/deanne moore/
Name	Deanne Moore

Date	03/11/2013
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March 11, 2013

To whom it may concern,

I believe that there is a likelihood for confusion between our registered BD mark and the mark that is being requested by Furneaux Media serial #85581206. Our products are used on motor vehicles and their media/software is for motor vehicle driving, safety, etc. I believe that this may cause confusion in the market place.

Sincerely,

Deanne Moore
CEO