

ESTTA Tracking number: **ESTTA542056**

Filing date: **06/06/2013**

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	Enterprise Holdings, Inc.
Granted to Date of previous extension	07/03/2013
Address	600 Corporate Park Drive St. Louis, MO 63105 UNITED STATES

Attorney information	Andrea Anderson Holland & Hart LLP PO Box 8749ATTN: Trademark Docketing Denver, CO 80201 UNITED STATES docket@hollandhart.com, aanderson@hollandhart.com, kmorita@hollandhart.com, lmroot@hollandhart.com
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**Applicant Information**

Application No	85647875	Publication date	03/05/2013
Opposition Filing Date	06/06/2013	Opposition Period Ends	07/03/2013
Applicant	Roman, Yzzer G 1005 S. 2nd Street #3 Champaign, IL 61820 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 039. First Use: 2012/06/01 First Use In Commerce: 2012/06/01 All goods and services in the class are opposed, namely: Leasing of automobiles; Leasing of cars; Leasing of motor vehicles; Leasing of vehicles
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**Grounds for Opposition**

The mark is merely descriptive	Trademark Act section 2(e)(1)
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Attachments	Notice of Opposition - LEASE MY CAR.pdf(21112 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	/Andrea Anderson/
Name	Andrea Anderson
Date	06/06/2013

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

Enterprise Holdings, Inc.,  Opposer,  v.  Yzzer G Roman,  Applicant.	Opposition No.:  Mark: LEASE MY CAR  App. Serial. No.: 85/647,875
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**NOTICE OF OPPOSITION**

Enterprise Holdings, Inc. (“Opposer”), a corporation of the state of Missouri, having a principal place of business at 600 Corporate Park Drive, St. Louis, Missouri 63105, believes that it will be damaged by the registration of the mark LEASE MY CAR shown in U.S. Trademark Application Serial No. 85/647,875 for “Leasing of automobiles; Leasing of cars; Leasing of motor vehicles; Leasing of vehicles” (the “Application”). As grounds for its opposition, Opposer alleges that, upon actual knowledge with respect to itself and its own actions, and upon information and belief as to other matters:

1. With more than 6,000 rental offices operated by affiliated companies under intercompany licenses, Opposer is one of the leading providers of vehicle rental and related services in the United States.
2. Applicant’s LEASE MY CAR mark merely describes Applicant’s vehicle leasing services: put simply, Applicant leases his cars to customers.
3. In fact, Applicant is using the phrase “lease my car” descriptively on his website located at <http://www.lease-my-car.com/index.html> (“Do not miss a chance to Lease My Car!”).

4. Upon information and belief, the alleged LEASE MY CAR mark has not acquired distinctiveness.

5. Consequently, the alleged LEASE MY CAR mark is descriptive and otherwise lacks distinctiveness and is not entitled to registration on the Principal Register pursuant to Section 2(e) of the Lanham Act, 15 U.S.C. § 1052(e).

6. If Applicant is granted registration, it would obtain certain statutory rights, including prima facie rights to the exclusive use of the phrase “lease my car”, all to the damage of Opposer. Specifically, Opposer has an interest in the ongoing ability to competitively use the phrase “lease my car” descriptively in connection with its vehicle rental and leasing services.

WHEREFORE, Opposer believes that it and other competitors in the vehicle rental and leasing industry will be damaged by registration of this descriptive phrase set forth in Application Serial No. 85/647,875, and respectfully requests that the Application be refused registration and that this Opposition be sustained.

The filing fee of \$300 is transmitted electronically with this submission. Any deficiency in the fee should be charged to Deposit Account No. 08-2623.

Dated: June 6, 2013

Respectfully submitted,



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Andrea Anderson  
Kazuyo Morita  
HOLLAND & HART LLP  
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Boulder, CO 80302  
(303) 473-2861 (phone)  
(303) 473-2720 (fax)

**Attorneys for Opposer  
Enterprise Holdings, Inc.**

**CERTIFICATE OF SERVICE**

I certify that on June 6, 2013, I served a copy of the above NOTICE OF OPPOSITION to the Applicant by:

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax

Yzzer Roman  
1107 S 4th St Apt 9  
Champaign, Illinois 61820



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