

ESTTA Tracking number: **ESTTA542721**

Filing date: **06/10/2013**

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	General Motors LLC
Granted to Date of previous extension	06/12/2013
Address	300 Renaissance Center Detroit, MI 48265-3000 UNITED STATES

Attorney information	Timothy G. Gorbatoff General Motors LLC 300 Renaissance Center Detroit, MI 48265-3000 UNITED STATES timothy.g.gorbatoff@gm.com Phone:313-665-4719
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Applicant Information

Application No	85697801	Publication date	02/12/2013
Opposition Filing Date	06/10/2013	Opposition Period Ends	06/12/2013
Applicant	SUPERVETTES LLC 2465 SAN PIETRO CIRCLE PALM BEACH GARDENS, FL 33410 UNITED STATES		

Goods/Services Affected by Opposition

Class 012. First Use: 2010/07/21 First Use In Commerce: 2010/07/21 All goods and services in the class are opposed, namely: Automobile bodies; Automobile bumpers; Automobile door handles; Automobile hoods; Automotive body kits comprising external structural parts of automobiles; Automotive interior paneling; Bodyworks for motor vehicles; Bumpers for automobiles; Wheels
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2463898	Application Date	06/05/2000
Registration Date	06/26/2001	Foreign Priority Date	NONE

Word Mark	CORVETTE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 006. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 metal money clips, metal gear shift knobs, non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs, metal key rings, metal license plates

U.S. Registration No.	2314485	Application Date	01/29/1999
Registration Date	02/01/2000	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1996/04/00 First Use In Commerce: 1996/04/00 SHIRTS, SWEATERS, JACKETS, BLAZERS, HATS, CLOTHING TIES, SWEAT SUITS, [PANTS] AND SHORTS		

U.S. Registration No.	2311399	Application Date	11/18/1998
Registration Date	01/25/2000	Foreign Priority Date	NONE
Word Mark	CHEVROLET CORVEITTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1995/03/00 First Use In Commerce: 1995/03/00 SHIRTS, [SWEATERS,] JACKETS, [BLAZERS,] HATS, CLOTHING TIES, SWEAT SUITS [, PANTS AND SHORTS]		

U.S. Registration No.	2311215	Application Date	10/15/1998
Registration Date	01/25/2000	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 1981/01/00 First Use In Commerce: 1981/01/00 METAL LICENSE PLATES		

U.S. Registration No.	2105243	Application Date	09/30/1996
Registration Date	10/14/1997	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 1995/10/13 First Use In Commerce: 1995/10/13 cologne

U.S. Registration No.	2144177	Application Date	09/30/1996
Registration Date	03/17/1998	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1995/09/11 First Use In Commerce: 1995/09/11 cookies		

U.S. Registration No.	2054546	Application Date	02/09/1996
Registration Date	04/22/1997	Foreign Priority Date	NONE
Word Mark	NATIONAL CORVETTE MUSEUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 magnets, photographic cameras and video tapes featuring the grand opening of the National Corvette Museum</p> <p>Class 014. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 charms, clocks, lapel pins, medallions, money clips made of precious metal, rings, tie tacks, and watches</p> <p>Class 016. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 art prints, bookmarks, bumper stickers, calendars, coin holders, decals, debit cards, envelopes, magazines, pencils, pens, playing cards, postcards and posters</p> <p>Class 018. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 fanny packs, garment bags, golf umbrellas, and tote bags</p> <p>Class 020. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 [mirrors, picture frames and seat cushions]</p> <p>Class 021. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 wicker and wood baskets, beverage can insulators, coasters, mugs, and shot glasses</p> <p>Class 024. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 cloth pennants and towels</p> <p>Class 025. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 caps, denim shirts, jackets, polo shirts, sweat shirts, sweatsuits, and T-shirts</p> <p>Class 026. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 cloth patches and thimbles</p> <p>Class 028. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 decorative bells not of metal, board games, Christmas tree ornaments, peddle cars and toy vehicles</p>		

	Class 041. First use: First Use: 1994/09/02 First Use In Commerce: 1994/09/02 museums		
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U.S. Registration No.	3687536	Application Date	09/12/2005
Registration Date	09/22/2009	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2009/04/06 First Use In Commerce: 2009/04/06 Restaurant services		

U.S. Registration No.	3473908	Application Date	04/20/2006
Registration Date	07/22/2008	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2007/12/17 First Use In Commerce: 2007/12/17 Boats		

U.S. Registration No.	1966352	Application Date	10/14/1994
Registration Date	04/09/1996	Foreign Priority Date	NONE
Word Mark	CORVETTE QUARTERLY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1988/04/01 First Use In Commerce: 1988/04/01 magazines devoted to American made sports cars and American made sports cars enthusiasts with articles concerning engineering, design and styling changes; American made sports cars events; and maintenance information		

U.S. Registration No.	1792602	Application Date	01/14/1993
Registration Date	09/14/1993	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1953/09/30 First Use In Commerce: 1953/09/30 printed materials; namely, manuals, brochures, and catalogs pertaining to the features and controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles		

U.S. Registration No.	3147782	Application Date	03/22/2005
Registration Date	09/26/2006	Foreign Priority Date	NONE
Word Mark	CORVETTE C6		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2005/02/11 First Use In Commerce: 2005/02/11 Clothing, namely, shirts, sweatshirts and t-shirts		

U.S. Registration No.	4150438	Application Date	11/17/2008
Registration Date	05/29/2012	Foreign Priority Date	NONE
Word Mark	CORVETTE GRAND SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2009/07/29 First Use In Commerce: 2009/07/29 Motor land vehicles, namely, automobiles		

U.S. Registration No.	1494171	Application Date	11/23/1987
Registration Date	06/28/1988	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1987/07/27 First Use In Commerce: 1987/07/27 JEWELRY; NAMELY, QUARTZ WATCHES		

U.S. Registration No.	1495033	Application Date	11/23/1987
Registration Date	07/05/1988	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1952/09/27 First Use In Commerce: 1952/09/27 MOTOR VEHICLES; NAMELY, AUTOMOBILES, ENGINES THEREFOR, AND STRUCTURAL PARTS THEREOF		

U.S. Registration No.	1467522	Application Date	04/20/1987
Registration Date	12/01/1987	Foreign Priority Date	NONE

Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1983/02/01 First Use In Commerce: 1983/02/01 TOYS AND PLAYTHINGS, NAMELY; TOY VEHICLES, TOY CARS, TOY MODEL HOBBYCRAFT KITS		

U.S. Registration No.	2545728	Application Date	08/02/1999
Registration Date	03/12/2002	Foreign Priority Date	NONE
Word Mark	CORVETTE RACING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 CLOTHING, NAMELY, SHIRTS, T-SHIRTS, [PARKAS,] JOGGING SUITS, SWEAT SHIRTS, SWEAT PANTS, [BASEBALL SHIRTS, SHOES,] BANDANAS, [GLOVES,] SWEATERS, SOCKS, [APRONS,] HATS, LEATHER JACKETS, COATS, TIES, JACKETS		

U.S. Registration No.	1494980	Application Date	11/27/1987
Registration Date	07/05/1988	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/10/31 First Use In Commerce: 1984/10/31 EYEGLASSES		

U.S. Registration No.	579485	Application Date	03/27/1953
Registration Date	09/01/1953	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U019 (International Class 012). First use: First Use: 1953/01/09 First Use In Commerce: 1953/01/09 AUTOMOBILES		

U.S. Application No.	77912584	Application Date	01/15/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	CORVETTE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 012. First use: Snowmobiles

U.S. Application No.	77912595	Application Date	01/15/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: Motorcycles		

U.S. Application No.	77912613	Application Date	01/15/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	CORVETTE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: Personal watercraft, namely, small powerboats and water scooters		

Attachments	Supervettes - Notice of Opposition.pdf(1155914 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	/TGG/
Name	Timothy G. Gorbatoff
Date	06/10/2013

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

In the matter of:

Trademark: SUPERVETTES
Serial No.: 85/697801
Filed: August 7, 2012
Published: February 12, 2013

GENERAL MOTORS LLC)	
)	
Opposer,)	
)	Opposition No. _____
v.)	
)	
SUPERVETTES LLC)	
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

Opposer, General Motors LLC, believes it will be damaged by registration of the trademark shown in the above-identified application filed by Applicant, Supervettes LLC, and hereby opposes same, the time for opposition having been extended accordingly.

The grounds for opposition are as follows:

1. Opposer is a Delaware limited liability company with its headquarters and principal place of business at 300 Renaissance Center, Detroit, Michigan, 48265.
2. Opposer is a highly diversified company with numerous operating divisions and wholly-owned subsidiaries. Opposer manufactures, assembles and distributes the well-known CORVETTE brand automobile. Opposer also manufactures, distributes, markets and licenses the right to manufacture, distribute and market a wide variety of motor vehicle parts and accessories under its CORVETTE mark.

3. Opposer first adopted and began using its CORVETTE mark at least as early as 1952. Since then, Opposer has continuously used its CORVETTE mark as a trademark in connection with, inter alia, the marketing, sales and promotion of automobiles and motor vehicle parts and accessories.

4. As a result of the continuous and extensive use of the CORVETTE mark by Opposer and its authorized licensees, the CORVETTE mark has become, and continues to function as an extremely valuable business and marketing asset of Opposer. The CORVETTE mark indicates to the automotive trade and consuming public the high-quality automobiles and motor vehicle parts and accessories originating from Opposer and its authorized licensees.

5. The VETTE name and mark is a derivative of Opposer's well-known CORVETTE name and mark. Opposer has used the VETTE mark in connection with publications, promotions and advertisements relating to its CORVETTE brand automobile. For more than 50 years, the trade and public have used the term VETTE to identify Opposer's CORVETTE automobiles and, accordingly, the public has come to associate the term VETTE with Opposer's high-quality CORVETTE brand automobiles and motor vehicles parts and accessories. This long term use and association of the mark with Opposer thereby establishes Opposer's common law rights to the VETTE mark.

6. For nearly thirty years, Opposer has expanded its diverse CORVETTE product line beyond the automotive industry. Opposer has, itself and through authorized licensees, used its CORVETTE and VETTE marks as trademarks in connection with, inter alia, the marketing, sales and promotion of a wide variety of non-automotive goods such as metal money clips, card holders, tote bags, luggage, umbrellas, wallets, cups, beverage coolers, shirts, sweaters, jackets, cologne, cookies, pinball machines, guitars, watches and toy cars.

7. Opposer's success with the licensing of its CORVETTE and VETTE marks on products approved for sale by Opposer further exemplifies the trade and public's association of Opposer's CORVETTE and VETTE marks with high-quality products (both automotive and non-automotive) originating from Opposer and its authorized licensees.

8. Opposer is the owner of the following United States trademark registrations for its CORVETTE family of marks, each of which is valid and enforceable (hereinafter collectively referred to as the "CORVETTE marks"):

MARK	REG/SERIAL NUMBER	GOODS
CORVETTE	2463898	Metal money clips, metal gear shift knobs, non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs, metal key rings, metal license plates
CORVETTE	2314485	Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits, pants and shorts
CHEVROLET CORVETTE 	2311399	Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits, pants and shorts
CORVETTE	2311215	Metal license plates
CORVETTE	2105243	Cologne
CORVETTE	2144177	Cookies
NATIONAL CORVETTE MUSEUM 	2054546	Magnets, photographic cameras and video tapes featuring the grand opening of the National Corvette Museum, charms, clocks, lapel pins, medallions, money clips made of precious metal, rings, tie tacks, and watches, art prints, bookmarks, bumper stickers, calendars, coin holders, decals, debit cards, envelopes, magazines, pencils, pens, playing cards, postcards and posters, fanny packs, garment bags, golf umbrellas, and tote bags, wicker and wood baskets, beverage can insulators, coasters, mugs and shot glasses, cloth pennants, shirts, sweat shirts, sweat suits, and T-shirts, cloth patches and thimbles, decorative bells not of metal, board games, Christmas tree ornaments,

		peddle cars and toy vehicles
CORVETTE	3687536	Restaurant services
CORVETTE	3473908	Boats
CORVETTE QUARTERLY	1966352	Magazines devoted to American made sports cars and American made sports cars enthusiasts with articles concerning engineering, design and styling changes; American made sports cars events; and maintenance information
CORVETTE	1792602	Printed materials; namely, manuals, brochures, and catalogs pertaining to the features and controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles
CORVETTE C6	3147782	Clothing, namely shirts, sweatshirts and t-shirts
CORVETTE GRAND SPORT	4150438	Motor land vehicles, namely, automobiles
CORVETTE	1494171	Jewelry; namely, quartz watches
CORVETTE	1495033	Motor vehicles; namely, automobiles
CORVETTE	1467522	Toys and playthings, namely, toy vehicles, toy cars, toy model hobby craft kits
CORVETTE RACING 	2545728	Clothing, namely, shirts, t-shirts, jogging suits, sweatshirts, sweat pants, bandanas, sweaters, socks, hats, leather jackets, coats, ties, jackets
CORVETTE	1494980	Eyeglasses
CORVETTE (stylized) 	0579485	Automobiles
CORVETTE	77/912584 (Allowed)	Snowmobiles
CORVETTE	77/912595 (Allowed)	Motorcycles
CORVETTE	77/912613 (Allowed)	Personal watercraft, namely small powerboats and water scooters

Registration Nos. 1792602, 1494171, 1495033, 1467522, 648147 and 0579485 have become incontestable pursuant to Lanham Act §15, 15 U.S.C. §1065.

9. On information and belief, Applicant, Supervettes LLC, is a Florida company having a principal place of business at 2465 San Pietro Circle, Palm Beach Gardens, Florida, 33410.

10. On August 7, 2012, Applicant filed an application to register SUPERVETTES in International Class 12 for "Automobile bodies; Automobile bumpers; Automobile door handles; Automobile hoods; Automotive body kits comprising external structural parts of automobiles; Automotive interior paneling; Bodyworks for motor vehicles; Bumpers for automobiles; Wheels" wherein Applicant claimed a date of first use of July 21, 2010 - nearly 57 years after Opposer adopted and registered its CORVETTE mark. Applicant's application was assigned Application Serial No. 85/697801.

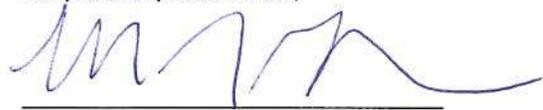
11. The SUPERVETTES mark in Application Serial No. 85/697801 so resembles Opposer's CORVETTE and VETTE marks previously registered and/or used in the United States and not abandoned, (i) as to be likely to cause confusion, or to cause mistake, or to deceive within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d); and (ii) as to cause dilution of Opposer's famous CORVETTE and VETTE marks within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

12. Opposer will be damaged by the registration of Application Serial No. 85/697801 insofar as the registration would be *prima facie* evidence of (a) the validity of the registration, (b) Applicant's ownership of the SUPERVETTES mark for the goods specified in the registration, and (c) Applicant's exclusive right to use the SUPERVETTES mark in commerce when, in fact, Applicant is not entitled to such rights by virtue of Opposer's prior continuous use and registration of the CORVETTE mark and use of the VETTE mark. Opposer will also be damaged by the registration of Application Serial No. 85/697801 insofar as use and registration of the SUPERVETTES mark by the Applicant would cause dilution of Opposer's famous CORVETTE and VETTE marks.

WHEREFORE, Opposer prays that Application Serial No. 85/697801 be refused registration and this Notice of Opposition be sustained in favor of Opposer.

Date: June 10, 2013

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Timothy G. Gorbatoff', written over a horizontal line.

Timothy G. Gorbatoff
Attorney for Opposer
General Motors LLC
300 Renaissance Center
MC#482-C23-B21
Detroit, Michigan 48265-3000
(313) 665-4719 phone
(313) 665-4976 fax
timothy.g.gorbatoff@gm.com

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

General Motors LLC)	
)	
Opposer,)	Opposition No. _____
)	Serial No. 85/697801
v.)	Mark: SUPERVETTES
)	Filing Date: August 7, 2012
Supervettes LLC)	Publication Date: February 12, 2013
)	
Applicant.)	

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Notice of Opposition** has been served on applicant by mailing said copy on June 10, 2013, via First Class Mail, postage prepaid to:

Supervettes LLC
2465 San Pietro Circle
Palm Beach Gardens, FL 33410

Signed by: 
Lisa Benkarski
Legal Assistant
General Motors LLC
300 Renaissance Center
Detroit, MI 48265-3000
313-665-4697