

ESTTA Tracking number: **ESTTA549785**

Filing date: **07/22/2013**

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                                  | River Light V, L.P.,  |
| Granted to Date of previous extension | 07/21/2013  |
| Address                               | 11 West 19th Street, 7th Floor<br>New York, NY 10011<br>UNITED STATES |

|                      |  |
|----------------------|--|
| Attorney information | Mary L. Grieco, Safia A. Anand<br>Olshan Frome Wolosky LLP<br>65 East 55th Street<br>New York, NY 10022<br>UNITED STATES<br>mgrieco@olshanlaw.com, sanand@olshanlaw.com, enunn@olshanlaw.com<br>Phone:212-451-2300 |
|----------------------|--|

**Applicant Information**

|                        |   |                        |            |
|------------------------|---|------------------------|------------|
| Application No         | 85645701  | Publication date       | 01/22/2013 |
| Opposition Filing Date | 07/22/2013  | Opposition Period Ends | 07/21/2013 |
| Applicant              | ANNE SOPHIE, INC.<br>2050 E. 49TH STREET<br>VERNON, CA 90058<br>UNITED STATES |                        |            |

**Goods/Services Affected by Opposition**

Class 018. First Use: 2012/02/15 First Use In Commerce: 2012/02/15  
All goods and services in the class are opposed, namely: Backpacks, book bags, sports bags, bum bags, wallets and handbags; Fitted protective covers for handbags, briefcases, valises, suitcases, and briefcase-like portfolios; Handbags, purses and wallets

**Grounds for Opposition**

|                                      |                            |
|--------------------------------------|----------------------------|
| Deceptiveness                        | Trademark Act section 2(a) |
| False suggestion of a connection     | Trademark Act section 2(a) |
| Priority and likelihood of confusion | Trademark Act section 2(d) |

**Marks Cited by Opposer as Basis for Opposition**

|                       |            |                  |            |
|-----------------------|------------|------------------|------------|
| U.S. Registration No. | 3782953    | Application Date | 02/26/2009 |
| Registration Date     | 04/27/2010 | Foreign Priority | NONE       |

|                     |  |      |  |
|---------------------|--|------|--|
|                     |  | Date |  |
| Word Mark           | T T  |      |  |
| Design Mark         |  |      |  |
| Description of Mark | The mark consists of two stylized "T"-shaped metal hardware pieces where the handle is attached on both sides of a handbag; the size and shape of the handbag may vary, however the relative position and size of the hardware relative to the handles will appear generally in the left and right sections of the handbag where the handle(s) is(are) attached to the handbag; the handbag is presented in dotted lining and no claim is made to the handbag shape. |      |  |
| Goods/Services      | Class 018. First use: First Use: 2007/09/15 First Use In Commerce: 2007/09/15 Handbags   |      |  |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4345879   | Application Date      | 08/30/2012 |
| Registration Date     | 06/04/2013  | Foreign Priority Date | NONE       |
| Word Mark             | T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of a stylized letter "T".   |                       |            |
| Goods/Services        | Class 018. First use: First Use: 2009/04/30 First Use In Commerce: 2009/04/30 Handbags; Wallets |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3029795   | Application Date      | 09/23/2003 |
| Registration Date     | 12/13/2005  | Foreign Priority Date | NONE       |
| Word Mark             | TT  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | NONE  |                       |            |
| Goods/Services        | Class 004. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 Candles<br>Class 014. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 Jewelry<br>Class 018. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 Accessories, namely, handbags, umbrellas and cosmetic bags sold empty<br>Class 020. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 [ Housewares, namely, wood boxes and furniture ]<br>Class 024. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 Housewares, namely, [ bed sheets, table linens and ] towels<br>Class 025. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01 Clothing, namely, shirts, tops, sweaters, pants, skirts, shorts, dresses, bathing suits, bikinis, sarongs, shoes, socks, belts, [ undergarments, ] robes and headwear; Outerwear, namely, scarves, jackets, vests and coats |                       |            |

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3563326    | Application Date      | 12/06/2007 |
| Registration Date     | 01/20/2009 | Foreign Priority Date | NONE       |

|                     |   |
|---------------------|---|
| Word Mark           | TT  |
| Design Mark         |   |
| Description of Mark | The mark consists of a circle with a "T" and an upside down "T" in the middle.  |
| Goods/Services      | Class 018. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01<br>A full line of handbags<br>Class 025. First use: First Use: 2004/02/01 First Use In Commerce: 2004/02/01<br>A full line of women's clothing and footwear |

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4213404  | Application Date      | 02/01/2012 |
| Registration Date     | 09/25/2012   | Foreign Priority Date | NONE       |
| Word Mark             | TT   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | The mark consists of an upright "T" directly below an inverted "T" all surrounded by a circle.   |                       |            |
| Goods/Services        | Class 018. First use: First Use: 2008/10/31 First Use In Commerce: 2008/10/31<br>Backpacks; Beach bags; Business card cases; Coin purses; Dog collars; Dog leashes; Overnight bags; Pet clothing; Wallets; Wristlet bags |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4150523   | Application Date      | 08/11/2009 |
| Registration Date     | 05/29/2012  | Foreign Priority Date | NONE       |
| Word Mark             | T T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of an upright "T" underneath an upside down "T" inside a circle.                  |                       |            |
| Goods/Services        | Class 018. First use: First Use: 2008/10/31 First Use In Commerce: 2008/10/31<br>Leather key chains |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4317165   | Application Date      | 08/30/2012 |
| Registration Date     | 04/09/2013  | Foreign Priority Date | NONE       |
| Word Mark             | TT  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of an upright "T" directly below an inverted "T".   |                       |            |
| Goods/Services        | Class 018. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31<br>Business card cases; Cosmetic cases sold empty; Handbags; Leather pouches; Luggage; Purses; Tote bags; Umbrellas; Wallets; Wristlet bags |                       |            |

|                      |          |                       |            |
|----------------------|----------|-----------------------|------------|
| U.S. Application No. | 85591301 | Application Date      | 04/06/2012 |
| Registration Date    | NONE     | Foreign Priority Date | NONE       |
| Word Mark            | TT       |                       |            |
| Design Mark          |          |                       |            |

|                     |  |
|---------------------|--|
| Description of Mark | The mark consists of design of four equal parts created from two stylized split "T"s.  |
| Goods/Services      | Class 018. First use: First Use: 2012/06/30 First Use In Commerce: 2012/06/30 Backpacks; Cosmetic cases sold empty; Handbags; Leather pouches; Tote bags |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4345880   | Application Date      | 08/30/2012 |
| Registration Date     | 06/04/2013  | Foreign Priority Date | NONE       |
| Word Mark             | T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of a stylized letter "T".   |                       |            |
| Goods/Services        | Class 025. First use: First Use: 2009/08/31 First Use In Commerce: 2009/08/31 Footwear; Scarves; Shirts; Sweaters |                       |            |

|                      |  |                       |            |
|----------------------|--|-----------------------|------------|
| U.S. Application No. | 85787305   | Application Date      | 11/26/2012 |
| Registration Date    | NONE   | Foreign Priority Date | NONE       |
| Word Mark            | T  |                       |            |
| Design Mark          |  |                       |            |
| Description of Mark  | The mark consists of a stylized letter "T".  |                       |            |
| Goods/Services       | Class 003. First use:<br>Cologne; Cosmetic preparations for body care; Cosmetics; Fragrances for personal use; Hair care preparations; Non-medicated skin care preparations; Perfume |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4345878   | Application Date      | 08/30/2012 |
| Registration Date     | 06/04/2013  | Foreign Priority Date | NONE       |
| Word Mark             | T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of a stylized letter "T".   |                       |            |
| Goods/Services        | Class 014. First use: First Use: 2010/10/31 First Use In Commerce: 2010/10/31 Jewelry |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4345877   | Application Date      | 08/30/2012 |
| Registration Date     | 06/04/2013  | Foreign Priority Date | NONE       |
| Word Mark             | T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of a stylized letter "T".                                   |                       |            |
| Goods/Services        | Class 009. First use: First Use: 2010/10/31 First Use In Commerce: 2010/10/31 |                       |            |

|  |   |  |  |
|--|---|--|--|
|  | Cell phone cases; Eyewear; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players; Sunglasses |  |  |
|--|---|--|--|

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3024142   | Application Date      | 09/23/2003 |
| Registration Date     | 12/06/2005  | Foreign Priority Date | NONE       |
| Word Mark             | TT  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | NONE  |                       |            |
| Goods/Services        | Class 035. First use: First Use: 2004/02/08 First Use In Commerce: 2004/02/08<br>Retail clothing apparel and accessories stores |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4029068   | Application Date      | 12/06/2007 |
| Registration Date     | 09/20/2011  | Foreign Priority Date | NONE       |
| Word Mark             | TT  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of A circle with a "T" and an upside down "T" in the middle.                |                       |            |
| Goods/Services        | Class 025. First use: First Use: 2008/01/01 First Use In Commerce: 2008/01/01<br>Socks; Robes |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4045568   | Application Date      | 05/20/2011 |
| Registration Date     | 10/25/2011  | Foreign Priority Date | NONE       |
| Word Mark             | TT  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of an upright "T" directly below an inverted "T" all surrounded by a circle.          |                       |            |
| Goods/Services        | Class 009. First use: First Use: 2009/10/21 First Use In Commerce: 2009/10/21<br>Eyewear; Eyewear cases |                       |            |

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4276065  | Application Date      | 08/13/2009 |
| Registration Date     | 01/15/2013   | Foreign Priority Date | NONE       |
| Word Mark             | TT   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | The mark consists of an upright "T" directly below an inverted "T" all surrounded by a circle.   |                       |            |
| Goods/Services        | Class 016. First use: First Use: 2008/09/30 First Use In Commerce: 2008/09/30<br>Calendars; Note cards; Passport covers; Pen and pencil cases; Pencils; Stationery |                       |            |

|                   |         |                  |            |
|-------------------|---------|------------------|------------|
| U.S. Registration | 4213405 | Application Date | 02/01/2012 |
|-------------------|---------|------------------|------------|

|                     |   |                       |      |
|---------------------|---|-----------------------|------|
| No.                 |   |                       |      |
| Registration Date   | 09/25/2012  | Foreign Priority Date | NONE |
| Word Mark           | TT  |                       |      |
| Design Mark         |   |                       |      |
| Description of Mark | The mark consists of an upright "T" directly below an inverted "T" all surrounded by a circle.  |                       |      |
| Goods/Services      | Class 009. First use: First Use: 2009/10/31 First Use In Commerce: 2009/10/31<br>Cell phone cases; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players |                       |      |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 4129090   | Application Date      | 08/11/2009 |
| Registration Date     | 04/17/2012  | Foreign Priority Date | NONE       |
| Word Mark             | T T   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | The mark consists of an upright "T" underneath an upside down "T" inside a circle.                |                       |            |
| Goods/Services        | Class 006. First use: First Use: 2008/10/31 First Use In Commerce: 2008/10/31<br>Metal key chains |                       |            |

|                      |  |                       |            |
|----------------------|--|-----------------------|------------|
| U.S. Application No. | 85726850   | Application Date      | 09/12/2012 |
| Registration Date    | NONE   | Foreign Priority Date | NONE       |
| Word Mark            | TT   |                       |            |
| Design Mark          |  |                       |            |
| Description of Mark  | The mark consists of two inverted letters "TT" surrounded by a circle outline. |                       |            |
| Goods/Services       | Class 014. First use:<br>Watches   |                       |            |

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4363739  | Application Date      | 08/30/2012 |
| Registration Date     | 07/09/2013   | Foreign Priority Date | NONE       |
| Word Mark             | TT   |                       |            |
| Design Mark           |  |                       |            |
| Description of Mark   | The mark consists of an upright "T" directly below an inverted "T".                      |                       |            |
| Goods/Services        | Class 014. First use: First Use: 2011/01/31 First Use In Commerce: 2011/01/31<br>Jewelry |                       |            |

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4345875    | Application Date      | 08/30/2012 |
| Registration Date     | 06/04/2013 | Foreign Priority Date | NONE       |
| Word Mark             | TT         |                       |            |

|                     |  |
|---------------------|--|
| Design Mark         |  |
| Description of Mark | The mark consists of an upright "T" directly below an inverted "T".  |
| Goods/Services      | Class 025. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 Belts; Dresses; Footwear; Hats; Jackets; Pajamas; Pants; Scarves; Shirts; Skirts; Sweaters; Swimwear |

|                      |  |                       |            |
|----------------------|--|-----------------------|------------|
| U.S. Application No. | 85668115   | Application Date      | 07/03/2012 |
| Registration Date    | NONE   | Foreign Priority Date | NONE       |
| Word Mark            | TT   |                       |            |
| Design Mark          |  |                       |            |
| Description of Mark  | The mark consists of an upright "T" underneath an upside down "T".   |                       |            |
| Goods/Services       | Class 003. First use:<br>Cologne; Cosmetic preparations for body care; Cosmetics; Fragrances for personal use; Hair care preparations; Non-medicated skin care preparations; Perfume |                       |            |

|                      |   |                       |            |
|----------------------|---|-----------------------|------------|
| U.S. Application No. | 85716917  | Application Date      | 08/30/2012 |
| Registration Date    | NONE  | Foreign Priority Date | NONE       |
| Word Mark            | TT  |                       |            |
| Design Mark          |   |                       |            |
| Description of Mark  | The mark consists of an upright "T" directly below an inverted "T".   |                       |            |
| Goods/Services       | Class 009. First use: First Use: 2011/01/31 First Use In Commerce: 2011/01/31 Cell phone cases; Eyewear; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players; Sunglasses |                       |            |

|             |  |
|-------------|--|
| Attachments | Anne Sophie Notice of Opposition .pdf(572375 bytes ) |
|-------------|--|

## 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 | /safiaaanand/                  |
| Name      | Mary L. Grieco, Safia A. Anand |
| Date      | 07/22/2013                     |

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

In the Matter of Trademark Application No. 85/645,701

For the Mark:   
Date Published: January 22, 2013

-----X  
:  
RIVER LIGHT V, L.P., :  
:  
Opposer, :  
:  
v. : Opposition No.:  
:  
ANNE SOPHIE, INC. DBA EMPERIA :  
:  
Applicant. :  
-----X

**NOTICE OF OPPOSITION**

Opposer River Light V, L.P., a limited partnership existing under the laws of the State of Delaware with an address of 11 West 19th Street, 7th Floor, New York, New York 10011 (“Opposer”) believes that it will be damaged by the registration of the above-identified mark filed by Applicant Anne Sophie, Inc. dba Emperia (“Applicant”), a corporation existing under the laws of the State of California with an address of 49<sup>th</sup> Street, Vernon, California 90013, and opposes the same.

Opposer alleges, on knowledge as to its own acts and otherwise on information and belief, as follows:

1. Opposer is the owner of the famous TORY BURCH trademark. Beginning at least as early as 2004 and continuing to the present, Opposer, through its predecessors and licensees, has manufactured, distributed, offered for sale and sold handbags, apparel, and related products

bearing a distinctive logo:  (the “TT Mark”), in the United States and in other countries throughout the world.

2. Opposer also owns and uses, through its licensees, a version of the TT Mark that includes a single T design:  (the “Single T Mark”). Opposer, through its licensees, began using the Single T Mark at least as early as 2009. In addition, Opposer owns and uses, through its licensees, a version of the TT Mark that does not contain a circle:  (“TT Mark w/o Circle”). Opposer, through its licensees, began using the TT Mark w/o Circle at least as early as 2007.

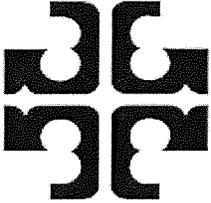
3. Furthermore, since at least as early as 2007, Opposer, through its licensees, has placed two of its Single T Marks on handbags where the handle is attached as shown below (the “TT Handbag Placement Mark”):



4. Thus, Opposer enjoys long-established common law rights in the TT Mark, the Single T Mark, the TT Mark w/o Circle, and the TT Handbag Placement Mark (collectively, “Opposer’s Marks”).

5. In addition to its common law rights in Opposer’s Marks, Opposer is the owner of US trademark registrations and applications for Opposer’s Marks in International Class 18:

| TRADEMARK   | REG./<br>SERIAL NO. | GOODS/SERVICES  |
|---|---------------------|---|
|    | 3,782,953           | Class 18: Handbags  |
|    | 4,345,879           | Class 18: Handbags; Wallets   |
|    | 3,029,795           | <p>Class 4: Candles</p> <p>Class 14: Jewelry</p> <p>Class 18: Accessories, namely, handbags, umbrellas and cosmetic bags sold empty</p> <p>Class 24: Housewares, namely, towels</p> <p>Class 25: Clothing, namely, shirts, tops, sweaters, pants, skirts, shorts, dresses, bathing suits, bikinis, sarongs, shoes, socks, belts, robes and headwear; Outerwear, namely, scarves, jackets, vests and coats</p> |
|  | 3,563,326           | <p>Class 18: A full line of handbags.</p> <p>Class 25: A full line of women's clothing and footwear.</p>  |
|  | 4,213,404           | Class 18: Backpacks; Beach bags; Business card cases; Coin purses; Dog collars; Dog leashes; Overnight bags; Pet clothing; Wallets; Wristlet bags   |
|  | 4,150,523           | Class 18: Leather key chains  |

|   |            |  |
|---|------------|--|
|  | 4,317,165  | Class 18: Business card cases; Cosmetic cases sold empty; Handbags; Leather pouches; Luggage; Purses; Tote bags; Umbrellas; Wallets; Wristlet bags |
|  | 85/591,301 | Class 18: Backpacks; Cosmetic cases sold empty; Handbags; Leather pouches; Tote bags.  |

6. Opposer is also the owner of several US applications for the Single T Mark in classes outside of Class 18, as set forth below:

| <b>TRADEMARK</b>  | <b>REG./<br/>SERIAL NO.</b> | <b>GOODS/SERVICES</b>  |
|---|-----------------------------|--|
|  | 4,345,880                   | Class 25: Footwear; Scarves; Shirts; Sweaters  |
|  | 85/787,305                  | Class 3: Cologne; Cosmetic preparations for body care; Cosmetics; Fragrances for personal use; Hair care preparations; Non-medicated skin care preparations; Perfume   |
|  | 4,345,878                   | Class 14: Jewelry  |
|  | 4,345,877                   | Class 9: Cell phone cases; Eyewear; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players; Sunglasses |

7. In addition, Opposer is the owner of numerous applications and registrations for other of Opposer's Marks in classes outside of Class 18:

| TRADEMARK   | REG./<br>SERIAL NO. | GOODS/SERVICES  |
|---|---------------------|---|
|    | 3,024,142           | Class 35: Retail clothing apparel and accessories stores  |
|    | 4,029,068           | Class 25: Socks; Robes  |
|   | 4,045,568           | Class 9: Eyewear; Eyewear cases   |
|  | 4,276,065           | Class 16: Calendars; Note cards; Passport covers; Pen and pencil cases; Pencils; Stationery   |
|  | 4,213,405           | Class 9: Cell phone cases; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players |
|  | 4,129,090           | Class 6: Metal key chains   |
|  | 85/726,850          | Class 14: Watches   |

|   |            |   |
|---|------------|---|
|  | 4,363,739  | Class 14: Jewelry   |
|  | 4,345,875  | Class 25: Belts; Dresses; Footwear; Hats; Jackets; Pajamas; Pants; Scarves; Shirts; Skirts; Sweaters; Swimwear  |
|  | 85/668,115 | Class 3: Cologne; Cosmetic preparations for body care; Cosmetics; Fragrances for personal use; Hair care preparations; Non-medicated skin care preparations; Perfume  |
|  | 85/716,917 | Class 9: Cell phone cases; Eyewear; Leather protective covers specially adapted for personal electronic devices; Protective covers and cases for cell phones, laptops and portable media players; Sunglasses. |

8. Opposer and its licensees have engaged in significant marketing and promotional activities and have had extensive sales of products bearing Opposer's Marks. These activities have resulted in Opposer's Marks achieving widespread acceptance and recognition among the consuming public and trade throughout the United States and abroad.

9. As a result of Opposer's and its licensees' extensive use of Opposer's Marks, Opposer's Marks have come to signify products originating from Opposer and to symbolize goodwill belonging to Opposer.

10. On June 7, 2012, Applicant filed an application to register the mark:  ("Applicant's Mark"), Serial No. 85645701 in Class 18 for: "Backpacks, book bags, sports bags, bum bags, wallets and handbags; Fitted protective covers for handbags, briefcases, valises, suitcases, and briefcase-like portfolios; Handbags, purses and wallets" ("Applicant's

Application”). Applicant’s Application claims a first use date of February 15, 2012.

11. On January 22, 2013, Applicant’s Application was published for opposition.

12. Applicant’s Mark is confusingly similar to Opposer’s Marks when used on or in conjunction with the goods specified in Applicant’s Application.

13. Applicant’s Mark and the placement of Applicant’s Mark are virtually identical to the TT Handbag Placement Mark when the specimen evidencing the use of Applicant’s Mark is compared to the TT Handbag Placement Mark as shown below:



TT Handbag Placement Mark



Specimen for Applicant’s Mark

14. Further, the manner in which Opposer uses the TT Handbag Placement Mark is virtually identical to the manner in which Applicant uses Applicant’s Mark as shown below:



Specimen for TT Handbag Placement Mark



Specimen for Applicant’s Mark

15. The class for which Applicant seeks to register Applicant’s Mark is identical to the class for which Opposer’s Marks are registered and/or for which there are pending applications, namely Class 18. Moreover, the goods for which Applicant seeks to protect in its

Application are identical or closely related to the goods covered by the Class 18 registrations for Opposer's Marks, as well as the goods sold by Opposer (through its licensees), bearing Opposer's Marks. The goods covered in Applicant's Application are also closely related to many of the goods covered by Opposer's non-Class 18 trademark registrations and applications set forth above.

16. Applicant's Application was filed long after Opposer, through its predecessors and licensees, began use of Opposer's Marks. In addition, Applicant's goods are most likely marketed through the same channels of trade and to the same class of consumers as the goods of Opposer and its licensees.

17. Prospective purchasers of Applicant's goods are likely to erroneously believe that such goods are produced by or under the authority of Opposer or its licensees, or to erroneously assume that there is some other connection between Opposer or its licensees and Applicant.

18. Applicant's Mark so resembles Opposer's Marks, and in particular the Single T Mark and the TT Handbag Placement Mark, that, when used on or in conjunction with the goods of Applicant:

- (a) It is likely to cause confusion, or to cause mistake, or to deceive;
- (b) It falsely suggests a connection with Opposer; and
- (c) It damages Opposer's goodwill in Opposer's Marks.

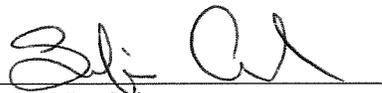
WHEREFORE, Opposer prays that its Opposition to the registration of Application Serial No. 85/645,701 be sustained and Applicant's Mark be refused registration.

Please recognize Mary L. Grieco and Safia A. Anand, who are members of the Bar of the State of New York, and with the firm of Olshan Frome Wolosky LLP, located at Park Avenue Tower, 65 East 55<sup>th</sup> Street, New York, New York 10022, as attorneys for Opposer River Light V, L.P.

Dated: July 22, 2013

Respectfully submitted,

OLSHAN FROME WOLOSKY LLP

By:   
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(212) 451-2300  
Attorneys for Opposer

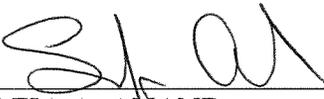
**CERTIFICATE OF SERVICE**

I hereby certify that on this day, July 22, 2013, a true and correct copy of the foregoing document entitled:

**NOTICE OF OPPOSITION**

was served upon Applicant and Applicant's Correspondent by prepaid, first class U.S. mail, addressed as follows:

ANNE SOPHIE, INC. DBA EMPERIA  
2050 E. 49TH STREET  
VERNON, CALIFORNIA 90058

  
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SAFIA A. ANAND