

ESTTA Tracking number: **ESTTA557458**

Filing date: **09/03/2013**

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	Kelly Services, Inc.
Granted to Date of previous extension	09/01/2013
Address	999 West Big Beaver Road Troy, MI 48084 UNITED STATES

Correspondence information	Elizabeth K. Brock Harness, Dickey & Pierce, PLC 5445 Corporate Drive Suite 200 Troy, MI 48098 UNITED STATES ebroch@hdp.com, tjcomparo@hdp.com
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Applicant Information

Application No	85778779	Publication date	03/05/2013
Opposition Filing Date	09/03/2013	Opposition Period Ends	09/01/2013
Applicant	Kelly & Associates Financial Services, Inc. 301 International Circle Hunt Valley, MD 21030 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. All goods and services in the class are opposed, namely: Financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; Financial administration of retirement plans and employee pension plans; investment advice; investment management; Providing employee benefit and administrative services to employers, namely, administration of employee benefit plans concerning insurance and finance and benefits insurance claims administration services in the form of calculating and billing workers compensation premiums; Administration of employee benefit welfare plan enrollment services concerning insurance and finance; Business services for employers, namely, consulting services in the field of health care insurance; Providing an on-line database to insurance brokers, employers and employees featuring information on employee benefit plans, programs, and administration of employee benefit plans

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.	1397917	Application Date	11/14/1985
Registration Date	06/17/1986	Foreign Priority Date	NONE
Word Mark	KELLY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1946/00/00 First Use In Commerce: 1955/00/00 FURNISHING OF TEMPORARY HELP - NAMELY OFFICE HELP, SKILLED WORKERS, UNSKILLED WORKERS, SEMI-SKILLED WORKERS, SKILLED NURSING, HOME HEALTH AIDES, HOMEMAKERS AND COMPANIONS TO PATIENTS IN THEIR HOMES AND SUPPLEMENTAL STAFFING OF HEALTH CARE INSTITUTIONS		

U.S. Registration No.	2092773	Application Date	04/09/1996
Registration Date	09/02/1997	Foreign Priority Date	NONE
Word Mark	KELLY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1992/05/00 First Use In Commerce: 1992/05/00 temporary to full-time and full-time personnel employment services for professional workers, skilled workers, unskilled workers, and semi-skilled workers,[leasing of employees to others, providing personnel employment services to businesses located near disasters that have an immediate need for personnel.] employee administration services, procurement, namely, group purchasing of employee benefit packages for others, and business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting; telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing		

U.S. Registration No.	1591225	Application Date	08/17/1989
Registration Date	04/10/1990	Foreign Priority Date	NONE
Word Mark	KELLY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1989/03/24 First Use In Commerce: 1989/03/24 FURNISHING OF TEMPORARY HELP -, namely, OFFICE HELP, SKILLED WORKERS, UNSKILLED WORKERS, SEMI-SKILLED WORKERS, SKILLED NURSING, [HOME HEALTH AIDES, HOMEMAKERS AND COMPANIONS TO		

	PATIENTS IN THEIR HOMES,] AND SUPPLEMENTAL STAFFING OF HEALTH CARE INSTITUTIONS		
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U.S. Registration No.	736554	Application Date	11/08/1960
Registration Date	08/21/1962	Foreign Priority Date	NONE
Word Mark	KELLY GIRL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U101 (International Class 035). First use: First Use: 1960/10/17 First Use In Commerce: 1960/10/17 Secretarial and Clerical Services, Operators for Bookkeeping and Other Business Office Machines and Employment Services Involving the Furnishing of Temporary Office Help		

U.S. Registration No.	834892	Application Date	05/16/1966
Registration Date	09/05/1967	Foreign Priority Date	NONE
Word Mark	KELLY SERVICES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U101 (International Class 035). First use: First Use: 1965/06/06 First Use In Commerce: 1965/06/06 SERVICES INVOLVING THE FURNISHING OF TEMPORARY HELP-NAMELY, OFFICE HELP, SKILLED WORKERS, UNSKILLED WORKERS, AND SEMI-SKILLED WORKERS		

U.S. Registration No.	2092774	Application Date	04/09/1996
Registration Date	09/02/1997	Foreign Priority Date	NONE
Word Mark	KELLY SERVICES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1992/05/00 First Use In Commerce: 1992/05/00 temporary to full-time and full-time personnel employment services for professional workers, skilled workers, unskilled workers, and semi-skilled workers, [leasing of employees to others, providing personnel employment services to businesses located near disasters that have an immediate need for personnel,] employee administration services, procurement, namely, group purchasing of employee benefit packages for others, and business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting; telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing		

U.S. Registration No.	834893	Application Date	05/16/1966
Registration Date	09/05/1967	Foreign Priority Date	NONE
Word Mark	KELLY SERVICES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U101 (International Class 035). First use: First Use: 1966/04/20 First Use In Commerce: 1966/04/20 SERVICES INVOLVING THE FURNISHING OF TEMPORARY HELP-NAMELY, OFFICE HELP, SKILLED WORKERS, UNSKILLED WORKERS AND SEMI-SKILLED WORKERS		

U.S. Registration No.	1824584	Application Date	06/17/1993
Registration Date	03/01/1994	Foreign Priority Date	NONE
Word Mark	KELLYSELECT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1993/04/23 First Use In Commerce: 1993/04/23 personnel placement and recruitment services		

U.S. Registration No.	2090765	Application Date	04/09/1996
Registration Date	08/26/1997	Foreign Priority Date	NONE
Word Mark	KELLY SCIENTIFIC RESOURCES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/08/06 First Use In Commerce: 1995/08/06 employment agency services, providing temporary, temporary to full time and full time employment of personnel having specialized skills, training and/or experience		

U.S. Registration No.	2092775	Application Date	04/09/1996
Registration Date	09/02/1997	Foreign Priority Date	NONE
Word Mark	KELLY MANAGEMENT SERVICES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1992/05/00 First Use In Commerce: 1992/05/00 business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting;		

	telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or inventory distribution and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing
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U.S. Registration No.	2324403	Application Date	04/05/1999
Registration Date	02/29/2000	Foreign Priority Date	NONE
Word Mark	KELLYCONNECT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00 PROVIDING PERSONNEL AND CONSULTATION FOR THE STAFFING AND BUSINESS MANAGEMENT OF CUSTOMERS' TELEPHONE CENTERS		

U.S. Registration No.	2408847	Application Date	01/27/2000
Registration Date	11/28/2000	Foreign Priority Date	NONE
Word Mark	KELLY EDUCATIONAL STAFFING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 PERSONNEL EMPLOYMENT SERVICES; NAMELY, PROVIDING TEACHING PERSONNEL TO SCHOOLS AND EDUCATIONAL DISTRICTS		

U.S. Registration No.	2430064	Application Date	04/06/2000
Registration Date	02/20/2001	Foreign Priority Date	NONE
Word Mark	KELLY HEALTHCARE RESOURCES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 PERSONNEL PLACEMENT SERVICES; NAMELY, PROVIDING HEALTHCARE PERSONNEL FOR SUPPLEMENTAL STAFFING OF HEALTHCARE ORGANIZATIONS AND FACILITIES, INSURANCE COMPANIES, AND FOR HOME CARE SERVICES		

U.S. Registration No.	2430065	Application Date	04/06/2000
Registration Date	02/20/2001	Foreign Priority Date	NONE
Word Mark	KELLY FINANCIAL RESOURCES		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 035. First use: First Use: 2000/02/02 First Use In Commerce: 2000/02/02 PERSONNEL EMPLOYMENT SERVICES; NAMELY, PROVIDING PERSONNEL TO FINANCIAL INSTITUTIONS AND TO OTHER BUSINESSES HAVING ACCOUNTING AND OTHER FINANCIAL RELATED SKILLS		
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U.S. Registration No.	2440959	Application Date	04/06/2000
Registration Date	04/03/2001	Foreign Priority Date	NONE
Word Mark	KELLY LAW REGISTRY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/01/03 First Use In Commerce: 2000/01/03 LEGAL PERSONNEL EMPLOYMENT AND PLACEMENT SERVICES; BUSINESS MANAGEMENT CONSULTING SERVICES TO LAW FIRMS AND LEGAL DEPARTMENTS OF PUBLIC INSTITUTIONS AND PRIVATE ORGANIZATIONS		

U.S. Registration No.	2464209	Application Date	07/17/1998
Registration Date	06/26/2001	Foreign Priority Date	NONE
Word Mark	KELLY ENGINEERING RESOURCES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/04/01 First Use In Commerce: 1999/04/01 Personnel employment services, namely, providing temporary, temporary to full-time, and full-time employees having specialized technical skills, education and/or training		

U.S. Registration No.	2509758	Application Date	11/20/2000
Registration Date	11/20/2001	Foreign Priority Date	NONE
Word Mark	KELLY IT RESOURCES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 PERSONNEL EMPLOYMENT AND PLACEMENT SERVICES, NAMELY, PROVIDING FULL-TIME, PART-TIME, AND TEMPORARY PERSONNEL HAVING SPECIALIZED TECHNICAL SKILLS, TRAINING, EDUCATION AND EXPERIENCE		

U.S. Registration No.	2699956	Application Date	03/19/2002
Registration Date	03/25/2003	Foreign Priority Date	NONE
Word Mark	KELLY CAREER NETWORK		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1998/06/01 First Use In Commerce: 1998/06/01 PERSONNEL PLACEMENT SERVICES

U.S. Registration No.	2720008	Application Date	01/30/2002
Registration Date	05/27/2003	Foreign Priority Date	NONE
Word Mark	KELLYDIRECT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2002/09/00 First Use In Commerce: 2002/09/00 PERSONNEL PLACEMENT SERVICES		

U.S. Registration No.	2726731	Application Date	03/19/2002
Registration Date	06/17/2003	Foreign Priority Date	NONE
Word Mark	KELLY HR CONSULTING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/04/01 First Use In Commerce: 2000/04/01 BUSINESS MANAGEMENT CONSULTATION; PERSONNEL PLACEMENT AND RECRUITMENT; AND SERVING AS A HUMAN RESOURCES DEPARTMENT FOR OTHERS Class 036. First use: First Use: 2000/04/01 First Use In Commerce: 2000/04/01 [ADMINISTRATION OF EMPLOYEE BENEFITS FOR OTHERS]		

U.S. Registration No.	2790558	Application Date	07/25/2002
Registration Date	12/09/2003	Foreign Priority Date	NONE
Word Mark	KELLY MERCHANDISING RESOURCES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/04/30 First Use In Commerce: 1998/04/30 PERSONNEL PLACEMENT SERVICES; NAMELY, PROVIDING PERSONNEL TO OTHER BUSINESSES TO PERFORM PRODUCT SUPPORT AND MARKETING FUNCTIONS FOR SUCH BUSINESSES IN THE AREAS OF SALES, SERVICE, DELIVERY, BILLING, PRODUCT DEMONSTRATION AND PROMOTION, AND MAINTENANCE OF PRODUCT DISPLAYS		

U.S. Registration No.	2881691	Application Date	08/22/2003
Registration Date	09/07/2004	Foreign Priority Date	NONE

Word Mark	KELLY AUTOMOTIVE SERVICES GROUP
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2000/03/00 First Use In Commerce: 2000/03/00 Personnel placement and employment services for companies in the automotive industry

U.S. Registration No.	3796923	Application Date	02/11/2009
Registration Date	06/01/2010	Foreign Priority Date	NONE

Word Mark	KELLYOCG
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2008/10/00 First Use In Commerce: 2008/10/00 Personnel placement and recruitment; temporary employment agencies; employee administration services; business management consultation and services, namely, managing and administering non-core functions, namely, mailing and shipping, records management, information services, administration, payroll and accounting, and telemarketing services; operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department of others, namely, duplicating and printing; human resources department management, namely, management of personnel and staffing; human resource consulting and on-site management of clients' human resources; employment outplacement services; temporary and permanent employee placement services; and vendor-on-premise services, namely, the administration of the employment process on-site, including resume review and checking, employment application acquisition, advertising for recruitment, conduct of interviews, and reference checking; human resources department consulting; and managing the ordering and hiring of additional staff for others

Related Proceedings	Opp. No. 91212167; newly filed against Ser. Nos. 85760731, 85778790, 85778798
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Attachments	Opposition.pdf(580655 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	/ekb/
Name	Elizabeth K. Brock
Date	09/03/2013

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

Kelly Services, Inc.,)	
Opposer,)	
	)	Opposition No. _____
v.	)	Serial No. 85778779
	)	Mark: KELLY PAYROLL
Kelly & Associates Financial Services, Inc.,	)	TURRIS FORTIS MIHI DEUS
Applicant.	)	& Design (horizontal)
_____	)	Published: March 5, 2013

NOTICE OF OPPOSITION

Kelly Services, Inc., a Delaware corporation, with a business address of 999 West Big Beaver Road, Troy, Michigan 48084, United States of America, hereby opposes registration of the mark KELLY PAYROLL TURRIS FORTIS MIHI DEUS & Design that is the subject of Application Serial No. 85/778779 in International Class 36, published in the *Official Gazette* of March 5, 2013, and requests that registration to Applicant be refused.

As grounds in support of its opposition, Opposer asserts as follows:

1. For many years, and well prior to the filing of the subject application and long prior to any date of first use upon which Applicant can rely, Kelly Services, Inc., via its wholly-owned subsidiary Kelly Properties, LLC, (collectively, “Opposer”) has adopted and continuously used the term “KELLY” in whole or in part as a trademark for a wide range of services.

2. Opposer is the owner of the following United States Trademark Registrations:

Mark	Reg. No.	Reg. Date	Goods
KELLY	1397917	6/17/1986	(35) Furnishing of temporary help, namely, office help, skilled workers, unskilled workers, semi-skilled workers, skilled nursing, home health aides, homemakers and companions to patients in their homes and supplemental staffing of health care institutions.

Mark	Reg. No.	Reg. Date	Goods
KELLY	2092773	9/2/1997	(35) Temporary to full-time and full-time personnel employment services for professional workers, skilled workers, unskilled workers, and semi-skilled workers, [leasing of employees to others, providing personnel employment services to businesses located near disasters that have an immediate need for personnel,] employee administration services, procurement, namely, group purchasing of employee benefit packages for others, and business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting; telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing.
KELLY (Stylized) KELLY	1591225	4/10/1990	(35) Furnishing of temporary help namely office help, skilled workers, unskilled workers, semi-skilled workers, skilled nursing, home health aides, homemakers and companions to patients in their homes, and supplemental staffing of health care institutions.
KELLY GIRL	0736554	8/21/1962	(35) Secretarial and clerical services, operators for bookkeeping and other business office machines and employment services involving the furnishing of temporary office help.
KELLY SERVICES	0834892	9/5/1967	(35) Services involving the furnishing of temporary help, namely, office help, skilled workers, unskilled workers, and semi-skilled workers.
KELLY SERVICES	2092774	9/2/1997	(35) Temporary to full-time and full-time personnel employment services for professional workers, skilled workers, unskilled workers, and semi-skilled workers, leasing of employees to others, providing personnel employment services to businesses located near disasters that have an immediate

Mark	Reg. No.	Reg. Date	Goods
			need for personnel, employee administration services, procurement, namely, group purchasing of employee benefit packages for others, and business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting; telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing.
KELLY SERVICES & Design 	0834893	9/5/1967	(35) Furnishing of temporary help, namely, office help, skilled workers, unskilled workers and semi-skilled workers.
KELLYSELECT	1824584	3/1/1994	(35) Personnel placement and recruitment services.
KELLY SCIENTIFIC RESOURCES	2090765	8/26/1997	(35) Employment agency services, providing temporary, temporary to full time and full time employment of personnel having specialized skills, training and/or experience.
KELLY MANAGEMENT SERVICES	2092775	9/2/1997	(35) Business management consultation and services, namely, managing and administering such non-core functions such as - mailing and shipping; records management; information services; administration; payroll and accounting; telemarketing services, operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or inventory distribution and operating, assisting or outsourcing the reprographics department, namely, duplicating and printing.
KELLYCONNECT	2324403	2/29/2000	(35) Providing personnel and consultation for the staffing and business management of customers' telephone centers.
KELLY	2408847	11/28/2000	(35) Personnel employment services; namely,

Mark	Reg. No.	Reg. Date	Goods
EDUCATIONAL STAFFING			providing teaching personnel to schools and educational districts
KELLY HEALTHCARE RESOURCES	2430064	2/20/2001	(35) Personnel placement services; namely, providing healthcare personnel for supplemental staffing of healthcare organizations and facilities, insurance companies, and for home care services.
KELLY FINANCIAL RESOURCES	2430065	2/20/2001	(35) Personnel employment services; namely, providing personnel to financial institutions and to other businesses having accounting and other financial related skills.
KELLY LAW REGISTRY	2440959	4/3/2001	(35) Legal personnel employment and placement services; business management consulting services to law firms and legal departments of institutions and private organizations.
KELLY ENGINEERING RESOURCES	2464209	6/26/2001	(35) Personnel employment services, namely, providing temporary, temporary to full-time, and full-time employees having specialized technical skills, education and/or training.
KELLY IT RESOURCES	2509758	11/20/2001	(35) Personnel employment and placement services; namely providing full-time, part-time, and temporary personnel having specialized technical skills, training, education, and experience.
KELLY CAREER NETWORK	2699956	3/25/2003	(35) Personnel placement services.
KELLYDIRECT	2720008	5/27/2003	(35) Personnel placement services.
KELLY HR CONSULTING	2726731	6/17/2003	(35) Business management consultation; personnel placement and recruitment; and serving as a human resources department for others. (36) Administration of employee benefits for others.
KELLY MERCHANDISING RESOURCES	2790558	12/9/2003	(35) Personnel placement services; namely, providing personnel to other businesses to perform product support and marketing functions for such businesses in the areas of sales, service, delivery, billing, product demonstration and promotion, and maintenance of product displays.
KELLY AUTOMOTIVE	2881691	9/7/2004	(35) Personnel placement and employment

Mark	Reg. No.	Reg. Date	Goods
SERVICES GROUP			services for companies in the automotive industry.
KELLYOCG	3796923	6/1/2010	(35) Personnel placement and recruitment; temporary employment agencies; employee administration services; business management consultation and services, namely, managing and administering non-core functions, namely, mailing and shipping, records management, information services, administration, payroll and accounting, and telemarketing services; operating, assisting or outsourcing the operation of a distribution center or warehouse facility containing mail order or distribution inventory and operating, assisting or outsourcing the reprographics department of others, namely, duplicating and printing; human resources department management, namely, management of personnel and staffing; human resource consulting and on-site management of clients' human resources; employment outplacement services; temporary and permanent employee placement services; and vendor-on-premise services, namely, the administration of the employment process on-site, including resume review and checking, employment application acquisition, advertising for recruitment, conduct of interviews, and reference checking; human resources department consulting; and managing the ordering and hiring of additional staff for others.

("Opposer's Marks"). These registrations are valid, subsisting, unrevoked, and uncanceled.

4. Applicant has filed the following intent-to-use application:

Mark	Serial No.	Services	Filing and Publication Date
KELLY PAYROLL TURRIS FORTIS MIHI DEUS & Design 	85/778779	Financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; Financial administration of retirement plans and employee pension plans; investment advice; investment management; Providing employee benefit and administrative services to employers, namely, administration of employee benefit plans concerning insurance and finance and benefits insurance claims administration services in the form of calculating and billing workers compensation premiums; Administration of employee benefit welfare plan enrollment services concerning insurance and finance; Business services for employers, namely, consulting services in the field of health care insurance; Providing an on-line database to insurance brokers, employers and employees featuring information on employee benefit plans, programs, and administration of employee benefit plans	Filed: 11/14/2012 Published: 3/5/2013

("Applicant's Mark").

5. Applicant's Mark so resembles Opposer's previously used and registered Marks as to be likely, when applied to the goods or services set forth in Applicant's application, to cause confusion, mistake, or deception within the meaning of Section 2(d) of the Trademark Act.

6. In addition, Opposer's Marks are famous and distinctive within the meaning of the Federal Dilution Act of 1995, as amended. Applicant adopted, began using and applied for Applicant's Mark after Opposer's Marks became famous. Applicant's Mark will or is likely to tarnish and/or diminish the distinctiveness of Opposer's famous Marks; consequently, Opposer will

be further damaged by the registration of Applicant's mark because such registration will dilute the capacity of Opposer's marks to identify and distinguish its goods and services within the meaning of the provisions of the Federal Trademark Dilution Act of 1995, as amended.

WHEREFORE, Opposer prays that the opposition be sustained and that registration to Applicant be refused.

Respectfully Submitted,

KELLY SERVICES, INC.

Dated: September 1, 2013

By: 
Elizabeth K. Brock, Esq.
HARNES, DICKEY & PIERCE, P.L.C.
Suite 200, 5445 Corporate Drive
Troy, Michigan 48098
T: 248-641-1600
F: 248-641-0270

Attorney for Opposer, Kelly Services, Inc.

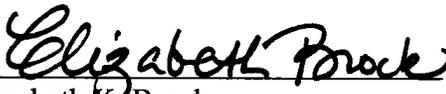
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Kelly Services, Inc.,)	
Opposer,)	
v.	)	Opposition No. _____
	)	Serial No. 85778779
Kelly & Associates Financial Services, Inc.,	)	Mark: KELLY PAYROLL
Applicant.	)	TURRIS FORTIS MIHI DEUS
_____	)	& Design (horizontal)
	)	Published: March 5, 2013

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Notice of Opposition** has been served on Applicant Kelly & Associates Financial Services, Inc., by mailing said copy to the correspondent address of record with the United States Patent and Trademark Office and the Trademark Trial and Appeal Board, on September 3, 2013, via First Class Mail, postage prepaid, to:

Michael T. Olsen
Winthrop & Weinstine
225 S. 6th St., Ste 3500
Minneapolis, MN 55402-4629


Elizabeth K. Brock