

ESTTA Tracking number: **ESTTA562876**

Filing date: **10/03/2013**

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	SofiaSizzi
Granted to Date of previous extension	10/09/2013
Address	10 Liberty Street, Suite 45 G New York, NY 10005 UNITED STATES

Attorney information	Felix Reznick Reznick Law, PLLC 445 Park Avenue, 17th Floor New York, NY 10022 UNITED STATES freznick@reznicklaw.com, bfridman@reznicklaw.com Phone:212-490-5900
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Applicant Information

Application No	85678731	Publication date	06/11/2013
Opposition Filing Date	10/03/2013	Opposition Period Ends	10/09/2013
Applicant	Fiat Group Automobiles S.p.A. Corso Giovanni Agnelli, 200 Torino, 10135 ITALY		

Goods/Services Affected by Opposition

Class 018. All goods and services in the class are opposed, namely: Luggage and suitcases; trunks and travelling bags
Class 025. All goods and services in the class are opposed, namely: Shoes and belts

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.	4053266	Application Date	01/11/2011
Registration Date	11/08/2011	Foreign Priority Date	NONE
Word Mark	GIULIETTA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 2011/01/01 First Use In Commerce: 2011/01/01 Handbags Class 025. First use: First Use: 2011/01/01 First Use In Commerce: 2011/01/01 Bottoms; Jackets; Shoes; Ties; Tops; Wearable garments and clothing, namely, shirts

Attachments	Notice of Opposition - Giulietta.pdf(196127 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	/Felix Reznick/
Name	Felix Reznick
Date	10/03/2013

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

In the matter of trademark application Serial No. 85678731

For the mark "Giulietta"

Published in the Official Gazette on June 11, 2013

Sofia Sizzi

Opposer

v.

Fiat Group Automobiles S.p.A.

Applicant

NOTICE OF OPPOSITION

Opposer, Sofia Sizzi, an individual, with her business address located at 10 Liberty Street, Suite 45G, New York, NY 10005 ("Opposer"), believes that she will be damaged by the Applicant's registration of the mark "Giulietta" (the "Mark") for the goods identified in U.S. Trademark Application Serial No. 85678731 (the "Application"), namely "Luggage and suitcases; trunks and travelling bags," in International Class 018, and "shoes and belts," in International Class 025 (collectively, the "Listed Goods"), which Application was filed by Fiat Group Automobiles S.p.A. società per azioni (spa) (the "Applicant"), having an address on file with the U.S. Patent and Trademark Office at Corso Giovanni Agnelli, 200 Torino, Italy 10135.

The grounds for opposition are as follows:

1. On July 17, 2012, Applicant filed the Application to register the Mark in connection with Listed Goods.

2. Opposer is the owner of United States Trademark Registration No. 4053266 for Giulietta, for "Handbags" in International Class 018, and "Bottoms, jackets, shoes, ties, tops, wearable garments and clothing, namely, shirts" in International Class 025.
3. Opposer's Mark was registered by the USPTO on the Principal Register on November 8, 2011, and has not been abandoned.
4. Opposer distributes the products sold under the Mark through department and retail stores world-wide.
5. Applicant's filing date for the Application is well after Opposer's date of registration of November 8, 2011, and well after Opposer's adoption and first use of the Mark, set forth in its Registration as January 1, 2011, and accordingly, Opposer's Mark has priority over Applicant's Mark.
6. Due to similarity between Applicant's Mark and Opposer's Mark (in fact the marks are identical), and the related nature of the goods of the respective parties, customers and potential customers are likely to believe the Applicant's good originate from Opposer, or are otherwise endorsed, sponsored, or approved by Opposer, resulting in likelihood of confusion in the marketplace and damage to Opposer.
7. The use and registration by Applicant of Applicant's Mark for the Listed Goods is likely to cause confusion, or to cause mistake or deception in the marketplace among actual and potential customers with Opposer's Mark resulting in damage to Opposer.
8. Opposer will be damaged by the registration of Applicant's Mark, within the meaning of 15 U.S.C. § 1063, because Applicant's Mark is confusingly similar to Opposer's Mark, and is used in connection with identical or/closely related goods, thereby causing likelihood

of confusion, deception, or mistake, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. §1052 (d).

WHEREFORE, Opposer respectfully requests that this opposition to Applicant's Application be sustained in favor of Opposer, that the Application be rejected, that Applicant's Mark be refused registration, and for all other relief to which Opposer is entitled.

Respectfully submitted,

Date: October 3, 2013



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