

ESTTA Tracking number: **ESTTA608512**

Filing date: **06/06/2014**

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	Compass International Pictures, Inc.
Granted to Date of previous extension	06/07/2014
Address	2021 Pontius Avenue Los Angeles, CA 90025 UNITED STATES

Correspondence information	Compass International Pictures, Inc. 2021 Pontius Avenue Los Angeles, CA 90025 UNITED STATES ryan@trancasfilms.com Phone:(310) 477-6569
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Applicant Information

Application No	85969771	Publication date	04/08/2014
Opposition Filing Date	06/06/2014	Opposition Period Ends	06/07/2014
Applicant	Multimedia Games, Inc. 206 Wild Basin Road South Austin, TX 78746 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Computer game software for gaming machines, namely, slot machines and video lottery terminals; Computer software and firmware for games of chance on any computerized platform, including dedicated gaming consoles, video based slot machines, reel based slot machines, and video lottery terminals; Gaming software that generates or displays wager outcomes of gaming machines
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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)
Genericness	Trademark Act section 23
Other	Potential conflict with merchandise associated with an already protected mark.

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4107718	Application Date	01/28/2011
Registration Date	03/06/2012	Foreign Priority Date	NONE
Word Mark	HALLOWEEN		
Design Mark			
Description of Mark	The mark consists of the words "HALLOWEEN" to the right of a jack-o-lantern with a fist holding a knife next to the jack-o-lantern; the rectangle carrier is not part of the mark but represents transparent background.		
Goods/Services	Class 028. First use: First Use: 1999/10/01 First Use In Commerce: 1999/10/01 Toys, namely, Action Figures and Mini Busts in the nature of action figures, not pertaining to Halloween the holiday, but pertaining to characters and themes from a series of horror and suspense movies		

Attachments	85228711#TMSN.jpeg(bytes) Notice of Opposition Pleading - Halloween.pdf(51490 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	/Ryan Freimann/
Name	Compass International Pictures, Inc.
Date	06/06/2014

1 COMPASS INTERNATIONAL PICTURES, INC.
2 2021 PONTIUS AVENUE
3 LOS ANGELES, CA 90025

4 UNITED STATES PATENT AND TRADEMARK OFFICE

5 MULTIMEDIA GAMES, INC. ("Applicant")) Application Serial No: 85969771
6)
7) NOTICE OF OPPOSITION FOR REGISTRATION
8) OF A TRADEMARK ("HALLOWEEN")
9)
10)

11 COMPASS INTERNATIONAL PICTURES, INC. ("Compass") produced the 1978
12 feature film "HALLOWEEN," a phenomenally successful film that has gone on to
13 result in not only a number of sequels and remakes, but also a wide range of
14 merchandise. As such, Compass registered the mark "HALLOWEEN" along with the
15 artwork of a pumpkin and knife being held in a hand. Compass is extremely
16 active in in activities surrounding the mark and is presently looking to
17 expand into other areas, including video games.

18 The present request to register the mark "HALLOWEEN" by Multimedia
19 Games, Inc. ("Multimedia") therefore represents a deceptively similar mark
20 that will undoubtedly result in confusion amongst consumers from the
21 inference that there is a connection between our mark, product and films and
22 the products Multimedia wishes to register this mark in connection with.

23 We pray for relief in the form of a denial of this registration.

24 Dated this 6 of June, 2014

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RYAN FREIMANN