

ESTTA Tracking number: **ESTTA616588**

Filing date: **07/19/2014**

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	El Wady El Gidid Co.		
Entity	Corporation	Citizenship	Egypt
Address	17 Bait Elmal Street Gamaliyah - Cairo, EGYPT		

Attorney information	Marco M Shawki 26 Rice Run East Brunswick, NJ 08816 UNITED STATES shawki.marco@gmail.com Phone:7325866722
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Applicant Information

Application No	86127104	Publication date	07/15/2014
Opposition Filing Date	07/19/2014	Opposition Period Ends	08/14/2014
Applicant	Ocean Queens International Inc. 43-11 172nd Street Flushing, NY 11358 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 2012/06/00 First Use In Commerce: 2012/06/00 All goods and services in the class are opposed, namely: Smokers' articles, namely, hookah charcoal

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is deceptively misdescriptive	Trademark Act section 2(e)(1)
<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Other	This mark has been in use locally and nationally since at-least 2004. This mark has been registered and in use in Egypt since 1989. This mark is being registered without the knowledge or approval of the actual owners.

Marks Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	El Wady El Gidid
Goods/Services	Hookah Charcoal

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Goods/Services	Hookah Charcoal
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Attachments	Scan_Doc0014.pdf(560113 bytes) ElWady.jpg
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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	/Marco M Shawki/
Name	Marco M Shawki
Date	07/19/2014

Opposition to Trademark Registration

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

El Wady El Gidid Co.)
17 Bait Elmal Street.)
Gamaliyah, Cairo, Egypt)
Opposer,)
) Opposition No.: Not Assigned Yet
v.) Serial No. : 86127104
) Trademark: El-Wady El-Gidid Co
Ocean Queens International Inc.)
43-11 172nd Street)
Flushing, New York 11358)
Applicant)

Opposer's Opposition to Applicants Trademark registration of "El-Wady El-Gidid Co."

I. Statement of Claim

The trademark in question, El-Wady El-Gidid, should not be allowed to be registered to Ocean Queens International Inc. They original trademark has been in use and registered for several decades, since 1989, in Egypt. The hookah charcoal produced by the opposer has been imported into the US for several years, from at-least 2004. The product has born the same name and symbol during that time period. This name and symbol have been synonymous with the opposer's brand of Hookah Charcoal. To allow the applicant to register this trademark would be in force to cancel an existing common law trademark in use for over a decade.

Respectfully submitted,



Date: 7/19/14

By: Marco Shawki, Esq.

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