

ESTTA Tracking number: **ESTTA631128**

Filing date: **10/06/2014**

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 parties oppose registration of the indicated application.

**Opposers Information**

Name	VictoriaBeckham
Granted to Date of previous extension	10/08/2014
Address	c/o Lee & Thompson LLP4 Gee's Court St Christopher's Place London, W1U1JD UNITED KINGDOM

Name	Beckham Brand Limited
Granted to Date of previous extension	10/08/2014
Address	c/o Lee & ThompsonGreen Garden House 15-22 St Christopher's Place London, W1M 5HE UNITED KINGDOM

Attorney information	Brian M. Davis VLP Law Group LLP 5960 Fairview Rd., Suite 400 Charlotte, NC 28210 UNITED STATES bdavis@vlpawgroup.com Phone:7042456515
----------------------	---

**Applicant Information**

Application No	86053642	Publication date	06/10/2014
Opposition Filing Date	10/06/2014	Opposition Period Ends	10/08/2014
Applicant	Menckeberg, Brittney J 837 Main Street Chipley, FL 32428 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 014. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Ankle bracelets; Bangle bracelets; Body-piercing rings; Bracelets; Bracelets; Bracelets and jewelry featuring electronic chips for attracting energy to the body wherein the electronic chips increase in power in the presence of electromagnetic fields, for the purpose of re-balancing the human energy field; Bracelets of precious metal; Brooches; Charity bracelets; Charms for collar jewelry and bracelet; Clip earrings; Cloisonne pins; Earclips; Ear studs; Earrings; Equine necklaces; Fitted covers for jewelry rings to protect against impact, abrasion, and damage to the ring's band and stones; Identification bracelets; Inexpensive non-jewelry watches; Jewellery and watches; Jewellery chain of precious metal for bracelets; Jewellery, clocks and</p>
---

watches; Jewelry brooches; Jewelry clips for adapting pierced earrings to clip-on earrings; Jewelry pins for use on hats; Jewelryring holders; Jewelry watches; Jewelry, namely, bracelets, wristbands and necklaces that also provides notification to the wearer of a pending medical related task; Jewelry, namely, magnetic necklaces; Key rings of precious metal; Key rings of precious metals; Lapel pins; Necklaces; Nylon ankle bracelets; Nylon bracelets; Ornamental lapel pins; Ornamental pins; Ornamental pins made of precious metal; Pins being jewelry; Plastic bracelets in the nature of jewelry; Pocket watches; Precious stones and watches; Rings; Rings; Rings being jewelry; Rings made in whole or significant part of gold, silver, platinum, diamond, dipped, plated; Rubber or silicone wristbands in the nature of a bracelet; Slap bracelets; Slapband bracelets; Smart watches; Sports watches; Stainless steel jewelry bracelets; Stop watches; Tie pins; Tie-pins of precious metal; Watch and clock springs; Watch bands; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watch chains; Watch clasps; Watch crowns; Watch faces; Watch fobs; Watch glasses; Watch movements; Watch parts; Watch pouches; Watch straps; Watch straps made of metal or leather or plastic; Watch winders; Watch winding buttons; Watches; Watches and clocks; Watches and jewellery; Watches and jewelry; Watches and straps for watches; Watches containing a game function; Watches containing an electronic game function; Watches for outdoor use; Watches for sporting use; Watches made of precious metals or coated therewith; Watches, clocks; Watches, clocks, jewellery and imitation jewellery; Watches, clocks, jewelry and imitation jewelry; Wedding rings; Women's watches; Wrist watches

Class 025. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: A-shirts; Adult novelty gag clothing item, namely, socks; Anglers' shoes; Apparel for dancers, namely, tee shirts, sweatshirts, pants, leggings, shorts and jackets; Aqua shoes; Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic pants; Athletic shirts; Athletic shoes; Babies' pants; Baby layettes for clothing; Ballet shoes; Balloon pants; Ballroom dancing shoes; Baseball shoes; Beach shoes; Belts; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts of textile; Belts that are designed to accommodate pregnancy size changes; Blouses; Boat shoes; Body shirts; Bottoms; Bowling shoes; Boxing shoes; Bridesmaid dresses; Button down shirts; Button-front aloha shirts; Camouflage pants; Camouflage shirts; Camp shirts; Canvas shoes; Capri pants; Cargo pants; Children's and infants' cloth bibs; Children's cloth eating bibs; Cleats for attachment to sports shoes; Climbing shoes; Clothing extension used to extend the normal size range of clothing items to accommodate pregnancy size changes; Clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; Clothing for athletic use, namely, padded pants; Clothing for athletic use, namely, padded shirts; Clothing for athletic use, namely, padded shorts; Clothing for babies, toddlers and children, treated with fire and heat retardants, namely, pajamas, jackets, shirts, pants, jumpers; Clothing items, namely, adhesive pockets that may be affixed directly to the body as a decorative piece of clothing with utility; Clothing items, namely, adhesive pockets that may be affixed directly to the inside of clothing for storage and safekeeping of personal items; Clothing shields, namely, pads applied to the underarms of shirts, blouses and sweaters; Clothing straps for dresses, tops, blouses, swimwear, bras, lingerie, overalls, halter tops, spaghetti straps, appliques; Clothing, namely, arm warmers; Clothing, namely, athletic sleeves; Clothing, namely, base layers; Clothing, namely, cowls and smoke ring scarves; Clothing, namely, crops; Clothing, namely, hand-warmers; Clothing, namely, khakis; Clothing, namely, knee warmers; Clothing, namely, maternity bands; Clothing, namely, neck tubes; Clothing, namely, robes; Clothing, namely, wrap-arounds; Collared shirts; Combinations; Corsets; Crop pants; Cycling shoes; Dance shoes; Deck-shoes; Denims; Drawers; Dress pants; Dress shields; Dress shirts; Dress straps; Dress suits; Dresses; Dresses made from skins; Dresses that may also be used as towels; Dresses, namely, formal, casual, work, prom, cocktail, nightlife, production, runway, beach, maxi; Dressing gowns; Dressing gowns and bath robes; Dusters; Evening dresses; Eyeshades; Fabric belts; Fishing shirts; Flood pants; Football shoes; Foulards; Garter belts; Gloves as clothing; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Gym pants; Gymnastic shoes; Handball shoes; Head wraps; Headbands for clothing; Heel pieces for shoes; Hockey shoes; Hooded sweat shirts; Hoods; Horse-riding pants; Hunting pants; Hunting shirts; Infant and toddler one piece clothing; Infants' shoes and boots; Jackets; Jeggings, namely, pants that are partially jeans and partially leggings; Jerseys; Jogging pants; Jumper dresses; Knit dresses; Knit shirts; Knit skirts; Leather belts; Leather pants; Leather shirts; Leather shoes; Leather skirts; Leg shielding device, attachable to and detachable from a person's pants, comprised of padding to shield the legs from flying debris when mowing with a string trimmer; Leisure shoes; Long-sleeved shirts; Lounge pants; Mantles; Men's dress socks; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts; Mountaineering shoes; Mufflers;

Night shirts; Non-disposable cloth training pants; Nurse dresses; Nurse pants; Open-necked shirts; Over shirts; Pants; Parts of clothing, namely, gussets for tights, gussets for stockings, gussets for bathing suits, gussets for underwear, gussets for leotards and gussets for footlets; Parts of clothing, namely, underarm gussets; Party hats; Perspiration absorbent underwear clothing; Pettipants; Pinafore dresses; Pique shirts; Platform shoes; Pleated skirts for formal kimonos (hakama); Pocket squares; Pockets for clothing; Polo shirts; Protective metal members for shoes and boots; Race number belts that hold a paper number on the race participant's front or back during competition; Ramie shirts; Riding shoes; Rubber shoes; Rugby shirts; Rugby shoes; Running pads that strap onto shoes; Running shoes; Sandals and beach shoes; Shifts; Shirt fronts; Shirt inserts, namely, dickies; Shirt yokes; Shirts; Shirts and short-sleeved shirts; Shirts and slippers; Shirts for infants, babies, toddlers and children; Shirts for suits; Shoe accessories, namely, fitted decorative covers for shoes; Shoe covers for use when wearing shoes; Shoe dowels; Shoe inserts for primarily non-orthopedic purposes; Shoe inserts for primarily non-orthopedic purposes that also deodorize shoes; Shoe liners; Shoe pegs; Shoe soles; Shoe straps; Shoe uppers; Shoes; Short sets; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Shoulder wraps; Shoulder wraps for clothing; Ski pants; Skiing shoes; Skirt suits; Skirts; Skirts and dresses; Sleep pants; Sleep shirts; Sleeves worn separate and apart from blouses, shirts and other tops; Snap crotch shirts for infants and toddlers; Snow pants; Snowboard pants; Soccer shoes; Sport shirts; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Stretch pants; Suspender belts; Suspender belts for men; Suspender belts for women; Swaddling clothes; Sweat pants; Sweat shirts; T-shirts; Tap pants; Tap shoes; Tee shirts; Tennis dresses; Tennis shoes; Ties; Toboggan hats, pants and caps; Tongue or pullstrap for shoes and boots; Tops; Track and field shoes; Track pants; Training shoes; Travel clothing contained in a package comprising reversible jackets, pants, skirts, tops and a belt or scarf; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Turtle neck shirts; Tuxedo belts; Underarm clothing shields; Volleyball shoes; Waist belts; Water repelling leather shoes and boots; Waterproof jackets and pants; Waterproof leather shoes; Waterproof leather shoes and boots; Wearable garments and clothing, namely, shirts; Wedding dresses; Welts for boots and shoes; Wind pants; Wind shirts; Women's ceremonial dresses; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's shoes; Women's shoes, namely, foldable flats; Wooden shoes; Work shoes and boots; Woven dresses; Woven skirts; Wrap belts for kimonos (datemaki); Wraps; Wrist bands; Wristbands; Yoga pants; Yoga shirts

Class 026. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Belt buckles; Belt buckles; Belt buckles not of precious metal; Belt buckles of precious metal; Belt buckles of precious metals; Belt clasps; Body and clothing tape to hold up strapless gowns; Borders and edgings for clothing; Brooches for clothing; Buckles for clothing; Buckles of precious metal; Bundle wrapping cloths; Buttons for clothing; Charms for shoes; Child restraining devices in the nature of cloth child harness for household chair; Clasps for clothing; Clips with holders for attaching corsages and boutonnieres to clothing; Cloth patches for clothing; Clothing accessories, namely, charms for attachment to zipper pulls and buttons; Clothing accessories, namely, plastic clips that attach to the lower hem of shirts and blouses that allows the user to tighten the hem; Clothing buckles; Clothing fasteners, namely, snap buttons; Clothing fasteners, namely, snap hooks; Clothing fasteners, namely, stud buttons; Clothing hooks; Decorative novelty tacks for pinning drapery or clothing to aid in making alterations; Embroidered patches for clothing; Eyelets for clothing; Fastener made primarily of polyurethane for affixing badges, insignia and nametags to clothing; Fasteners for affixing badges, insignia and nametags to clothing; Fasteners for shoes and boots; Frills for attachment to clothing; Hook and loop fasteners for use in the manufacture of clothing and shoes; Loops for clothing; Metal fasteners for shoes and boots; Ornamental cloth patches; Patches for clothing made of rubber, plastic and vinyl; Shirt buttons; Shoe buckles; Shoe eyelets; Shoe laces; Shoe ornaments not of precious metal; Shoe strings; Shoulder pads for clothing; Sweater guards

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4420171	Application Date	09/24/2004
-----------------------	---------	------------------	------------

Registration Date	10/22/2013	Foreign Priority Date	08/30/2004
Word Mark	DVB		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0  Perfumes; eau de cologne; cologne; after sun products, namely, sun block, lotions, creams, gels, milks and balms; pre-shave and after-shave lotions, balm, cologne, creams, gels, milk and moisturizing cream; after-shave and after-shaving preparations; articles for hair care, namely, shampoos, conditioners, heat protection sprays, hot oil treatments and hair serums; body care products and preparations, namely, moisturizers, waxes, exfoliating treatments, anti-wrinkle creams, skin firming creams, cleansers, toning creams, hand creams, cuticle cream, cuticle conditioners, nail creams, softeners and hardeners, body wash, body scrubs, body gels, body emulsions, body masks, facial scrubs, shower gels, cosmetic sun tanning preparations, anti-spot treatments, age retardant gel and lotions, anti-aging creams, aromatherapy creams, aromatherapy oils, aromatherapy lotions, baby oil, bathing lotions, beauty creams, beauty lotions, beauty gels, beauty masks, beauty milks, beauty serums, and exfoliant creams; preparations for the hair and body, namely, body and beauty care cosmetics, exfoliants for the hair and skin, facial cleansers, facial concealers, facial masks, facial scrubs, facial washes, hair bleach, hair decolorants, massage oils and skin emollients; hand lotions and other lotions, toilet waters; anti-perspirants and deodorants; hair care, hair coloring and hair styling preparations; hair lotions, hair conditioners; shaving lotions; hair dyes; dentifrices; soaps; car polish and shampoos; non-medicated creams and lotions for skin face and body; styling gels, lotions, mousse and sprays</p> <p>Class 006. First use: First Use: 0 First Use In Commerce: 0  Metal key blanks, metal key rings, metal key chains, metal badges for attachment to the exterior and/or interior of motor cars, ornaments of common metal, metal figurines, metals signs, metal containers; metal money boxes</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0  Sunglasses; pre-recorded video tapes, DVDs and CDs and other pre-recorded laserread disks featuring fashion, lifestyle, soccer and sports; compact disc play-</p>		

ers; photographic film; refrigerator magnets; motion picture films about fashion, lifestyle, music, soccer and sports; computer software and programs for video and computer games featuring fashion, lifestyle, music, soccer and sports and pre-recorded data carriers containing computer software and programs, but not for telecommunication purposes; computer peripherals; small portable visual display units (VDUs); personal digital assistants (PDAs); mobile telephones; electronic games consoles; interactive educational game programs and video game programs; downloadable ring tones, graphics and music via a global computer network and wireless devices; covers and specialty holsters for telephones and mobile telephones

Class 014. First use: First Use: 0 First Use In Commerce: 0

Jewelry, precious stones; precious metals and their alloys and goods of precious metals or coated therewith, namely, ankle bracelets, belt buckles, body-piercing rings and studs, brooches, charms, chokers, cuff-links, key rings, identification bracelets, medals and medallions, piggy banks, purses and wallets, rings being jewelry, tiaras, tie bars, clips, fasteners, pins and tacks and wedding bands; horological and chronometric instruments, namely, alarm clocks, automobile clocks, cases for watches and clocks, chronographs for use as watches or timepieces, diving watches, pocket watches, sun dials, timepieces, wall clocks; badges, boxes, bracelets, brooches, busts, chains, cuff links, earrings, necklaces and ornaments of precious metal; statues and statuettes of precious metal; clocks and watches; stop-watches and sports stop-watches; key fobs of precious metal; figurines of precious metal

Class 016. First use: First Use: 0 First Use In Commerce: 0

Posters; diaries; calendars; photographs; signed photographs; autographs and autographed paper items; photograph albums; autograph albums; newspapers and newsletters in the field of fashion or soccer; printed instruction manuals in the field of soccer and skills relating to soccer; greeting cards; notelets; note pads and note books; stickers and paper decalcomanias; writing paper and drawing paper and card-board; files; lever arch files; books in the field of soccer or fashion; periodical publications, namely, magazines in the field of soccer or fashion; printed instructional and teaching materials for use in teaching the rules and skills relating to soccer; record tokens; gift token cards; wrapping paper; stationery; writing implements; drawing rulers; erasers; pencil sharpeners; pen and pencil cases; picture cards; printed matter, namely, printed instructional guides for use with board games and jigsaw puzzles

Class 018. First use: First Use: 0 First Use In Commerce: 0

Articles made of leather or of imitation leather, namely, handbags, athletic bags, attaché cases, sports bags, book bags, briefcases and briefcase-type portfolios, business card cases, carryalls, clutch bags and purses, cosmetic bags and cases sold empty, credit card cases, key cases, lipstick cases and holders, satchels, shaving bags sold empty and shaving thongs; rucksacks; backpacks; handbags; suitcases; cases, namely, carrying cases, leather cases, overnight cases, travel cases; wallets; purses; key holders; luggage; umbrellas and parasols; sport bags

Class 028. First use: First Use: 0 First Use In Commerce: 0

Toys, namely, bath toys, bendable toys, children's art activity toys, collectable toy figures, infant toys, musical toys and water squirting toys; dolls; playthings, namely, board games, jigsaw puzzles, electronic educational game machines for children, toy vehicles, ride-on toys, rocking horses, air pistol toys, toy masks, play cosmetics for children, toys for pets, bathtub toys, mobile toys, building games, dominoes, chess and checkers games, skittles games, backgammon games, dice, tables for indoor football, ball games, children's play cosmetics; toy figures and modeled plastic toy figurines; toy action figures and accessories therefor; play figures; scale model figures; soft sculpture toys and rag dolls and toy figures of fabric, fur and other materials; miniatures and models of vehicles, football players and football stadiums; toy model hobby craft kits; sporting art-

	<p>icles, apparatus and equipment, namely, jump ropes, hand weights, skipping ropes, free weights, football goals; articles, apparatus and equipment for use in the training for, and playing of, football, namely, manually-activated exercise equipment and machines for physically exercising parts of the human body, electronically-activated exercise equipment and machines for physically exercising parts of the human body, machines and appliances, all for physical exercise, none for medical or surgical purposes, weights for physical fitness training, jogging machines, powered treadmills for running, pulleys, weightlifting machines, rowing machines, treadmills, stair climbers and stair steppers, cross-trainers, exercise bikes, multi-station weight training equipment, weight lifting benches and bench accessories, chest expanders, exercise treadmills, exercise tables, exercise bars, exercise benches, stationary exercise bicycles, exercise doorway gym bars, exercise equipment for lateral movement in a skating motion, weight lifting machines, exercise platforms, exercise trampolines, exercise weight cuffs, exercise weights, manual leg exercisers, weight lifting belts, weight lifting gloves, ankle and wrist weights for exercise; footballs; shin pads; goalkeepers gloves; ordinary playing cards; card games; trading cards; printed lottery scratch cards; self contained hand held gaming devices and games; board games, jigsaw puzzles; electronic educational games machines for children; playing cards</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Performance of sports and skills related to sport, namely, educational demonstrations relating to the playing of soccer and skills relating to soccer; entertainment and entertainer services, namely, entertainment in the nature of soccer games, entertainment in the nature of soccer tournaments and competitions, personal appearances of or by a sports personality, personal appearances of or by a popstar; performance of dance, music and drama; performance and production of radio and television programs about soccer, skills relating to soccer and fashion; performance and production of films and shows; performance and production of theatrical, stage and musical entertainment; publication of books and of text; rental of recordings of sound and of images; rental of video games; providing video games online and via mobile telephone networks; arranging and conducting of colloquiums, conferences, congresses, seminars, symposiums and workshops in the field of soccer and fashion; arranging and conducting of courses of instruction relating to, or connected with, soccer; arranging and conducting of lectures, demonstrations, displays, exhibitions, presentations, seminars and festivals for educational, entertainment, coaching and training purposes; arranging and conducting sporting and training events; arranging and conducting technical instruction courses in the field of soccer and skills relating to soccer; sport camp services; coaching, instructional and training services for sporting activities; conducting instructional, teaching and coaching classes, courses, seminars, presentations and workshops in the fields of sports and fashion; professional training and coaching services in the field of sports and fashion; provision of courses of instruction, education and coaching relating to sports; practical training relating to, or connected with, sports; information, advisory and consultancy services relating to the foregoing</p>
--	--

U.S. Application No.	85830743	Application Date	01/23/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VB VICTORIA BECKHAM		

Design Mark	<p style="text-align: center;"><b>VB VICTORIA BECKHAM</b></p>
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0  Eyewear; eyewear accessories, namely, straps, neck cords and headstraps that restrain eyewear from movement on the wearer; eyewear cases; frames for eyewear; spectacles; sunglasses; cases for spectacles and sunglasses; frames for spectacles and sunglasses; reading glasses; eye glasses; corrective glasses; frames for glasses; contact lenses; holders for contact lenses; cases for contact lenses; carrying cases for contact lenses; containers for contact lenses; downloadable electronic publications provided from databases or the Internet, namely, magazines, catalogues, brochures and leaflets in the field of eyewear and fashion</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0  Trunks and travelling bags; umbrellas and parasols; all-purpose sports bags; all purpose athletic bags; all-purpose carrying bags; animal leashes; athletic bags; attaché cases; backpacks; rucksacks; beach bags; clutch bags; clutch purses; cosmetic bags sold empty; cosmetic cases sold empty; evening bags; fashion handbags; flight bags; garment bags for travel; handbags; luggage; luggage tags; luggage labels; make-up bags sold empty; overnight bags, cases and suitcases; purses; school bags; shoe bags for travel; shoulder bags; suitcases; toiletry bags and toiletry cases sold empty; tote bags; travel baggage, bags and cases; vanity cases sold empty; purses; wallets; wash bags for carrying toiletries; structural parts and fittings for the aforesaid goods</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0  Clothing, namely, shirts, jackets, underwear, underclothes, socks, dressing gowns, lingerie, hosiery, bathing costumes, bathing suits, gloves, jeans, nightwear, trouser suits, slacks, suits, trousers, bikinis, blazers, blouses, body shapers, coats, crop pants, crop tops, dresses, evening dresses, evening gowns, knee highs, knickers, skirts, miniskirts, negligees, panties, pants, stockings, suspenders, tankinis, thongs and tights; hats; footwear for men; footwear for women; footwear not for sports; shoes; boots</p> <p>Class 026. First use: First Use: 0 First Use In Commerce: 0  Belt buckles; buttons; buttons for clothing; buttons for bags, wallets and purses; clasps for clothing; clasps for bags, wallets and purses; clothing fasteners, namely, snap buttons, stud buttons and snap hooks; fasteners for bags, wallets and purses, namely, snap buttons, stud buttons and snap hooks; eyelets; eyelets for clothing; eyelets for bags, purses and wallets; fasteners for shoes and boots; press buttons; press studs; rivet buttons; zip and zipper fasteners; structural parts and fittings for the aforesaid goods</p>

Attachments	76612821#TMSN.png( bytes ) 85830743#TMSN.png( bytes ) BV (Stylized) Notice of Opposition.pdf(81642 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	/Brian M. Davis/
Name	Brian M. Davis
Date	10/06/2014

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

**In the Matter of US Serial No. 86/053,642**

**Mark:** 

-----  
Beckham Brand Limited  
Victoria Beckham  
Opposers

v.

Opposition No. \_\_\_\_\_

Brittney J. Menckeberg  
Applicant  
-----

**NOTICE OF OPPOSITION**

Beckham Brand Limited ("BBL"), a United Kingdom corporation, and Victoria Beckham, a citizen of the United Kingdom ("Beckham," collectively with BBL referred to hereafter as "Opposers"), believe that they will be damaged by the registration of the BV (Stylized) mark depicted above that is the subject of U.S. Trademark Application Serial No. 86/053,642 filed by Brittney J. Menckeberg, a US citizen residing in the state of Florida ("Applicant"). Opposers hereby oppose the registration of said mark, and as grounds for their opposition, allege that:

1. Beckham is an internationally famous entertainer and her husband, David Beckham, is one of the most well-known soccer players in the world. The Beckhams, both individually and together, offer a variety of goods and services under marks associated with their names and initials either directly or through affiliated entities such as BBL. In particular, Opposers own a number of trademark registrations and applications worldwide that feature the initials VB, as these initials create a direct association with Beckham.

2. In the United States, Opposers own the registration and application set out below (the “VB Registration and Application”):

A.

<p>Trademark &amp; Logo</p>	<p>DVB (and Design)</p> 
<p>Reg. No.</p>	<p>4,420,171</p>
<p>Registration Date</p>	<p>October 22, 2013</p>
<p>Filing Date</p>	<p>September 24, 2004</p>
<p>Goods/Services</p>	<p>3 - Perfumes; eau de cologne; cologne; after sun products, namely, sun block, lotions, creams, gels, milks and balms; pre-shave and after-shave lotions, balm, cologne, creams, gels, milk and moisturizing cream; after-shave and after-shaving preparations; articles for hair care, namely, shampoos, conditioners, heat protection sprays, hot oil treatments and hair serums; body care products and preparations, namely, moisturizers, waxes, exfoliating treatments, anti-wrinkle creams, skin firming creams, cleansers, toning creams, hand creams, cuticle cream, cuticle conditioners, nail creams, softeners and hardeners, body wash, body scrubs, body gels, body emulsions, body masks, facial scrubs, shower gels, cosmetic sun tanning preparations, anti-spot treatments, age retardant gel and lotions, anti-aging creams, aromatherapy creams, aromatherapy oils, aromatherapy lotions, baby oil, bathing lotions, beauty creams, beauty lotions, beauty gels, beauty masks, beauty milks, beauty serums, and exfoliant creams; preparations for the hair and body, namely, body and beauty care cosmetics, exfoliants for the hair and skin, facial cleansers, facial concealers, facial masks, facial scrubs, facial washes, hair bleach, hair decolorants, massage oils and skin emollients; hand lotions and other lotions, toilet waters; anti-perspirants and deodorants; hair care, hair coloring and hair styling preparations; hair lotions, hair conditioners; shaving lotions; hair dyes; dentifrices; soaps; car polish and shampoos; non-medicated creams and lotions for skin face and body; styling gels, lotions, mousse and sprays</p> <p>6 - Metal key blanks, metal key rings, metal key chains, metal badges for attachment to the exterior and/or interior of motor cars, ornaments of common metal, metal figurines, metals signs, metal containers; metal money boxes</p> <p>9 - Sunglasses; pre-recorded video tapes, DVDs and CDs and other pre-recorded laser read disks featuring fashion, lifestyle, soccer and sports; compact disc players; photographic film; refrigerator magnets; motion picture</p>

films about fashion, lifestyle, music, soccer and sports; computer software and programs for video and computer games featuring fashion, lifestyle, music, soccer and sports and pre-recorded data carriers containing computer software and programs, but not for telecommunication purposes; computer peripherals; small portable visual display units (VDUs); personal digital assistants (PDAs); mobile telephones; electronic games consoles; interactive educational game programs and video game programs; downloadable ring tones, graphics and music via a global computer network and wireless devices; covers and specialty holsters for telephones and mobile telephones

14 - Jewelry, precious stones; precious metals and their alloys and goods of precious metals or coated therewith, namely, ankle bracelets, belt buckles, body-piercing rings and studs, brooches, charms, chokers, cuff-links, key rings, identification bracelets, medals and medallions, piggy banks, purses and wallets, rings being jewelry, tiaras, tie bars, clips, fasteners, pins and tacks and wedding bands; horological and chronometric instruments, namely, alarm clocks, automobile clocks, cases for watches and clocks, chronographs for use as watches or timepieces, diving watches, pocket watches, sun dials, timepieces, wall clocks; badges, boxes, bracelets, brooches, busts, chains, cuff links, earrings, necklaces and ornaments of precious metal; statues and statuettes of precious metal; clocks and watches; stop-watches and sports stop-watches; key fobs of precious metal; figurines of precious metal

16 - Posters; diaries; calendars; photographs; signed photographs; autographs and autographed paper items; photograph albums; autograph albums; newspapers and newsletters in the field of fashion or soccer; printed instruction manuals in the field of soccer and skills relating to soccer; greeting cards; notelets; note pads and note books; stickers and paper decalcomanias; writing paper and drawing paper and card-board; files; lever arch files; books in the field of soccer or fashion; periodical publications, namely, magazines in the field of soccer or fashion; printed instructional and teaching materials for use in teaching the rules and skills relating to soccer; record token cards; gift token cards; wrapping paper; stationery; writing implements; drawing rulers; erasers; pencil sharpeners; pen and pencil cases; picture cards; printed matter, namely, printed instructional guides for use with board games and jigsaw puzzles

18 - Articles made of leather or of imitation leather, namely, handbags, athletic bags, attaché cases, sports bags, book bags, briefcases and briefcase-type portfolios, business card cases, carryalls, clutch bags and purses, cosmetic bags and cases sold empty, credit card cases, key cases, lipstick cases and holders, satchels, shaving bags sold empty and shaving thongs; rucksacks; backpacks; handbags; suitcases; cases, namely, carrying cases, leather cases, overnight cases, travel cases; wallets; purses; key holders; luggage; umbrellas and parasols; sport bags

28 - Toys, namely, bath toys, bendable toys, children's art activity toys, collectable toy figures, infant toys, musical toys and water squirting toys; dolls; playthings, namely, board games, jigsaw puzzles, electronic educational game machines for children, toy vehicles, ride-on toys, rocking horses, air pistol toys, toy masks, play cosmetics for children, toys for pets, bathtub toys, mobile toys,

building games, dominoes, chess and checkers games, skittles games, backgammon games, dice, tables for indoor football, ball games, children's play cosmetics; toy figures and modeled plastic toy figurines; toy action figures and accessories therefor; play figures; scale model figures; soft sculpture toys and rag dolls and toy figures of fabric, fur and other materials; miniatures and models of vehicles, football players and football stadiums; toy model hobby craft kits; sporting articles, apparatus and equipment, namely, jump ropes, hand weights, skipping ropes, free weights, football goals; articles, apparatus and equipment for use in the training for, and playing of, football, namely, manually-activated exercise equipment and machines for physically exercising parts of the human body, electronically-activated exercise equipment and machines for physically exercising parts of the human body, machines and appliances, all for physical exercise, none for medical or surgical purposes, weights for physical fitness training, jogging machines, powered treadmills for running, pulleys, weightlifting machines, rowing machines, treadmills, stair climbers and stair steppers, cross-trainers, exercise bikes, multi-station weight training equipment, weight lifting benches and bench accessories, chest expanders, exercise treadmills, exercise tables, exercise bars, exercise benches, stationary exercise bicycles, exercise doorway gym bars, exercise equipment for lateral movement in a skating motion, weight lifting machines, exercise platforms, exercise trampolines, exercise weight cuffs, exercise weights, manual leg exercisers, weight lifting belts, weight lifting gloves, ankle and wrist weights for exercise; footballs; shin pads; goalkeepers gloves; ordinary playing cards; card games; trading cards; printed lottery scratch cards; self contained hand held gaming devices and games; board games, jigsaw puzzles; electronic educational games machines for children; playing cards

41 - Performance of sports and skills related to sport, namely, educational demonstrations relating to the playing of soccer and skills relating to soccer; entertainment and entertainer services, namely, entertainment in the nature of soccer games, entertainment in the nature of soccer tournaments and competitions, personal appearances of or by a sports personality, personal appearances of or by a pop star; performance of dance, music and drama; performance and production of radio and television programs about soccer, skills relating to soccer and fashion; performance and production of films and shows; performance and production of theatrical, stage and musical entertainment; publication of books and of text; rental of recordings of sound and of images; rental of video games; providing video games online and via mobile telephone networks; arranging and conducting of colloquiums, conferences, congresses, seminars, symposiums and workshops in the field of soccer and fashion; arranging and conducting of courses of instruction relating to, or connected with, soccer; arranging and conducting of lectures, demonstrations, displays, exhibitions, presentations, seminars and festivals for educational, entertainment, coaching and training purposes; arranging and conducting sporting and training events; arranging and conducting technical instruction courses in the field of soccer and skills relating to soccer; sport camp services; coaching, instructional and training services for sporting

	activities; conducting instructional, teaching and coaching classes, courses, seminars, presentations and workshops in the fields of sports and fashion; professional training and coaching services in the field of sports and fashion; provision of courses of instruction, education and coaching relating to sports; practical training relating to, or connected with, sports; information, advisory and consultancy services relating to the foregoing
Owner	BECKHAM BRAND LIMITED

B.

Trademark & Logo	VB VICTORIA BECKHAM
Serial/Reg. No.	85-830743
Filing Date	January 23, 2013
Filing Basis	Section 1(b) - Intent-to-Use
Goods/Services	<p>9 - Eyewear; eyewear accessories, namely, straps, neck cords and headstraps that restrain eyewear from movement on the wearer; eyewear cases; frames for eyewear; spectacles; sunglasses; cases for spectacles and sunglasses; frames for spectacles and sunglasses; reading glasses; eye glasses; corrective glasses; frames for glasses; contact lenses; holders for contact lenses; cases for contact lenses; carrying cases for contact lenses; containers for contact lenses; downloadable electronic publications provided from databases or the Internet, namely, magazines, catalogues, brochures and leaflets in the field of eyewear and fashion</p> <p>18 - Trunks and travelling bags; umbrellas and parasols; all-purpose sports bags; all purpose athletic bags; all-purpose carrying bags; animal leashes; athletic bags; attaché cases; backpacks; rucksacks; beach bags; clutch bags; clutch purses; cosmetic bags sold empty; cosmetic cases sold empty; evening bags; fashion handbags; flight bags; garment bags for travel; handbags; luggage; luggage tags; luggage labels; make-up bags sold empty; overnight bags, cases and suitcases; purses; school bags; shoe bags for travel; shoulder bags; suitcases; toiletry bags and toiletry cases sold empty; tote bags; travel baggage, bags and cases; vanity cases sold empty; purses; wallets; wash bags for carrying toiletries; structural parts and fittings for the aforesaid goods</p> <p>25 - Clothing, namely, shirts, jackets, underwear, underclothes, socks, dressing gowns, lingerie, hosiery, bathing costumes, bathing suits, gloves, jeans, nightwear, trouser suits, slacks, suits, trousers, bikinis, blazers, blouses, body shapers, coats, crop pants, crop tops, dresses, evening dresses, evening gowns, knee highs, knickers, skirts, miniskirts, negligees, panties, pants, stockings, suspenders, tankinis, thongs and tights; hats; footwear for men; footwear for women; footwear not for sports; shoes; boots</p> <p>26 - Belt buckles; buttons; buttons for clothing; buttons for bags,</p>

	wallets and purses; clasps for clothing; clasps for bags, wallets and purses; clothing fasteners, namely, snap buttons, stud buttons and snap hooks; fasteners for bags, wallets and purses, namely, snap buttons, stud buttons and snap hooks; eyelets; eyelets for clothing; eyelets for bags, purses and wallets; fasteners for shoes and boots; press buttons; press studs; rivet buttons; zip and zipper fasteners; structural parts and fittings for the aforesaid goods
Owner	VICTORIA BECKHAM
Status/Status Date	ALLOWED - 1st extension granted - May 9, 2014

3. Opposers are informed and believe, and therefore allege, that Applicant filed U.S.

Trademark Application Serial No. 86/053,642 on September 2, 2013 (the “Menckeberg Application”) to register the BV (Stylized) mark in International Classes 14, 25 and 26 for the following goods:

Int. Class 14 - Ankle bracelets; Bangle bracelets; Body-piercing rings; Bracelets; Bracelets; Bracelets and jewelry featuring electronic chips for attracting energy to the body wherein the electronic chips increase in power in the presence of electromagnetic fields, for the purpose of re-balancing the human energy field; Bracelets of precious metal; Brooches; Charity bracelets; Charms for collar jewelry and bracelet; Clip earrings; Cloisonne pins; Ear clips; Ear studs; Earrings; Equine necklaces; Fitted covers for jewelry rings to protect against impact, abrasion, and damage to the ring's band and stones; Identification bracelets; Inexpensive non-jewelry watches; Jewellery and watches; Jewellery chain of precious metal for bracelets; Jewellery, clocks and watches; Jewelry brooches; Jewelry clips for adapting pierced earrings to clip-on earrings; Jewelry pins for use on hats; Jewelry ring holders; Jewelry watches; Jewelry, namely, bracelets, wristbands and necklaces that also provides notification to the wearer of a pending medical related task; Jewelry, namely, magnetic necklaces; Key rings of precious metal; Key rings of precious metals; Lapel pins; Necklaces; Nylon ankle bracelets; Nylon bracelets; Ornamental lapel pins; Ornamental pins; Ornamental pins made of precious metal; Pins being jewelry; Plastic bracelets in the nature of jewelry; Pocket watches; Precious stones and watches; Rings; Rings; Rings being jewelry; Rings made in whole or significant part of gold, silver, platinum, diamond, dipped, plated; Rubber or silicone wristbands in the nature of a bracelet; Slap bracelets; Slapband bracelets; Smart watches; Sports watches; Stainless steel jewelry bracelets; Stop watches; Tie pins; Tie-pins of precious metal; Watch and clock springs. Watch bands; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watch chains; Watch clasps; Watch crowns; Watch faces; Watch fobs; Watch glasses; Watch movements; Watch parts; Watch pouches; Watch straps; Watch straps made of metal or leather or plastic; Watch winders; Watch winding buttons; Watches; Watches and clocks; Watches and jewellery; Watches and jewelry; Watches and straps for watches; Watches containing a game function; Watches containing an electronic game function; Watches for outdoor use; Watches for sporting use; Watches made of precious metals or coated therewith; Watches, clocks; Watches, clocks, jewellery and

imitation jewellery; Watches, clocks, jewelry and imitation jewelry; Wedding rings; Women's watches; Wrist watches

Int. Class 25 - A-shirts; Adult novelty gag clothing item, namely, socks; Anglers' shoes; Apparel for dancers, namely, tee shirts, sweatshirts, pants, leggings, shorts and jackets; Aqua shoes; Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic pants; Athletic shirts; Athletic shoes; Babies' pants; Baby layettes for clothing; Ballet shoes; Balloon pants; Ballroom dancing shoes; Baseball shoes; Beach shoes; Belts; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts of textile; Belts that are designed to accommodate pregnancy size changes; Blouses; Boat shoes; Body shirts; Bottoms; Bowling shoes; Boxing shoes; Bridesmaid dresses; Button down shirts; Button-front aloha shirts; Camouflage pants; Camouflage shirts; Camp shirts; Canvas shoes; Capri pants; Cargo pants; Children's and infants' cloth bibs; Children's cloth eating bibs; Cleats for attachment to sports shoes; Climbing shoes; Clothing extension used to extend the normal size range of clothing items to accommodate pregnancy size changes; Clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; Clothing for athletic use, namely, padded pants; Clothing for athletic use, namely, padded shirts; Clothing for athletic use, namely, padded shorts; Clothing for babies, toddlers and children, treated with fire and heat retardants, namely, pajamas, jackets, shirts, pants, jumpers; Clothing items, namely, adhesive pockets that may be affixed directly to the body as a decorative piece of clothing with utility. Clothing items, namely, adhesive pockets that may be affixed directly to the inside of clothing for storage and safekeeping of personal items; Clothing shields, namely, pads applied to the underarms of shirts, blouses and sweaters; Clothing straps for dresses, tops, blouses, swimwear, bras, lingerie, overalls, halter tops, spaghetti straps, appliques; Clothing, namely, arm warmers; Clothing, namely, athletic sleeves; Clothing, namely, base layers; Clothing, namely, cowls and smoke ring scarves; Clothing, namely, crops; Clothing, namely, hand-warmers; Clothing, namely, khakis; Clothing, namely, knee warmers; Clothing, namely, maternity bands; Clothing, namely, neck tubes; Clothing, namely, thobes; Clothing, namely, wrap-arounds; Collared shirts; Combinations; Corsets; Crop pants; Cycling shoes; Dance shoes; Deck-shoes; Denims; Drawers; Dress pants; Dress shields; Dress shirts; Dress straps; Dress suits; Dresses; Dresses made from skins; Dresses that may also be used as towels; Dresses, namely, formal, casual, work, prom, cocktail, nightlife, production, runway, beach, maxi; Dressing gowns; Dressing gowns and bath robes; Dusters; Evening dresses; Eyeshades; Fabric belts; Fishing shirts; Flood pants; Football shoes; Foulards; Garter belts; Gloves as clothing; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Gym pants; Gymnastic shoes; Handball shoes; Head wraps; Headbands for clothing; Heel pieces for shoes; Hockey shoes; Hooded sweat shirts; Hoods; Horse-riding pants; Hunting pants; Hunting shirts; Infant and toddler one piece clothing; Infants' shoes and boots; Jackets; Jeggings, namely, pants that are partially jeans and partially leggings; Jerseys; Jogging pants; Jumper dresses; Knit dresses; Knit shirts; Knit skirts; Leather belts; Leather pants; Leather shirts; Leather shoes; Leather skirts. Leg shielding device, attachable to and detachable from a person's pants, comprised of padding to shield the legs from flying debris when mowing with a string trimmer; Leisure shoes; Long-sleeved shirts; Lounge pants; Mantles; Men's dress socks; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts; Mountaineering shoes; Mufflers; Night shirts; Non-disposable cloth training pants; Nurse

dresses; Nurse pants; Open-necked shirts; Over shirts; Pants; Parts of clothing, namely, gussets for tights, gussets for stockings, gussets for bathing suits, gussets for underwear, gussets for leotards and gussets for footlets; Parts of clothing, namely, underarm gussets; Party hats; Perspiration absorbent underwear clothing; Petti-pants; Pinafore dresses; Pique shirts; Platform shoes; Pleated skirts for formal kimonos (hakama); Pocket squares; Pockets for clothing; Polo shirts; Protective metal members for shoes and boots; Race number belts that hold a paper number on the race participant's front or back during competition; Ramie shirts; Riding shoes; Rubber shoes; Rugby shirts; Rugby shoes; Running pads that strap onto shoes; Running shoes; Sandals and beach shoes; Shifts; Shirt fronts; Shirt inserts, namely, dickies; Shirt yokes; Shirts; Shirts and short-sleeved shirts; Shirts and slips; Shirts for infants, babies, toddlers and children; Shirts for suits; Shoe accessories, namely, fitted decorative covers for shoes; Shoe covers for use when wearing shoes; Shoe dowels; Shoe inserts for primarily non-orthopedic purposes; Shoe inserts for primarily non-orthopedic purposes that also deodorize shoes; Shoe liners; Shoe pegs; Shoe soles; Shoe straps; Shoe uppers; Shoes; Short sets; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Shoulder wraps; Shoulder wraps for clothing. Ski pants; Skiing shoes; Skirt suits; Skirts; Skirts and dresses; Sleep pants; Sleep shirts; Sleeves worn separate and apart from blouses, shirts and other tops; Snap crotch shirts for infants and toddlers; Snow pants; Snowboard pants; Soccer shoes; Sport shirts; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Stretch pants; Suspender belts; Suspender belts for men; Suspender belts for women; Swaddling clothes; Sweat pants; Sweat shirts; T-shirts; Tap pants; Tap shoes; Tee shirts; Tennis dresses; Tennis shoes; Ties; Toboggan hats, pants and caps; Tongue or pullstrap for shoes and boots; Tops; Track and field shoes; Track pants; Training shoes; Travel clothing contained in a package comprising reversible jackets, pants, skirts, tops and a belt or scarf; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Turtle neck shirts; Tuxedo belts; Underarm clothing shields; Volleyball shoes; Waist belts; Water repelling leather shoes and boots; Waterproof jackets and pants; Waterproof leather shoes; Waterproof leather shoes and boots; Wearable garments and clothing, namely, shirts; Wedding dresses; Welts for boots and shoes; Wind pants; Wind shirts; Women's ceremonial dresses; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's shoes; Women's shoes, namely, foldable flats; Wooden shoes; Work shoes and boots; Woven dresses; Woven skirts; Wrap belts for kimonos (datemaki); Wraps; Wrist bands; Wristbands; Yoga pants; Yoga shirts

Int. Class 26 - Belt buckles; Belt buckles; Belt buckles not of precious metal; Belt buckles of precious metal; Belt buckles of precious metals; Belt clasps; Body and clothing tape to hold up strapless gowns; Borders and edgings for clothing; Brooches for clothing; Buckles for clothing; Buckles of precious metal; Bundle wrapping cloths; Buttons for clothing; Charms for shoes; Child restraining devices in the nature of cloth child harness for household chair; Clasps for clothing; Clips with holders for attaching corsages and boutonnieres to clothing; Cloth patches for clothing; Clothing accessories, namely, charms for attachment to zipper pulls and buttons; Clothing accessories, namely, plastic clips that attach to the lower hem of shirts and blouses that allows the user to tighten the hem; Clothing buckles; Clothing fasteners, namely, snap buttons; Clothing fasteners, namely, snap hooks; Clothing fasteners, namely, stud buttons; Clothing hooks; Decorative novelty tacks for pinning drapery or clothing to aid in making alterations; Embroidered patches for clothing; Eyelets for clothing;

Fastener made primarily of polyurethane for affixing badges, insignia and nametags to clothing; Fasteners for affixing badges, insignia and nametags to clothing; Fasteners for shoes and boots; Frills for attachment to clothing; Hook and loop fasteners for use in the manufacture of clothing and shoes; Loops for clothing; Metal fasteners for shoes and boots; Ornamental cloth patches; Patches for clothing made of rubber, plastic and vinyl; Shirt buttons; Shoe buckles; Shoe eyelets; Shoe laces; Shoe ornaments not of precious metal; Shoe strings; Shoulder pads for clothing; Sweater guards

4. Applicant filed the Menckeberg Application under Section 1(b) of the Trademark Act based on her alleged intent-to-use the mark in interstate commerce in connection with such goods.
5. Opposers are informed and believe, and therefore allege, that Applicant made no use of its BV (Stylized) mark prior to the filing of the Menckeberg Application.
6. BBL's nationwide statutory rights to the DVB (Stylized) mark date back to September 24, 2004, the filing date of the application that became the DVB (Stylized) Registration (Reg. No. 4,420,171). Further, the filing date of Beckham's intent-to-use application for the VB VICTORIA BECKHAM mark (US Serial No. 85/830,743) is January 23, 2013. Both of these dates are senior to Applicant's September 2, 2013 filing date for the Menckeberg Application.
7. Applicant's BV (Stylized) mark is confusingly similar in appearance and connotation to Opposers' DVB and VB VICTORIA BECKHAM marks.
8. Moreover, the goods set forth in the Menckeberg Application are the same or closely related to the goods covered by the VB Registration and Application.
9. Thus, Applicant's BV (Stylized) mark, when used in connection with the goods described in the subject application, is likely to deceive or cause consumer confusion or mistake among members of the public and potential purchasers as to the source, sponsorship or composition of Applicant's goods in relation to Opposers' goods. Such confusion will

damage Opposers and injure their reputation in the trade and with the public.

10. Applicant's commercial use and registration of the BV (Stylized) mark for the goods listed in the Menckeberg Application will cause dilution of the distinctive quality of Opposers' DVB and VB VICTORIA BECKHAM marks and will damage the strength of said marks.

11. Therefore, U.S. Trademark Application Serial No. 86/053,642 should be refused registration on the basis that, pursuant to 15 U.S.C. § 1052(d), the BV (Stylized) mark consists of or comprises a mark:

which so resembles a mark registered in the Patent and Trademark Office, or a mark or trade name previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods of the Applicant, to cause confusion or to cause mistake, or to deceive.

Accordingly, Opposers alleges, pursuant to 15 U.S.C. § 1063, that it will be damaged by the issuance of a registration for the BV (Stylized) mark as sought in U.S. Trademark Application Serial No. 86/053,642.

WHEREFORE, Opposers prays that U.S. Trademark Application Serial No. 86/053,642 be denied, that no registration be issued thereon to Applicant, that Applicant be required to answer to the allegations set forth in this Notice of Opposition and that this opposition be sustained in favor of Opposers.

The undersigned Opposers in the above-entitled cause hereby appoint Brian M. Davis and Scott R. Austin, members of the bar in the states of North Carolina and Florida, respectively, their attorneys with full power of substitution and revocation to prosecute this Opposition and to transact all business in the United States Patent and Trademark Office in connection therewith.

Respectfully submitted,

/Brian M. Davis/

Brian M. Davis  
Attorney for Opposers  
VLP Law Group LLP  
5960 Fairview Road,  
Suite 400  
Charlotte, NC 28210  
(704)245-6515  
[bdavis@vlplawgroup.com](mailto:bdavis@vlplawgroup.com)

### **CERTIFICATE OF ELECTRONIC FILING AND SERVICE**

I hereby certify that this correspondence is being filed via electronic means through the Electronic System for Trademark Trial and Appeals on October 6, 2014. A copy of the foregoing *Notice of Opposition* was served by placing a copy in U.S. Mail, postage prepaid, on this same date and addressed to the following attorney of record:

Brittney J. Menckeberg  
837 Main Street  
Chipley, Florida 32428

/Brian M. Davis/  
Brian M. Davis  
VLP Law Group LLP  
Attorney for Opposers  
Date of Signature: October 6, 2014