

ESTTA Tracking number: **ESTTA655236**

Filing date: **02/11/2015**

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	Miss Universe L.P., LLLP
Granted to Date of previous extension	02/11/2015
Address	1370 Avenue of the Americas New York, NY 10019 UNITED STATES

Attorney information	Andrea L. Calvaruso, Esq. Kelley, Drye & Warren, LLP 101 Park Avenue New York, NY 10178 UNITED STATES trademarks@kelleydrye.com Phone:212-808-7853
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**Applicant Information**

Application No	86235052	Publication date	10/14/2014
Opposition Filing Date	02/11/2015	Opposition Period Ends	02/11/2015
Applicant	Grandia, Linda Kepplerstraat 13 Amersfoort, Utrecht, 3817ta NETHERLANDS		

**Goods/Services Affected by Opposition**

Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Entertainment services, namely, organizing beauty pageants; Entertainment services, namely, ongoing television programs in the field of reality television about beauty pageants; Entertainment in the nature of beauty pageants and fashion shows
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**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.	620557	Application Date	07/19/1952
Registration Date	01/31/1956	Foreign Priority Date	NONE
Word Mark	MISS UNIVERSE		

Design Mark	<b>MISS UNIVERSE</b>
Description of Mark	NONE
Goods/Services	Class U101 (International Class 035, 036, 038, 041, 042). First use: First Use: 1950/10/01 First Use In Commerce: 1950/10/01 PROMOTING THE SALE OF GOODS AND SERVICES BY OTHERS THROUGH THE MEDIUM OF A BEAUTY CONTEST CONDUCTED ON A NATIONAL AND REGIONAL BASIS

U.S. Registration No.	1597876	Application Date	10/13/1989
Registration Date	05/22/1990	Foreign Priority Date	NONE
Word Mark	MISS UNIVERSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1950/10/01 First Use In Commerce: 1950/10/01 ENTERTAINMENT SERVICES - NAMELY, PRESENTATION OF PAGEANTS AND CONTESTS		

Attachments	71632789#TMSN.png( bytes ) Notice of Opposition - Miss Multiverse.pdf(135143 bytes ) Exhibit A - Notice of Opposition.pdf(34133 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	/Andrea L. Calvaruso/
Name	Andrea L. Calvaruso, Esq.
Date	02/11/2015

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

IN THE MATTER OF TRADEMARK APPLICATION  
SERIAL NO. 86/235,052 PUBLISHED IN THE  
OFFICIAL GAZETTE ON OCTOBER 14, 2014  
MARK: MISS MULTIVERSE

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MISS UNIVERSE L.P., LLLP, :  
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                   **Opposer,** :  
 :  
                   v. :                   OPPOSITION NO.  
 :  
LINDA GRANDIA , :  
 :  
                   **Applicants.** :  
-----X

Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Miss Universe L.P., LLLP (“Opposer”) is a limited liability partnership organized under the laws of Delaware with a principal place of business at 1370 Avenue of the Americas, New York, New York 10019. The general partners of the partnership are NBC Pageants, Inc. and Trump Pageants, Inc. Opposer believes it will be damaged by the registration of the mark MISS MULTIVERSE as shown in the above-identified application (the “Application”) and hereby opposes the same.

The grounds for opposition are as follows:

1. Since at least as early as 1950, and long prior to the Application herein opposed, Opposer has used the mark MISS UNIVERSE in connection with its world-famous beauty pageants and related goods and services.

2. MISS UNIVERSE has been used by Opposer for decades in connection with beauty pageants and related goods and services, and many are the subject of federal trademark registrations, including incontestable registrations for MISS UNIVERSE in Class 35 (Reg. No. 0,620,557) and Class 41 (Reg. No. 1,597,876), among many others (collectively “Opposer’s Marks”). A list of U.S. trademark registrations for MISS UNIVERSE formative marks owned by Opposer is attached hereto as Exhibit A.

3. Opposer is an internationally prominent organizer and promoter of beauty pageants in the United States and throughout the world. Opposer widely advertises its pageants to the public throughout the United States by all means and types of advertising media, including, but not limited to, newspapers, magazines, television, trade publications and personal appearances of its titleholders. Opposer’s pageants are televised in the United States and throughout the world and it receives millions of dollars in revenue from telecast right fees, site fees and personal appearance fees.

4. Pageants organized and promoted by Opposer in connection with Opposer’s Marks, by reason of their quality and professionalism, have come to be known to the public in the United States and throughout the world as being expertly presented under the best production conditions. As a result, Opposer’s Marks and goodwill associated with Opposer’s pageants are of inestimable value to Opposer.

5. Opposer’s Marks have acquired distinctiveness and become famous as a matter of law, as a result of its extensive use and promotion of the marks for over sixty years. Opposer’s Marks acquired such fame long before Applicant’s selection and adoption of the MISS MULTIVERSE mark and long before the Application was filed.

6. Opposer has priority of use over Applicant, whose filing date of the Application is long subsequent to Opposer's first use and registration of Opposer's Marks.

7. Applicant seeks to register the trademark MISS MULTIVERSE for use in connection with "Entertainment services, namely, organizing beauty pageant; Entertainment services, namely, ongoing television programs in the field of reality television about beauty pageants; Entertainment in the nature of beauty pageants and fashion shows" in Class 41.

Applicant's mark was published in the October 14, 2014 issue of the Official Gazette. Opposer was granted a 90-day extension of time to oppose the Application, i.e., until February 11, 2015.

8. Applicant intends to use the MISS MULTIVERSE mark in commerce in connection with a beauty pageant and reality television show by the same name.

9. Applicant's MISS MULTIVERSE mark is confusingly similar in appearance, sound and meaning, to Opposer's Marks inasmuch as the appearance, sound and commercial impression of MISS MULTIVERSE is nearly identical to MISS UNIVERSE, the marks are used in connection with the same or substantially similar services, and are marketed through the same and/or similar channels of trade. The close resemblance of the marks to each other will cause confusion or cause consumers to believe that Opposer has authorized or endorsed the quality of Applicant's services.

10. Applicant's registration and use of the mark MISS MULTIVERSE is likely to create confusion and deceive purchasers into believing that Applicant's services originate with or are in some way sponsored, endorsed, licensed, associated or otherwise authorized or connected with Opposer. Such confusion would irreparably harm and damage Opposer because Opposer has no control over the nature or quality of the services provided or produced by Applicant under the MISS MULTIVERSE mark.

11. Applicant's registration and use of the mark MISS MULTIVERSE is also likely to dilute the strength of Opposer's Marks as source designation for Opposer's world-famous pageants and pageant services.

12. By reason of the foregoing, Opposer will be damaged by the registration of Applicant's mark, MISS MULTIVERSE.

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that the registration of the mark MISS MULTIVERSE be refused.

Dated: February 11, 2015  
New York, New York

Respectfully submitted,  
KELLEY DRYE & WARREN LLP  
Attorneys for Opposer



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Kelli D. Ortega

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New York, NY 10178  
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**CERTIFICATE OF SERVICE**

I, Andrea L. Calvaruso, partner at Kelley Drye & Warren LLP, attorneys for Opposer Miss Universe L.P., LLLP, hereby affirm under the penalties of perjury, that on February 11, 2015, I caused a true and correct copy of the foregoing Notice of Opposition to be served via first class mail, postage prepaid, upon Applicant and Applicant's attorney:

Linda Grandia  
Kepplerstraat 13  
Amersfoot, Utrecht 3871ta  
Netherlands

Jeffrey M. Furr  
Furr Law Firm  
2622 Debolt Rd.  
Utica, OH 43080



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Andrea L. Calvaruso

## **EXHIBIT A**

**OPPOSER'S U.S. TRADEMARK REGISTRATIONS  
FOR MISS UNIVERSE MARKS**

<b>TM Record</b>	<b>TM/SN/RN/Disclaimer</b>	<b>Status/Status Date</b>	<b>Brief Goods/Services</b>	<b>Owner</b>
US Federal Q1 uf 1	MISS UNIVERSE  MISS UNIVERSE  SN: 86320916	Published December 23, 2014	(Int'l Class: 03) hair care preparations, namely, hair gels, hair sprays, hair shampoo and conditioner; dry shampoo, hair blow-dry spray, hair shine spray,... (Int'l Class: 08) electric irons for styling hair, namely, curling irons, flat irons, straightening irons; hair waving implements, volumizing irons (Int'l Class: 11) electric hair blow dryers, hand-held electric hair blow dryers, and hair dryer diffusers	Miss Universe L.P., Lllp, Nbc Pageants, Inc., a Delaware Corporation and Trump Pageants, Inc., a New York Corporation (Delaware LTD. Partnership) 1370 Avenue of the Americas New York New York 10019
US Federal Q1 uf 2	MISS UNIVERSE RN: 620557 SN: 71632789	Renewed January 31, 2006	(Int'l Class: 101) promoting the sale of goods and services by others through the medium of a beauty contest conducted on a national and regional basis	Miss Universe L.P., Lllp (No Country Provided Limited Liability Company) 1370 Avenue of the Americas New York New York 10019
US Federal Q1 uf 3	MISS UNIVERSE  MISS UNIVERSE  SN: 85682780	Allowed - Intent to Use 4th Extension of Time Granted October 3, 2014	(Int'l Class: 25) swimsuits and lingerie	Miss Universe L.P., Lllp, Nbc Pageants, Inc. a Delaware Corporation and Trump Pageants, Inc., a New York Corporation (Delaware LTD. Partnership) 1370 Avenue of the Americas

TM Record	TM/SN/RN/Disclaimer	Status/Status Date	Brief Goods/Services	Owner
				New York New York 10019
US Federal Q1 uf 4	MISS UNIVERSE  MISS UNIVERSE  SN: 86459099	Pending - Initialized November 22, 2014	(Int'l Class: 03) cosmetics; nail care preparations	Miss Universe L.P., Lllp, Nbc Pageants, Inc. a Delaware Corporation, and Trump Pageants, Inc., a New York Corporation (Delaware LTD. Partnership) 1370 Avenue of the Americas New York New York 10019
US Federal Q1 uf 5	MISS UNIVERSE  RN: 1182063 SN: 73254282	Renewed December 15, 2011	(Int'l Class: 16) magazine concerning the schedule and participants in beauty pageants	Miss Universe L.P., Lllp (Delaware Limited Liability Limited Partnership) 1370 Avenue of the Americas New York New York 10019
US Federal Q1 uf 6	MISS UNIVERSE  RN: 1146211 SN: 73202092	Renewed January 20, 2011	(Int'l Class: 25) [[ ( ladies' blouses, ))] shirts, [ ( ( bathing suits,] shoes, [beach jackets, pants, ] sweaters, [ skirts, )]] t-shirts [ , ( ( slips, petticoats, nightgowns, robes, gloves, hosiery, and panties )]]	Miss Universe L.P., Lllp, Nbc Pageants, Inc. a Corporation Legally Organized in Delaware and Trump Pageants, Inc. a Corporation Legally Organized in New York (California LTD. Partnership) 1370 Avenue of the Americas New York New York 10019
US Federal	MISS UNIVERSE	Renewed August 22, 2011	(Int'l Class: 022) dolls	Miss Universe L.P., Lllp

TM Record	TM/SN/RN/Disclaimer	Status/Status Date	Brief Goods/Services	Owner
Q1 uf 7	RN: 720283 SN: 72063150			(Delaware LTD. Partnership) Suite 2100 1801 Century Park East Los Angeles California 90067
US Federal Q1 uf 8	MISS UNIVERSE  RN: 1597876 SN: 73831500	Renewed May 22, 2010	(Int'l Class: 41) entertainment services - namely, presentation of pageants and contests	Miss Universe L.P., LLP (Delaware LTD. Partnership) 1730 Avenue of the Americas 16th Floor New York New York 10019