

ESTTA Tracking number: **ESTTA670751**

Filing date: **05/06/2015**

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	Seven S.p.A
Granted to Date of previous extension	05/06/2015
Address	Via Formacino 96 Leini, TO, 10040 ITALY

Attorney information	Duane M. Byers Nixon & Vanderhye, P.C. 901 N. Glebe Road, 11th Floor Arlington, VA 22203 UNITED STATES nixonptomail@nixonvan.com Phone:7037867421
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**Applicant Information**

Application No	86129387	Publication date	01/06/2015
Opposition Filing Date	05/06/2015	Opposition Period Ends	05/06/2015
Applicant	Seven For All Mankind, LLC www.7forallmankind.com Vernon, CA 90058 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 018. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Leather and imitation leather goods, namely, wallets, key cases, leather key chains, toiletry bags sold empty, purses, handbags, tote bags, briefcase-type portfolios, credit card cases
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	1708062	Application Date	09/03/1991
Registration Date	08/18/1992	Foreign Priority Date	NONE
Word Mark	7SEVEN		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 016. First use: First Use: 0 First Use In Commerce: 0  school cases, [writing pads,] pencil cases, pen cases, [paper weights,] note-books, [calendars, calendar holders,] ball-point pens, exercise books, [photo albums, and check cases]</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0  knapsacks, small knapsacks, [trunks for travel,] suitcases, handbags, attache cases, travel bags, [ shopping bags, ] school satchels, key holders, [umbrellas, parasols, walking sticks,] wallets, purses, briefcase type document cases, [whips, harness and saddlery]</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0  [ T-shirts, jeans, men's and women's sportswear; namely, jackets, pants, jogging-suits, pullovers, sweat shirts, sweat suits, footwear and headwear ]</p> <p>Class 028. First use: First Use: 0 First Use In Commerce: 0  [tennis-rackets, table-tennis paddles, and golf clubs]</p>

U.S. Registration No.	4061897	Application Date	10/08/2003
Registration Date	11/29/2011	Foreign Priority Date	NONE
Word Mark	7SEVEN		
Design Mark			
Description of Mark	The mark consists of a star superimposed inside a portion of the numeral "7" and the numeral "7" integrated with the word "seven" in a stylized format.		
Goods/Services	<p>Class 016. First use: First Use: 0 First Use In Commerce: 0  Agendas, diaries, photographs, stationery, copybooks, note-books, pen holders, pencil holders, pens, pencils, pouches for writing instruments, folders for papers, passport holders, folders with elastic bands, book covers with rings, covers for books and exercise books; bags of paper or plastics used for merchandise packaging, and bookbinding material, namely, cloth for bookbinding; adhesives for stationery or household purposes, paint brushes, typewriters, printers' type, and printing blocks</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0  Attaché cases; rucksacks; small knapsacks, school satchels, all purpose carrying bags, sling bags for carrying infants, traveling bags, all purpose sports bag-</p>		

	sand big sport bags; hand bags, bags forcampers, beach bags, bags for climbers and school bags; wallets, and coin purses not made of precious metal; suitcases;umbrellas and parasols; whips
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Attachments	74073282#TMSN.png( bytes ) 78310919#TMSN.png( bytes ) 4196-392 Notice of Opposition filed 6 may 2015.pdf(92100 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	/dmb/
Name	Duane M. Byers
Date	05/06/2015

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

_____	)	
Seven S.p.A.	)	
	)	
Opposer	)	
	)	
v.	)	Opposition No. _____
	)	Application No. 86129387
Seven For All Mankind, LLC	)	
	)	
Applicant	)	
_____	)	

**NOTICE OF OPPOSITION**

Opposer, Seven S.p.A., with a business address of Via Formacino 96, Leini, TO, Italy, 10040, hereby opposes registration of the trademark SEVEN FOR ALL MANKIND in International Class 18, which is the subject of Application No. 86129387, published on January 6, 2015, and requests that registration to applicant be refused.

As grounds in support of its opposition, opposer asserts as follows:

1. Opposer is the owner of U.S. Registration No. 1708062 for the trademark 7SEVEN & Design for “knapsacks, small knapsacks, suitcases, handbags, attaché cases, travel bags, school satchels, key holders, wallets, purses, briefcase type document cases,” in International Class 18. This registration is valid, subsisting, unrevoked, and uncanceled. This registration is also incontestable.
2. Opposer is the owner of U.S. Registration No. 4061897 for the trademark 7SEVEN & Design for “Attaché cases; rucksacks; small knapsacks, school satchels, all purpose carrying bags, sling bags for carrying infants, traveling bags, all purpose sports bags

- and big sport bags; hand bags, bags for campers, beach bags, bags for climbers and school bags; wallets, and coin purses not made of precious metal; suitcases; umbrellas and parasols; whips,” in International Class 18. This registration is valid, subsisting, unrevoked, and uncanceled.
3. Applicant has filed an application to register the trademark SEVEN FOR ALL MANKIND for “Leather and imitation leather goods, namely, wallets, key cases, leather key chains, toiletry bags sold empty, purses, handbags, tote bags, briefcase-type portfolios, credit card cases,” in International Class 18. The application was filed on November 26, 2013, and has been identified as Application No. 86129387. The application is an “intent to use” trademark application. Applicant has not filed any Statement of Use.
  4. Opposer has duly registered and/or used the above-identified 7SEVEN & Design trademarks for the above-identified goods in International Class 18 -- which rights date back to at least as early as 1991 -- well before any U.S. use date or Application No. 86129387 filing date by the applicant for the SEVEN FOR ALL MANKIND trademark for goods in International Class 18.
  5. Applicant's SEVEN FOR ALL MANKIND trademark for goods in International Class 18 so resembles opposer's 7SEVEN & Design trademarks for goods in International Class 18 as to be likely to cause confusion, mistake, or deception within the meaning of Section 2(d) of the Trademark Act. Applicant is attempting to register the confusingly similar SEVEN FOR ALL MANKIND trademark for the same, similar, or related goods in International Class 18 as opposer’s goods in International Class 18 for which opposer has registered and/or used the 7SEVEN & Design

trademarks. Consumers are likely to be confused and/or are likely to think that applicant and opposer are the same or are affiliated in some fashion. The registration of applicant's trademark in International Class 18 will damage opposer's trademark rights in International Class 18.

WHEREFORE, opposer prays that the opposition be sustained and that registration in International Class 18 to applicant be refused.

Date: May 6, 2015

Respectfully submitted,

/Duane M. Byers/

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Attorneys for Opposer,  
Seven S.p.A.

### **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing was served on applicant by depositing same in the United States mail, first class, postage pre-paid, on this date, addressed to applicant's counsel of record at:

Christine Hernandez  
VF Intellectual Property Services, Inc.  
200 Hanby Bldg.  
3411 Silverside Road  
Wilmington, DE 19810

/Duane M. Byers/