

ESTTA Tracking number: **ESTTA671392**

Filing date: **05/09/2015**

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	PLATFORM THINKING LABS PTE. LTD.		
Entity	Corporation	Citizenship	Singapore
Address	04-02, 1005, Lower Delta Road Singapore, 099309 SINGAPORE		

Correspondence information	Sangeet Paul Choudary Director PLATFORM THINKING LABS PTE. LTD. 04-02, 1005 Lower Delta Road Singapore, 099309 SINGAPORE sangeet@platformthinkinglabs.com Phone:+6590210084
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Applicant Information

Application No	86263983	Publication date	04/21/2015
Opposition Filing Date	05/09/2015	Opposition Period Ends	05/21/2015
Applicant	Applico 220 E. 23rd St. Ste. 501 New York, NY 10010 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Business management consulting with relation to strategy, marketing, sales, operation, product design particularly specializing in the use of analytic and statistic models for the understanding and predicting of consumers, businesses, and market trends and actions

Grounds for Opposition

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

U.S. Application No.	86488691	Application Date	12/22/2014
Registration Date	NONE	Foreign Priority Date	12/12/2014
Word Mark	PLATFORM THINKING		

Design Mark	PLATFORM THINKING
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2013/01/31 First Use In Commerce: 2013/01/31 (Based on Use in Commerce) Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization; Business consultation and management regarding marketing activities and launching of new products; Business management consultation in the field of executive and leadership development; Business management consulting and advisory services; Business management consulting with relation to strategy, marketing, sales, operation, product design particularly specializing in the use of analytic and statistic models for the understanding and predicting of consumers, businesses, and market trends and actions; Consultancy and advisory services in the field of business strategy; Management consulting and advisory services in the areas of corporate growth strategy, innovation and growth processes, organizational transformation, and talent management and development strategies; Providing business management information in connection with consulting and advisory services in the field of strategic planning (Based on 44(d) Priority Application) Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization; Business management consultation in the field of executive and leadership development; Business management consulting and advisory services; Consultancy and advisory services in the field of business strategy; Providing business management information in connection with consulting and advisory services in the field of strategic planning

Related Proceedings	Application for mark Platform Thinking earlier filed by Opposer with USPTO (Application Serial No.: 86488691)
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Attachments	86488691#TMSN.png(bytes) Notice of opposition of the mark Platform Thinking (Serial No. 86263983).pdf(112911 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 Facsimile or email (by agreement only) on this date.

Signature	/Sangeet Paul Choudary/
Name	Sangeet Paul Choudary
Date	05/09/2015



Notice of opposition of the mark Platform Thinking (Serial No. 86263983)

This is a petition for opposition of the published mark Platform Thinking (Serial No. 86263983) owned by Applico Inc.

This mark has been in commercial use since January 31, 2013, in the US and worldwide, by Mr. Sangeet Paul Choudary of 'Platform Thinking' and 'Platform Thinking Labs'. Mr. Choudary has been using this mark in connection with business management consulting and advisory services.

Mr. Choudary has been widely associated with the usage of this mark, both in the United States of America, and globally, and is a prominent industry figure associated with the term 'Platform Thinking' in connection with business management consulting and advisory services. As early as January 2013, Mr. Choudary was published in the Harvard Business Review in the context of this mark (<http://blogs.hbr.org/2013/01/three-elements-of-a-successful-platform/>), the first recorded use of the mark "Platform Thinking" in US commerce. Subsequently, Mr. Choudary has been featured as conference speaker, media guest and consultant on several occasions in the US, in association with this mark. Links to some examples of the same are included below.

Mr. Alex Moazed of Applico Inc was in business discussions with Mr. Choudary in the context of the latter's work on Platform Thinking, between December 2013 and July 2014. Mr. Moazed of Applico discovered Mr. Choudary's work on his website 'Platform Thinking'. Applico also interviewed Mr. Choudary on two separate occasions on their website, on the topic of platforms. (Details: <http://www.applicoinc.com/blog/interview-sangeet-paul-choudary-on-the-rise-of-platforms/> and <http://www.applicoinc.com/blog/interview-sangeet-paul-choudary-on-how-to-build-a-successful-platform/>)

When Mr. Choudary learnt of Applico filing for the Platform Thinking mark that Mr Choudary had been using, he reached out to Mr. Moazed to discuss this, first on July 23, 2014 and then on July 25, 2014, but received no assurance regarding Applico's withdrawal of the application. Following this, the legal counsel of Mr. Choudary issued a cease and desist letter to Mr. Moazed of Applico Inc twice, but did not receive any response.

The mark 'Platform Thinking' is registered in Singapore (Application No.: 40201402053U) and the company Platform Thinking Labs is registered in Singapore (ACRA Registration No. 201409525W), with business interests and clients globally, including the United States



of America. The United States of America is one of the primary markets for the business of Platform Thinking Labs Pte Ltd.

Through this petition, Mr. Sangeet Paul Choudary of 'Platform Thinking' and 'Platform Thinking Labs' would like to oppose the publication of the Platform Thinking mark as owned by Applico (Serial No. 86263983), as it leads to confusion and is claimed by Mr. Choudary on account of prior usage, including in US commerce.

Please find below multiple instances of usage of the mark Platform Thinking by Mr. Choudary and by Platform Thinking Labs in US commerce.

Usage in the US in industry conferences

MIT Platform Executive Symposium - July, 2013

Coverage of Mr. Choudary's participation and speech at the event, as the founder of Platform Thinking: <http://digitalcommunity.mit.edu/docs/DOC-1143>.

Co-chair of the MIT Platform Strategy Summit at MIT Cambridge, Greater Boston Area - July 2014 See: platforms.mit.edu

Note: Applico had attended this conference and had blogged about their participation at the event here: <http://www.applicoinc.com/blog/applico-at-the-2014-mit-platform-strategy-summit/>)

SIBOS 2014 - September 2014 - Greater Boston Area

<http://www.sibos.com/conference/speakers/sangeet-paul-choudary>

Usage in the US in trade publications

Harvard Business Review

<https://hbr.org/2013/01/three-elements-of-a-successful-platform>

<https://hbr.org/2013/10/the-age-of-social-products>

hbr.org/2015/02/the-rise-of-social-graphs-for-businesses



Forbes

<http://www.marketwatch.com/story/what-twitter-knows-that-blackberry-didnt-2013-10-10>

MarketWatch

<http://www.marketwatch.com/story/what-twitter-knows-that-blackberry-didnt-2013-10-10>

Wired Magazine

<http://www.wired.com/2014/01/platform-thinking-approach-innovation/>

<http://www.wired.com/2013/12/outlook-2014-platforms-eating-world/>

<http://www.wired.com/2013/10/why-business-models-fail-pipes-vs-platforms/>

Inc Magazine

<http://www.inc.com/thebuildnetwork/disruption-lessons-from-airbnb.html>

<http://www.inc.com/will-yakowicz/get-ready-for-the-social-network-of-things.html>

Usage in the US in business consulting and advisory

Most documents related to business consulting and advisory are confidential. Contracts and Invoices for business consulting with US-based companies available, on request. US clients in business consulting range from startups to Fortune 500 companies.

The following are two openly available instances of business advisory.

<https://onevest.com/about> (See About Us) Mr. Choudary has been a board advisor since August 2013 to the US company OneVest (originally RockThePost).

500.co/mentors Mr. Choudary has been a mentor with US-based 500 Startups since 6th August, 2013 and has an invitation letter dated accordingly from the company confirming his selection as a mentor for the US-based startups at 500Startups.