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

Proceeding	91222065
Party	Defendant Jawad Essadki
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Date	07/10/2015
Attachments	RESPONSE.pdf(247268 bytes)

In the Matter of Application Serial No. 86/387,251

For the Trademark GOOGLIFE

Published in the Official Gazette On January 27, 2015

GOOGLE INC,

Opposer,

Vs

Opposition #91-222-065

Jawad Essadki

Applicant

Response to Opposition

Applicant, Jawad Essadki, in the effort to develop this entrepreneurial endeavors and innovate in new areas of business and technology, got his inspiration from a dictionary word GOOGOL (which represents an infinite large number) and the word LIFE (details of this explanation in applicant's attorney's original response to Google early in the process in February 17th).

In this response I will go point by point through the opposition and reply to all alleged accusations.

1. This point seems irrelevant as to tell us who is Google, Inc.
2. This is not an exhaustive list of the Google portfolio of Trademarks. As it looks in the TM portfolio of Google, there has been lots of shuffle of marks and very heavy opposition history to many marks which sometimes have no relations in name, product of service to the Google mark. These excessive abuses of opposing any mark which has any word contained in some of their current marks may be very intimidating to entrepreneurs and thus prohibit and limit small entrepreneurs to venture or follow through an idea which may be genius and lead to many long term benefits for the economy.
3. It is with great respect that everyone sees a mark as being a great mark, but it does not mean it can monopolize the use of words which are in the dictionary (Googol) and deter other entrepreneurs from being creative and create new concepts. The one that truly shocked me in the opposition history of Google (amongst many which seemed unfair) was the "Write on Glass" – I am still not understanding why they would want to prevent someone from registering a name just because it has the word glass on it, and that Google had filed for a Mark using the word Glass (which is a project apparently being aborted, based on the news we read in the local area)
4. Please note the description has nothing to do with search which is what Google is mostly known for.
5. This is actual defamation. It is totally not true and as expressed early in this document, an in the Exhibit A (Initial response from applicant's attorney) the name GOOGLIFE is a combination of 2 independent words, combined to represent and reflect the endless lives possible in this newly proposed platform. Also, it constituted the ACRONYM under each letter was going to be a specific type of content. The statement by the opposer not only is defamation on the applicant's creativity and intent, but it is further clarified by the allegation this mark is nonsensical. To us as creators, this mark GOOGLIFE has lots of meanings, just as some other marks in the marketplace GOOGLITE / GOOGLING etc...

6. Maintaining users' data online is not only the business of Google. Every single internet company does maintain user data and it is intimidation if not bullying to state that what was intended to be done is identical to Google's Core offering. Furthermore, this point alleges we are searching, which is not correct. Our service platform was more intended to be a Bookmarking platform and then search would have been limited to the search within our site.

**First ground of Opposition
Likelihood of Confusion**

Applicant Does not Agree.

11. GOOGLIFE is not GOOGLE, similarly MICROSOFT is not MICROS, or SUN MICROSYSTEMS, NIKE is not NIKON, and there are many more examples.
12. Our product/service are nothing like what Google currently is offering and has no link whatsoever with GOOGLE. Our product and service will clearly be disclosing that there is no link or affiliation with GOOGLE.
13. There is only one channel of trade for online businesses and that is the internet, so this point is irrelevant. Clear disclosures would be made to consumers all along.
14. Mark does not suggest anything. It is an acronym and a combination of 2 words from the dictionary. Clear disclosure would be made to users and consumers to establish the non-relation with Google.
15. 16. Of course, we are two totally independent entities with independent corporations, business names, web sites, product, service, as well as different markets and marketing strategies. Clear disclosures to the consumers would be always made along the way from the home page to the registration process.
17. Based on the freedom our country provides for entrepreneurs and the equal opportunities to pursue happiness and build a business to contribute to the greater economy, create jobs, and be good taxpayers, and in view of Google abuse of its' trademark policies, The Googliflife Mark should be accepted, with clear disclosures made to the users and consumers, so there will NEVER be confusion.

Second Ground of Opposition

Dilution of a Famous Mark

Applicant Does not agree

18-24. GOOGLIFE is not GOOGLE, similarly MICROSOFT is not MICROS, or SUN MICROSYSTEMS, NIKE is not NIKON, and there are many more examples. Other marks are being used in the market place Such as GOOGLITE, GOOGLING, and many more examples of coexistence are out there. We are a free country where the fundamental basis that makes us great is the ability be an entrepreneur. Build and create a business from the ground up. We live in a vast world, and it seems unfair that large megalopolis corporations claim monopoly ownership over wordings readily available in the dictionary. Just as with the example "Write on Glass" and others in the history of persecution by Google, it seems that although protecting their marks is the right thing to do, but the freedom of one stops where the freedom of the other begins.

Google counsel has already offered some consideration in previous communications in an attempt to friendly settle this situation. But they did not even cover a fraction of all the cost (and now moral damages) incurred, but yet, it acknowledges some applicant's rights to consideration to abandon the mark.

In view of the freedom to enterprise and the ability to create, In view of the use of words in the dictionary as well as the abusive TM oppositions by the opposer, and in view of the intent of the applicant to thoroughly disclose the non-affiliation with GOOGLE to the users and consumers,

The Googlife Registration Serial No. 86/387,251 should be moving forward and the opposition 91222065 abandoned with prejudice to the Opposer.

Respectfully Submitted,

Jawad Essadki

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	Jawad Essadki
Name	Jawad Essadki
Date	07/10/2015

EXHIBIT A

ORIGINAL LETTER EXCHANGED BY APPLICANT'S ATTORNEY

February 17, 2015

By Email (mchampion@cooley.com)

Ms. Morgan A. Champion Cooley LLP 1299

Pennsylvania Avenue, NW Suite 700 Washington, DC 20004

RE: U.S. Trademark Application No. 86387251 – GOOGLIFE

Dear Ms. Champion,

This letter is in reply to your letter to my client of February 5, 2015 in connection with the above identified trademark matter and the current and intended use of the trademark by my client.

My client and I have reviewed your concerns regarding the GOOGLIFE application and business conducted by my client.

At the outset, please be informed that my client, Mr. Essadki, respects the legitimate intellectual property rights of others.

As such, we are providing assurances that we are taking your client's concerns seriously.

My client wishes to assure that the decision to coin the GOOGLIFE trademark was based on the term "googol", originally coined by the nephew of mathematician Edward Kasner in the 1930s. The trademark GOOGLIFE is a combination of the term "googol" a numerical valuation that represents (10¹⁰⁰) and the term "life" which was chosen as representative of the multiple "lives" my client's project aims to create.

Through this project my client will create a 3-D immersive experience through a consolidation server which allows users to do everything online – specifically excepting the ability to perform searches. The trademark GOOGLIFE was chosen as most representative of this endeavor.

As such, we are committed to discussing a resolution to this matter. Please direct all correspondence, such as a proposal regarding potential transition timeline, licensing of intellectual property, etc., in connection with this matter to the undersigned attorney.

Please advise of a time to discuss via telephone potential resolution of this matter. Please note that the information contained in this letter is not a full statement of the facts, is for settlement purposes only, and is without prejudice of any rights our client may have.

Sincerely,

/s/ Shauna R. Maloney

Shauna R. Maloney 1580 W. El Camino Real, Suite 13

Mountain View, CA 94040

CERTIFICATE OF TRANSMITTAL AND SERVICE

I hereby Certify that this request of Extension of time is being electronically transmitted in PDF format to the Trademark Trial And Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated below.

I hereby further certify that on the date indicated below, a true and correct copy of this Request was placed in the United States Mail via First Class Mail, addressed to the Opposer's correspondent (Attorney), whose address is:

Morgan A. Champion

Cooley, LLP

1299 Pennsylvania Avenue, NWSuite 700

Washington, DC 20004

UNITED STATES

And the Opposer, whose address is:

Google, Inc.

1600 Amphitheatre Parkway

Mountain View, CA 94043

UNITED STATES

Date: 07/10/2015

/s/Jawad Essadki _____

Jawad Essadki