

ESTTA Tracking number: **ESTTA677478**

Filing date: **06/10/2015**

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	Harman International Industries, Incorporated
Granted to Date of previous extension	06/10/2015
Address	8500 Balboa Blvd. Northridge, CA 91329 UNITED STATES

Attorney information	Helen E. Omapas Harman International Industries, Incorporated 8500 Balboa Boulevard Northridge, CA 91329 UNITED STATES tm-docketing@harman.com
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Applicant Information

Application No	86391149	Publication date	02/10/2015
Opposition Filing Date	06/10/2015	Opposition Period Ends	06/10/2015
Applicant	Kaenaa Corp 2337 237th PL NE Sammamish, WA 98074 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 2014/02/01 First Use In Commerce: 2014/02/01 Opposed goods and services in the class: Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers, specially adapted for use with handheld digital electronic devices, namely, phones, tablets, laptops, MP3, e-readers, digital cameras; Wireless cellular phone headsets; Wireless communication devices for voice, data or image transmission; Wireless computer peripherals; Wireless receivers and transmitters for portable media players; Wireless transmitters and receivers
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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.	1130710	Application Date	07/15/1977
Registration Date	02/12/1980	Foreign Priority Date	NONE

Word Mark	INFINITY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1969/04/21 First Use In Commerce: 1969/04/21 HIGH FIDELITY SPEAKERS, PREAMPLIFIERS, [TONE-ARMS]

U.S. Registration No.	1385113	Application Date	08/02/1985
Registration Date	03/04/1986	Foreign Priority Date	NONE
Word Mark	INFINITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1969/04/21 First Use In Commerce: 1969/04/21 SPEAKERS, SPEAKER ELEMENTS, CROSSOVER CIRCUITS, AMPLIFIERS, VIDEO RECORDERS, VIDEO MONITORS AND POWER AMPLIFIERS		

U.S. Registration No.	1409283	Application Date	02/11/1986
Registration Date	09/16/1986	Foreign Priority Date	NONE
Word Mark	INFINITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1976/08/03 First Use In Commerce: 1976/08/03 HIGH FIDELITY SPEAKERS, PREAMPLIFIERS, [TONE-ARMS,] SPEAKERS, SPEAKER ELEMENTS, CROSSOVER CIRCUITS, AMPLIFIERS, VIDEORECORDERS, VIDEO MONITORS AND POWER AMPLIFIERS		

U.S. Registration No.	1494051	Application Date	10/27/1987
Registration Date	06/28/1988	Foreign Priority Date	NONE
Word Mark	INFINITY		
Design Mark			
Description of Mark	THE MARK CONSISTS IN PART OF A STYLIZEDINFINITY SYMBOL.		
Goods/Services	Class 009. First use: First Use: 1986/06/00 First Use In Commerce: 1986/06/00 SPEAKERS FOR USE WITH VIDEO SYSTEMS, PROJECTION TELEVISIONS,		

	AUTOMOBILE SPEAKERS, AUTOMOBILE AMPLIFIERS AND AUTOMOBILE CROSSOVER CIRCUITS		
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U.S. Registration No.	2925712	Application Date	03/26/2002
Registration Date	02/08/2005	Foreign Priority Date	NONE
Word Mark	INFINITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/06/30 First Use In Commerce: 2003/06/30 [Automobile audio navigation aid comprising an optical disk on which digitizedmaps, compressed voice records and computer programs are stored, and an opticaldisk player which operates an artificial intelligence routing algorithm which interfaces with the driver of the automobile voice input and output, and] automotive audio systems comprising radios, loudspeakers, amplifiers, and automobile cross-over circuits		

U.S. Registration No.	2846757	Application Date	12/09/2002
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	INFINITY PRIMUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/06/18 First Use In Commerce: 2003/06/18 Loudspeakers		

Attachments	73579699#TMSN.png(bytes) 73692077#TMSN.png(bytes) qi-infinity opp 6-10-15.pdf(803124 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 Overnight Courier on this date.

Signature	/Helen E. Omapas/
Name	Helen E. Omapas
Date	06/10/2015

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

Harman International Industries, Incorporated)
Opposer,)
Vs.)
Kaenna Corp.)
Applicant.)
_____)

Opposition No. _____
Serial No. 86/391149
MARK:  Qi-infinity

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451 Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Re: Application No. 86/391149
Mark: QI-INFINITY with design
Applicant: Kaenna Corp.
Filed: September 10, 2014
Published: February 10, 2015
International Class: 9

Goods: Accumulators; Batteries; Batteries and battery chargers; Battery charge devices; Battery packs; Battery packs for mobile devices; Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, phones, tablets, laptops, MP3, e-readers, digital cameras; Cell phone battery chargers; Cell phone battery chargers for use in vehicles; Chargers for electric batteries; Electric batteries; Galvanic batteries; Lithium ion batteries; Rechargeable electric batteries; Solar batteries; Wireless cellular phone headsets; Wireless communication devices for voice, data or image transmission; Wireless computer peripherals; Wireless receivers and transmitters for portable media players; Wireless transmitters and receivers.

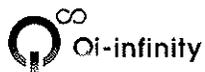
Harman International Industries, Incorporated, a corporation organized and existing under the laws of Delaware, having an office at 8500 Balboa Blvd., Northridge, CA 92319, believes it will be damaged by registration of the mark  Qi-infinity covered by U.S. Application S/N: 86/391149 owned by Kaenna Corp.

The grounds for this Opposition are as follows:

1. Opposer provides in commerce, *inter alia*, audio and video products, including speakers and related goods. (“Opposer’s Goods”).
2. Opposer, since at least as early as April 1969, has used the INFINITY and related marks in interstate commerce in connection with Opposer’s Goods.
3. Opposer owns common law rights to the mark INFINITY that pre-date Applicant’s rights, if any. In addition, Opposer owns the following U.S. Trademark Registrations:

MARK	REG. NO.	REG. DATE	GOODS
INFINITY	1130710	12-Feb-1980	High fidelity speakers, switching amps.
INFINITY	1385113	1385113	Speakers, speaker elements, crossover circuits, amplifiers, video recorders, video monitors and power amplifiers.
INFINITY & DESIGN	1409283	16-Sep-1986	High fidelity speakers, preamplifiers, [tone-arms] speakers, speaker elements, crossover circuits, amplifiers, video recorders, video monitors and power amplifiers
INFINITY & DESIGN	1494051	28-Jun-1988	Video speakers.
INFINITY	2925712	08-Feb-2005	Automobile audio navigation aid comprising an optical disk on which digitized maps, compressed voice records and computer programs are stored, and an optical disk player which operates an artificial intelligence routing algorithm which interfaces with the driver of the automobile voice input and output, and automotive audio systems comprising radios, loudspeakers, amplifiers, and automobile cross-over circuits.
INFINITY PRIMUS	2846757	25-May-2004	Loudspeakers.

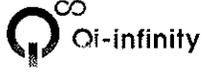
4. Since long prior to Applicant’s filing of its application to register the mark

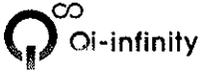


and long prior to any claimed use of the mark by Applicant, Opposer has and

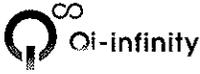
continues to use, advertise and promote in commerce Opposer's INFINITY mark in connection with Opposer's Goods.

5. Opposer has expended substantial amounts of money, time and resources in advertising, promoting, sales, use, and worldwide distribution of Opposer's Goods. Opposer has built up extensive goodwill in its INFINITY mark.

6. Prior to Applicant's filing of its application to register the mark  purchasers had come to recognize Opposer's INFINITY mark as identifying goods emanating exclusively from Opposer.

7. On September 10, 2014, Applicant filed an application to register  for goods identified as "Accumulators; Batteries; Batteries and battery chargers; Battery charge devices; Battery packs; Battery packs for mobile devices; Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, phones, tablets, laptops, MP3, e-readers, digital cameras; Cell phone battery chargers; Cell phone battery chargers for use in vehicles; Chargers for electric batteries; Electric batteries; Galvanic batteries; Lithium ion batteries; Rechargeable electric batteries; Solar batteries; Wireless cellular phone headsets; Wireless communication devices for voice, data or image transmission; Wireless computer peripherals; Wireless receivers and transmitters for portable media players; Wireless transmitters and receivers" in Class 9 (Application No. 86/391149). The subject application was published for opposition on February 10, 2015, in the Official Gazette of the United States Patent and Trademark Office.

8. Opposer was granted an extension of time until June 10, 2015, to oppose; therefore its Notice of Opposition is being timely filed.

9. Applicant's alleged mark  is confusingly similar to Opposer's INFINITY trademark. The overall commercial impression conveyed by Applicant's alleged mark is similar to Opposer's mark.

10. The goods, namely, Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers, specially adapted for use with handheld digital electronic devices, namely, phones, tablets, laptops, MP3, e-readers, digital cameras; Wireless cellular phone headsets; Wireless communication devices for voice, data or image transmission; Wireless computer peripherals; Wireless receivers and transmitters for portable media players; Wireless transmitters and receivers, in Applicant's opposed application are similar and related to

Opposer's goods, with which Opposer uses the INFINITY mark. Applicant's use and registration of the mark  Qi-infinity in connection with its goods is likely to cause confusion, deception and/or mistake among the relevant public.

11. The channels of distribution employed by Opposer and Applicant are similar; and the classes of customers sold to by Opposer and Applicant are similar. Therefore, purchasers of Applicant's products are likely to believe or be confused or deceived into thinking that Applicant's products also originate with or are in some way associated with, connected with, sponsored by or authorized by Opposer, and registration of Applicant's alleged mark is likely to cause confusion or mistake or to deceive, all to the injury of the Opposer.

12. Applicant's use and registration of the mark  Qi-infinity is likely to falsely suggest a connection with Opposer and Opposer's INFINITY mark.

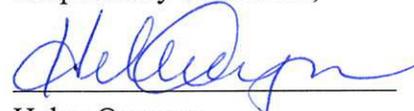
13. Applicant's use and registration of the mark  Qi-infinity interferes with Opposer's INFINITY mark and will damage Opposer, its business and its goodwill.

Wherefore, Opposer requests that registration sought by the Applicant for the goods, *Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers, specially adapted for use with handheld digital electronic devices, namely, phones, tablets, laptops, MP3, e-readers, digital cameras; Wireless cellular phone headsets; Wireless communication devices for voice, data or image transmission; Wireless computer peripherals; Wireless receivers and transmitters for portable media players; Wireless transmitters and receivers*, be denied and that this Opposition be sustained.

Please charge Deposit Account No. 501929 to cover the opposition fee and any additional fees which may be required, or credit any overpayment to this account.

DATED: June 10, 2015

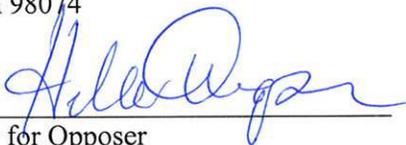
Respectfully Submitted,



Helen Omapas,
Corporate Counsel, Intellectual Property
for Harman International Industries, Incorporated
8500 Balboa Blvd.
Northridge, CA 91329
818-895-8186

Opposer Harman International Industries, Incorporated, hereby certifies that a copy of this NOTICE OF OPPOSITION has been served upon counsel for Applicant Kaenna Corp. on this 10th day of June, 2015, by UPS next day air, postage prepaid, at the following address:

Kaenna Corp
2337 237th PL NE
Sammamish, Washington 98074



Attorney for Opposer