

ESTTA Tracking number: **ESTTA682946**

Filing date: **07/10/2015**

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	Advance Magazine Publishers Inc.		
Entity	Corporation	Citizenship	New York
Address	One World Trade Center New York, NY 10007 UNITED STATES		

Attorney information	Sawyer Jacobs Sabin, Bermant and Gould LLP One World Trade Center New York, NY 10007 UNITED STATES sjacobs@sabinfirm.com Phone:2123817140		
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Applicant Information

Application No	86509348	Publication date	06/23/2015
Opposition Filing Date	07/10/2015	Opposition Period Ends	07/23/2015
Applicant	Victorio Angeloti, LLC Suite 902 New York, NY 10016 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Belts; Bras; Footies; Footwear; Gloves; Hats; Hosiery; Leggings; Lingerie; Loungewear; Panties; Scarves; Sleepwear; Slipper socks; Slippers; Socks; Stockings; Tights
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Grounds for Opposition

Dilution	Trademark Act section 43(c)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3069976	Application Date	03/25/2005
Registration Date	03/21/2006	Foreign Priority Date	NONE
Word Mark	VOGUE		

Design Mark	VOGUE
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Description of Mark	NONE
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Goods/Services	Class 044. First use: First Use: 2000/09/18 First Use In Commerce: 2000/09/18 Providing information about beauty via a global computer network Class 045. First use: First Use: 2000/09/18 First Use In Commerce: 2000/09/18 Providing information about fashion viaa global computer network
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U.S. Registration No.	1659761	Application Date	09/21/1990
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Registration Date	10/08/1991	Foreign Priority Date	NONE
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Word Mark	VOGUE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 018. First use: First Use: 1990/01/00 First Use In Commerce: 1990/01/00 tote bags
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U.S. Registration No.	2701928	Application Date	09/24/2001
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Registration Date	04/01/2003	Foreign Priority Date	NONE
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Word Mark	VOGUE
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Design Mark	VOGUE
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Description of Mark	NONE
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Goods/Services	Class 025. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 clothing, namely, T-shirts [and sweatshirts]
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Attachments	76634388#TMSN.png(bytes) 76316168#TMSN.png(bytes) 1092_001.pdf(129240 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	/sawyer jacobs/
Name	Sawyer Jacobs
Date	07/10/2015

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

In re:

App. Ser. No. 86/509348

Opposition No.

Mark: VOGUE SIGNATURE DESIGNS

Applicant: Victorio Angeloti, LLC

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Advance Magazine Publishers Inc.

Opposer

v.

Victorio Angeloti, LLC

Applicant
-----X

NOTICE OF OPPOSITION

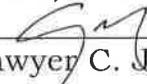
Opposer, Advance Magazine Publishers Inc., a New York corporation whose address is One World Trade Center, New York, NY 10007, hereby opposes registration of the mark "Vogue Signature Designs", which is the subject of Application Serial No. 86/509348, published in the Official Gazette of June 23, 2015, and requests that registration be refused to Applicant.

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

1. Opposer and its predecessors have adopted and continuously used the mark VOGUE as the title of a fashion magazine and internet site.
2. Opposer is the owner of the valid, subsisting, unrevoked and uncancelled Registration Nos. 103770, 125542, 3069976, 504006, 1659761, 2701928, and others.
3. Founded in 1892, Vogue magazine has become the nation's most widely recognized and revered fashion publication.
4. The US edition of Vogue magazine is read by 12.7 million people each month. Vogue's American website receives 8.7 million visitors each month, creating 5 billion impressions.

5. Millions of U.S. citizens instantly recognize and associate the VOGUE trademark with Opposer's products and services.
6. In addition to its magazine and website, Opposer uses its VOGUE trademark in social media, such as Twitter, Facebook, Instagram and Pinterest, as well as in connection with computer application software products.
7. In addition to its media uses, Opposer licenses its VOGUE trademark for use in designer sewing patterns known as VOGUE PATTERNS, (Registration No. 201144), and VOGUE KNITTING, (Registration No. 501515). These kits can be purchased and assembled to create dresses, hats, gloves, lingerie, sleepwear, and more.
8. As a result of its longstanding and continuous use of VOGUE for a wide range of goods and services, Opposer's mark has acquired substantial goodwill and reputation and has become famous.
9. Applicant has filed an application to register the mark "Vogue Signature Designs", based on the intent to use the mark to create "Belts; Bras; Footies; Footwear; Gloves; Hats; Hosiery; Leggings; Lingerie; Loungewear; Panties; Scarves; Sleepwear; Slipper socks; Slippers; Socks; Stockings; Tights".
10. Applicant's mark incorporates the Opposer's previously used and registered mark, VOGUE, and when applied to the goods set forth in Applicant's application, is likely to cause confusion, mistake, or deception within the meaning of Section 2(d) of the Trademark Act.
11. Applicant's registration and use of its mark will falsely suggest an association with or approval by Opposer of Applicant's goods and services and will inevitably create confusion in the marketplace. Such confusion will cause irreparable harm to Opposer.
12. Applicant's registration and planned use of the mark shown in App. Ser. No. 86/509348 is likely to cause dilution of Opposer's famous marks under Section 43(c) of the Trademark Act and should be refused registration under Section 2(f).

WHEREFORE, Opposer hopes that the opposition be sustained and that registration of "Vogue Signature Designs" by Applicant be refused.

Respectfully submitted,
SABIN, BERMANT & GOULD LLP
One World Trade Center
New York, New York 10007
By: 
Sawyer C. Jacobs, Esq.

Receipt is hereby acknowledged:

NOTICE OF OPPOSITION

App. Ser. No. 86/509348

Applicant: Victorio Angeloti, LLC

Mark: VOGUE SIGNATURE DESIGNS