

ESTTA Tracking number: **ESTTA686472**

Filing date: **07/29/2015**

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	World Wrestling Entertainment, Inc.
Granted to Date of previous extension	08/12/2015
Address	1241 East Main Street Stamford, CT 06902 UNITED STATES

Attorney information	Christopher M. Verdini K&L Gates LLP 210 Sixth Avenue Pittsburgh, PA 15222 UNITED STATES USPTO.LitigationDocket@klgates.com, christopher.verdini@klgates.com, curtis.krasik@klgates.com Phone:4123556500
----------------------	--

Applicant Information

Application No	86269192	Publication date	04/14/2015
Opposition Filing Date	07/29/2015	Opposition Period Ends	08/12/2015
Applicant	Sekhon, Ramanpreet 3683 N. Fruit Ave Apt B Fresno, CA 93705 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 2012/11/00 First Use In Commerce: 2013/06/00

All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2086903	Application Date	11/01/1995
Registration Date	08/12/1997	Foreign Priority Date	NONE
Word Mark	RAW		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1993/01/11 First Use In Commerce: 1993/01/11 entertainment services, namely, production and presentation of live wrestling sports entertainment television programs

U.S. Registration No.	2396746	Application Date	02/23/1998
Registration Date	10/24/2000	Foreign Priority Date	NONE

Word Mark	RAW
-----------	-----

Design Mark	
-------------	---

Description of Mark	NONE
---------------------	------

Goods/Services	Class 016. First use: First Use: 1996/04/01 First Use In Commerce: 1996/04/01 Printed paper matter, namely, magazines relating to sports entertainment, comic-books, event programs relating to sports entertainment, calendars, decals, stickers, posters, mounted and unmounted photographs, pictures, cardboard stand-ups, paper lunch sacks, napkins, trading cards, playing cards, collectors cards, and coloring and activity books
----------------	---

U.S. Registration No.	3960447	Application Date	01/11/2010
Registration Date	05/17/2011	Foreign Priority Date	NONE

Word Mark	RAW
-----------	-----

Design Mark	
-------------	--

Description of Mark	The mark consists of the wording "RAW" in stylized red lettering outlined in black with horizontal line in red and outlined in black appearing above and below the wording. The color gray appears as a shadow and background behind the wording and horizontal line designs in the mark. The color white represents background and/or transparent areas and is not part of the mark.
---------------------	---

Goods/Services	Class 041. First use: First Use: 2006/10/31 First Use In Commerce: 2006/10/31
----------------	---

	Entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through the media of television; providing wrestling news and information via a globalcomputer network
--	---

U.S. Registration No.	4125983	Application Date	02/23/2010
Registration Date	04/10/2012	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1993/01/31 First Use In Commerce: 1993/01/31 Clothing, namely, tank tops, t-shirts, shirts, sport shirts, dress shirts, poloshirts, undershirts, sweatshirts, sweaters, pullovers, jackets, raincoats, overcoats, top-coats, trousers, pants, jean pants, jogging suits, exercise pants, exercise suits, sweatpants, shorts, underwear, boxer shorts, socks, clothing ties, pajamas, belts, gloves, Halloween and masquerade costumes, wrist bands, bandannas; footwear, namely, shoes, sneakers, boots, slippers; headwear, namely, hats, caps		

U.S. Application No.	85536091	Application Date	02/07/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable ring tones, graphics and music via a global computer network and wireless devices; decorative refrigerator magnets; video and computer game tapes, video and computer game discs, video and computer game cassettes, video and computer game cartridges, video and computer game CD-ROMS;		

	video and computer game software; cinematographic and televisionfilms, namely, motion picture films featuring sports entertainment; pre-recorded phonograph records, pre-recorded compact discs, pre-recorded video tapes, pre-recorded video cassette tapes, pre-recorded DVDS and pre-recorded audio cassettes, all featuring sports entertainment; interactive video game programs and computer game cartridges; mouse pads
--	--

U.S. Application No.	86610604	Application Date	04/27/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 0 First Use In Commerce: 0 Toys, namely, action figures, accessories therefor; dolls; cases for action figures; toy wrestling rings; playsets for use with action figures; toy vehicles; board games; tabletop action skill games; construction toys; playing cards; puzzles; stuffed toys; plush toys; toy belts; toy foam hands; costume masks; costume masks; novelty face masks; Christmas tree decorations; toy spinning tops; arcade games; kites; bobble-head dolls; puppets; card games		

Attachments	75438726#TMSN.png(bytes) 77909119#TMSN.png(bytes) 77942095#TMSN.png(bytes) 85536091#TMSN.png(bytes) 86610604#TMSN.png(bytes) Notice_of_Opposition_RAWW_(Class_25).pdf(16658 bytes)
-------------	--

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	/Christopher M. Verdini/
Name	Christopher M. Verdini
Date	07/29/2015

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

Applicant: Ramanpreet Sekhon d/b/a Raww
Serial No.: 86/269,192
Mark: Raww
Class: 25
Filing Date: May 1, 2014
Publication Date: April 14, 2015

WORLD WRESTLING)
ENTERTAINMENT, INC.,)
)
Opposer,)
)
v.)
)
RAMANPREET SEKHON DBA RAWW,)
)
Applicant.)
_____)

Opposition No. _____

NOTICE OF OPPOSITION

World Wrestling Entertainment, Inc. (“Opposer” or “WWE”), a Delaware corporation with its principal place of business at 1241 East Main Street, Stamford, Connecticut 06902, believes that it will be damaged by registration of the mark RAWW, which is the subject of Application Serial No. 86/269,192 filed by Ramanpreet Sekhon allegedly doing business as Raww, an individual with an address of 3683 N. Fruit Ave., Apt. B, Fresno, California 93705 (“Applicant”). As such, WWE opposes registration of this mark and requests that registration to Applicant be refused.

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

I. Introduction

1. Opposer is and at all relevant times has been an integrated media company engaged in the development, production and promotion of television and online programming,

pay-per-view programming and live arena events featuring wrestling entertainment services, and the license and sale of branded consumer products.

2. WWE's unique product, for which it coined the term "sports entertainment," is perhaps best described as an action-adventure episodic drama that is akin to an ongoing, ever-developing soap opera based around WWE's distinctive and provocative characters.

3. WWE promotes hundreds of live shows each year in arenas and stadiums in cities around the world. WWE also produces weekly television programs on broadcast and cable television and the Internet that are distributed around the world and monthly pay-per-view programs available through cable and satellite pay-per-view distributors and online through WWE's "WWE Network." In addition, WWE licenses and sells myriad types of consumer products depicting its characters and other intellectual property.

II. Opposer's RAW Marks

4. Opposer is the owner of numerous common law and registered trademarks used in connection with its wrestling entertainment services and related goods and services. In particular, Opposer's RAW marks, comprised of RAW in typed or stylized form and with or without design elements (collectively, the "RAW Marks"), are one of Opposer's most recognized and valuable intellectual property assets.

5. Opposer owns common law rights and a number of applications and registrations for the RAW Marks including, but not limited to, U.S. Registration Nos. 2,086,903, 2,396,746, 3,960,447 and 4,125,983 and U.S. Application Serial Nos. 85/536,091 and 86/610,604.

6. "RAW" is one of the nationally and internationally recognized brands through which WWE promotes its wrestling entertainment services and related goods.

7. “RAW” also is the title of one of WWE’s internationally-distributed weekly television programs. Some of WWE’s most famous wrestling characters (known as “talent”) are affiliated with WWE’s RAW Marks and brand. These talent: (i) appear on WWE’s weekly RAW television program broadcast around the world; (ii) perform at RAW live events in cities around the world; (iii) are featured on WWE’s wwe.com Internet website; and (iv) are depicted on RAW branded merchandise, including toys and action figures.

8. The popularity, success, and recognition of the goods and services offered by Opposer under its RAW Marks are the direct result of the substantial time and money invested by WWE in development, marketing and promotion of the marks. The RAW Marks are uniquely and exclusively associated with WWE and have become indelibly linked in the public’s mind in exclusive association with and in exclusive sponsorship by WWE.

9. WWE has continually used its RAW Marks in connection with its wrestling entertainment services and related consumer products since at least January 11, 1993—well prior to any date of first use upon which Applicant can rely.

10. By virtue of WWE’s use, marketing and promotion of its RAW Marks, the RAW Marks are famous and distinctive.

11. Particularly pertinent to this opposition, Opposer has used and continues to use its RAW Marks in International Class 25 in connection with apparel – the same goods in which Applicant seeks to register its nearly identical RAWW mark.

12. In addition, Opposer uses its RAW Marks in connection with numerous other consumer products including, but not limited to, DVDs, video games, internet services, photographs, trading cards, posters, calendars, other related paper goods, action figures, mugs, cups and other various goods and services.

13. Despite Opposer's long and widespread use and worldwide recognition of its RAW Marks, Applicant has filed an application to register RAWW in International Class 25 for "Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms." Applicant filed the application on May 1, 2014 and the application was assigned Serial No. 86/269,192.

III. The Application Should Be Dismissed Because A Likelihood Of Confusion Exists

14. As described herein, Opposer's RAW Marks are among its most recognized and valuable intellectual property assets.

15. Applicant's RAWW mark is nearly identical in sight and is identical in sound and commercial meaning to Opposer's RAW Marks and is likely, when used on or in connection with the goods set forth in Applicant's application, to cause confusion, or to cause mistake, or to deceive relative to Opposer's RAW Marks within the meaning of Section 2(d) of the Lanham Act.

16. By applying for a mark that is nearly identical in sight and is identical in sound and commercial meaning to Opposer's RAW Marks in connection with goods that are identical or closely related to those provided by Opposer, Applicant's RAWW mark is likely to cause confusion among consumers as to Opposer's affiliation and/or sponsorship of Applicant's goods.

17. Accordingly, Opposer, as the owner of the RAW Marks, will be damaged if Applicant's RAWW mark is registered to Applicant.

IV. The Application Should Be Dismissed Because A Likelihood Of Dilution By Blurring Exists

18. As described herein, Opposer's RAW Marks are famous and distinctive.

19. Opposer's RAW Marks became famous and distinctive prior to any use of Applicant's RAWW mark upon which Applicant can rely.

20. Applicant's RAWW mark is nearly identical in sight and is identical in sound and commercial meaning to Opposer's RAW Marks and is likely, when used on or in connection with the goods set forth in Applicant's application, to cause dilution by blurring of Opposer's RAW Marks within the meaning of Section 43(c) of the Lanham Act.

21. Accordingly, Opposer, as the owner of the RAW Marks, will be damaged if Applicant's RAWW mark is registered to Applicant.

WHEREFORE, Opposer prays that the Notice of Opposition be sustained and that registration of U.S. Trademark Application Serial No. 86/269,192 be refused.

Respectfully submitted,

/s/ Christopher M. Verdini
Curtis B. Krasik, Esquire
Christopher M. Verdini, Esquire
K&L GATES LLP
K&L Gates Center
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 355-6500 (Telephone)
(412) 355-6501 (Facsimile)

Attorneys for Opposer
World Wrestling Entertainment, Inc.

July 29, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of July, 2015, a true and correct copy of the foregoing NOTICE OF OPPOSITION was served, via United States Mail, First Class, postage prepaid, upon Applicant at his address of record:

Ramanpreet Sekhon
3683 N. Fruit Ave., Apt. B
Fresno, California 93705

/s/ Christopher M. Verdini
Attorney for Opposer