

ESTTA Tracking number: **ESTTA723198**

Filing date: **01/27/2016**

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	MeetMe, Inc.
Granted to Date of previous extension	01/27/2016
Address	100 Union Square Drive New Hope, PA 18938 UNITED STATES

Attorney information	Mary S. Mathew Dentons US LLP P.O. Box #061080 Chicago, IL 60606-1080 UNITED STATES trade- marks.us@dentons.com,ian.farias@dentons.com,mary.mathew@dentons.com Phone:212-768-6747
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**Applicant Information**

Application No	86621833	Publication date	09/29/2015
Opposition Filing Date	01/27/2016	Opposition Period Ends	01/27/2016
Applicant	MMO LLC 630 Sunderland Road Worcester, MA 01604 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Computer application software for use in connection with social networking, social introduction and dating services
Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Instant message services
Class 045. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Dating services; Internet based social networking, social introduction, and dating services

**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.	4333561	Application Date	10/25/2011
Registration Date	05/14/2013	Foreign Priority Date	NONE
Word Mark	MEETME		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2009/10/01 First Use In Commerce: 2009/10/01 Software for use in mobile devices which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms, in the field of social networking; software for use in mobile devices which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms, in the field of dating services</p> <p>Class 045. First use: First Use: 2006/05/14 First Use In Commerce: 2006/05/14 Providing social networking services through web and mobile devices; providing dating services</p>		

U.S. Registration No.	3546943	Application Date	05/15/2006
Registration Date	12/16/2008	Foreign Priority Date	NONE
Word Mark	MEETME		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2006/05/14 First Use In Commerce: 2006/05/14 Dating services		

U.S. Application No.	85544780	Application Date	02/16/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MEETME		

Design Mark	
Description of Mark	The mark consists of the term "meetme" and a stylized face.
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Software for use in mobile devices, which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Providing a website featuring technology that allows users to communicate through textual content, video, photos and audiovisual means</p> <p>Class 045. First use: First Use: 0 First Use In Commerce: 0 Providing online social networking services through the web</p>

Attachments	85456113#TMSN.png( bytes ) 78883323#TMSN.png( bytes ) 85544780#TMSN.png( bytes ) MEETMEOUTSIDE - Notice of Opposition.pdf(285282 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	/mary s. mathew/
Name	Mary S. Mathew
Date	01/27/2016

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

MeetMe, Inc.	)	
Opposer,	)	
	)	
v.	)	Opposition No. _____
	)	
MMO LLC	)	
Applicant.	)	
<hr/>		

Serial No.     86/621833  
Mark:         MEETMEOUTSIDE  
Classes:      9, 38, 45  
Filed:        May 7, 2015  
Published:    September 29, 2015

**NOTICE OF OPPOSITION**

MeetMe, Inc. (“Opposer”), a Delaware corporation, with an address at 100 Union Square Drive, New Hope, PA 18938, believes that it would be damaged by registration of Application 86/621833 for the mark MEETMEOUTSIDE (the “Application”) and hereby opposes that application. On information and belief, the Application was filed by MMO LLC (“Applicant”), a Massachusetts limited liability company, with an address at 630 Sunderland Road, Worcester MA 01604.

The United States Patent and Trademark Office (the “USPTO”) published the Application for opposition on September 29, 2015. Opposer timely filed requests for extension of time to oppose the Application at the Trademark Trial and Appeal Board (the “Board”). The Board granted Opposer’s requests giving Opposer until January 27,

2016 to file the notice of opposition. Accordingly, Opposer has timely filed this opposition.

As grounds of opposition, Opposer hereby alleges:

OPPOSER'S MARK

1. Opposer has been continuously using, advertising and promoting, in commerce, the MEETME mark in connection with software for use in mobile devices in the field of dating, and providing social networking and dating services (Opposer's Goods and Services").
2. Opposer owns exclusive common law rights to the mark MEETME and owns trademark registrations for the MEETME and MEETME & Design marks, namely, Registration No. 4333561 filed with the USPTO on October 25, 2011 with date of first use in commerce claimed from May 2006 in connection with its social networking and dating related goods and services, Registration No. 3546943 filed with the USPTO on May 15, 2006 in connection with dating services, and Application No. 85/544780 filed with the USPTO on February 16, 2012 in connection with social networking related goods and services. See Exhibit 1.
3. By reason of Opposer's extensive use, advertisement and promotion of the mark MEETME, the public closely associates the mark with Opposer and Opposer's Goods and Services.
4. Opposer has been using, advertising and promoting its MEETME mark in commerce in connection with Opposer's Goods and Services prior to the filing

date of the Application, which claims no date of first use, only an intent to use.

See Application excerpt as Exhibit 2.

5. On information and belief, Opposer has been using, advertising and promoting its MEETME mark in commerce in connection with Opposer's Goods and Services since prior to Applicant's first use, if any, for the designation MEETMEOUTSIDE in connection with the social networking and dating related goods and services specified in the Application. Thus, Opposer is the senior user of the MEETME mark.
6. The MEETME mark is an asset of substantial value to Opposer as a symbol of Opposer, its popular dating and social networking related goods and services, and the valuable goodwill associated therewith.

#### APPLICANT'S FILING

7. Despite Opposer's senior rights to the MEETME mark, Applicant filed the Application with the USPTO on May 7, 2015, seeking to register the mark MEETMEOUTSIDE for "computer application software for use in connection with social networking, social introduction and dating services" in International Class 9, "instant message services" in International Class 38, and "dating services; Internet based social networking, social introduction, and dating services" in Class 45, with no allegations of use of the mark anywhere and/or in commerce and based on a future intention to use the mark in the United States.
8. Applicant's claimed mark MEETMEOUTSIDE, when used in connection with the goods and services specified in the Application, will likely cause confusion,

mistake or deception with Opposer's mark MEETME because Applicant's claimed mark MEETMEOUTSIDE is confusingly similar to and wholly encompasses Opposer's registered mark (the Applicant merely added the descriptive wording "outside"), and because the goods and services specified in the Application are highly related to the Opposer's Goods and Services in connection with which Opposer has used and is using its MEETME mark.

#### DAMAGE TO OPPOSER

9. If Applicant were permitted to use or register the mark, MEETMEOUTSIDE, for the goods and services specified in the Application, it would cause damage and injury to Opposer's business reputation and goodwill, and would injure and impair Opposer's senior rights in its mark MEETME. The aforesaid confusion, mistake and deception will generate the erroneous impression that the Applicant's goods and services originate with Opposer or that Applicant's goods and services are authorized, licensed or endorsed by, or are connected or associated in some way with Opposer or Opposer's Goods and Services in connection with which Opposer has used and is using the mark MEETME. Thus, any fault found with Applicant or its goods/services would reflect adversely upon and damage Opposer's MEETME mark and the valuable goodwill associated therewith.
10. If Applicant were granted the registration applied for, it would thereby obtain, at least, the *prima facie* exclusive right to use the mark, MEETMEOUTSIDE, on the goods and services specified in the Application. Such registration would thus be a source of damage and injury to Opposer and would be inconsistent with

Opposer's senior and exclusive rights in the mark MEETME.

WHEREFORE, Opposer requests that this opposition be sustained and that registration of Application Serial No. 86/ 621833 be refused and denied.

Respectfully submitted,

MeetMe, Inc.

By: /s/ /mary mathew/  
Mary S. Mathew, Esq.  
Dentons US LLP  
P.O. Box #061080  
Wacker Drive Station, Willis Tower  
Chicago, IL 60606  
212-768-6747  
mary.mathew@dentons.com  
trademarks.us@dentons.com

Attorneys for MeetMe, Inc.

Dated: January 27, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF OPPOSITION to be served upon:

Jacqueline P. Scheib  
Robinson & Cole LLP  
280 Trumbull St., Fl 28  
Hartford, CT 06103-3597

by placing same in an envelope, properly sealed and addressed, with postage prepaid and depositing same with the United States Postal Service on this 27<sup>th</sup> day of January, 2016.

/s/ /mary mathew/  
Mary S. Mathew

Filed with the TTAB via  
ESTTA on January 27, 2016

**Exhibit 1**



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# MEETME

**Word Mark** MEETME  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Software for use in mobile devices which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms, in the field of social networking; software for use in mobile devices which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms, in the field of dating services. FIRST USE: 20091001. FIRST USE IN COMMERCE: 20091001

IC 045. US 100 101. G & S: Providing social networking services through web and mobile devices; providing dating services. FIRST USE: 20060514. FIRST USE IN COMMERCE: 20060514

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85456113

**Filing Date** October 25, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** September 25, 2012

**Registration** 4333561

Number  
Registration Date May 14, 2013  
Owner (REGISTRANT) MEETME, INC. CORPORATION DELAWARE 100 UNION SQUARE DRIVE NEW HOPE PENNSYLVANIA 18938  
Assignment Recorded ASSIGNMENT RECORDED  
Attorney of Record Rebecca Stroder  
Prior Registrations 3546943  
Type of Mark TRADEMARK. SERVICE MARK  
Register PRINCIPAL  
Live/Dead Indicator LIVE

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# MEETME

<b>Word Mark</b>	MEETME
<b>Goods and Services</b>	IC 045. US 100 101. G & S: Dating services. FIRST USE: 20060514. FIRST USE IN COMMERCE: 20060514
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Trademark Search Facility Classification Code</b>	LETS-2 BZ Two letters or combinations of multiples of two letters NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
<b>Serial Number</b>	78883323
<b>Filing Date</b>	May 15, 2006
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	June 24, 2008
<b>Change in Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	3546943
<b>Registration Date</b>	December 16, 2008

**Owner** (REGISTRANT) Dragos, John E. INDIVIDUAL UNITED STATES 2790 Sandhutton Ave., Apt. #8  
Rockford ILLINOIS 61109

(LAST LISTED OWNER) MEETME, INC. CORPORATION DELAWARE 100 UNION SQUARE  
DRIVE NEW HOPE PENNSYLVANIA 18938

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Rebecca Stroder

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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<b>Word Mark</b>	<b>MEETME</b>
<b>Goods and Services</b>	<p>IC 009. US 021 023 026 036 038. G &amp; S: Software for use in mobile devices, which allows users to communicate via textual content, video, photos and audiovisual means, including via social networking platforms</p> <p>IC 042. US 100 101. G &amp; S: Providing a website featuring technology that allows users to communicate through textual content, video, photos and audiovisual means</p> <p>IC 045. US 100 101. G &amp; S: Providing online social networking services through the web</p>
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	02.11.16 - Faces, smiley; Smiley faces
<b>Serial Number</b>	85544780
<b>Filing Date</b>	February 16, 2012
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	March 17, 2015
<b>Owner</b>	(APPLICANT) MEETME, INC. CORPORATION DELAWARE 100 UNION SQUARE DRIVE NEW HOPE PENNSYLVANIA 18938

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Mary S. Mathew

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the term "meetme" and a stylized face.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Exhibit 2**

## Trademark/Service Mark Application, Principal Register

**Serial Number: 86621833**

**Filing Date: 05/07/2015**

### To the Commissioner for Trademarks:

**MARK:** MEETMEOUTSIDE (Standard Characters, see mark)

The literal element of the mark consists of MEETMEOUTSIDE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, MMO LLC, a limited liability company legally organized under the laws of Massachusetts, having an address of

630 Sunderland Road  
Worcester, Massachusetts 01604  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: Computer application software for use in connection with social networking, social introduction and dating services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 038: Instant message services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 045: Dating services; Internet based social networking, social introduction, and dating services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Jacqueline P. Scheib and each of its attorneys of Robinson & Cole LLP  
280 Trumbull Street  
Hartford, Connecticut 06103  
United States

The applicant's current Correspondence Information:

Jacqueline P. Scheib  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, Connecticut 06103  
860-275-8285(phone)  
860-275-8299(fax)  
jscheib@rc.com (authorized)

**E-mail Authorization:** I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$825 has been submitted with the application, representing payment for 3 class(es).

#### **Declaration**

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

#### **Declaration Signature**

Signature: /Jacqueline P. Scheib/ Date: 05/07/2015  
Signatory's Name: Jacqueline P. Scheib  
Signatory's Position: Attorney of Record, CT bar member  
RAM Sale Number: 86621833  
RAM Accounting Date: 05/07/2015

Serial Number: 86621833  
Internet Transmission Date: Thu May 07 09:28:36 EDT 2015  
TEAS Stamp: USPTO/BAS-X.XX.XXX.XX-201505070928367501  
91-86621833-530321ef6d41196e67b51c06179e

MEETMEOUTSIDE