

ESTTA Tracking number: **ESTTA735059**

Filing date: **03/22/2016**

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	World Wrestling Entertainment, Inc.
Granted to Date of previous extension	03/23/2016
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	86652254	Publication date	11/24/2015
Opposition Filing Date	03/22/2016	Opposition Period Ends	03/23/2016
Applicant	R.A.W. International, Inc. 2678 Kilihau Street Honolulu, HI 96819 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 041. First Use: 2014/10/29 First Use In Commerce: 2014/10/29 All goods and services in the class are opposed, namely: Educational services, namely, conducting classes, seminars, conferences and workshops for women in the field of personal empowerment and publishing and distributing course and educational material in connection therewith
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution by blurring	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	<b>RAW</b>

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.
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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		
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U.S. Registration No.	4125983	Application Date	02/23/2010
Registration Date	04/10/2012	Foreign Priority Date	NONE

Word Mark	RAW		
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Design Mark			
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Description of Mark	NONE		
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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		
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U.S. Registration No.	4804352	Application Date	02/07/2012
Registration Date	09/01/2015	Foreign Priority Date	NONE

Word Mark	RAW		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 009. First use: First Use: 1998/12/31 First Use In Commerce: 1998/12/31 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,		
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	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
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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; construction toys; playing cards; puzzles; stuffed toys; plush toys; toy belts; toy foam hands; costume masks; novelty face masks; Christmas tree decorations; toy spinning tops; 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_RAW_(Raw_International).pdf(16247 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	/Christopher M. Verdini/
Name	Christopher M. Verdini
Date	03/22/2016

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

Applicant: R.A.W. International, Inc.  
Serial No.: 86/652,254  
Mark: RAW  
Class: 41  
Filing Date: June 4, 2015  
Publication Date: November 24, 2015

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WORLD WRESTLING )  
ENTERTAINMENT, INC., )  
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Opposer, )  
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v. )  
 )  
R.A.W. INTERNATIONAL, INC., )  
 )  
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 RAW, which is the subject of Application Serial No. 86/652,254 filed by R.A.W. International, Inc., a Hawaii corporation with an address of 2678 Kilihau Street, Honolulu, Hawaii 96819 (“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, 4,125,983 and 4,804,352 and U.S. Application Serial No. 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.

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. In addition, Opposer uses its RAW Marks in connection with numerous other consumer products including, but not limited to, clothing, toys, backpacks, video games, DVDs and other various goods and services.

12. Despite Opposer’s long and widespread use and worldwide recognition of its RAW Marks, Applicant has filed an application to register RAW in International Class 41 for “Educational services, namely, conducting classes, seminars, conferences and workshops for women in the field of personal empowerment and publishing and distributing course and

educational material in connection therewith.” Applicant filed the application on June 4, 2015 and the application was assigned Serial No. 86/652,254.

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

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

14. Applicant’s RAW mark is identical in sight, sound and commercial meaning to Opposer’s RAW Marks and is likely, when used on or in connection with the services 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.

15. By applying for a mark that is identical in sight, sound and commercial meaning to Opposer’s RAW Marks in connection with the services identified in Applicant’s application, Applicant’s RAW mark is likely to cause confusion among consumers as to Opposer’s affiliation and/or sponsorship of Applicant’s services.

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

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

17. As described herein, Opposer’s RAW Marks are famous and distinctive.

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

19. Applicant’s RAW mark is identical in sight, sound and commercial meaning to Opposer’s RAW Marks and is likely, when used on or in connection with the services 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.

20. Accordingly, Opposer, as the owner of the RAW Marks, will be damaged if Applicant's RAW 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. 86/652,254 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.

March 22, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22nd day of March, 2016, a true and correct copy of the foregoing NOTICE OF OPPOSITION was served, via United States Mail, First Class, postage prepaid, upon counsel of record for Applicant:

Wesley R. Carter  
Winters & King, Inc.  
2448 E. 81st Street, Suite 5900  
Tulsa, Oklahoma 74137

/s/ Christopher M. Verdini  
Attorney for Opposer