

ESTTA Tracking number: **ESTTA735414**

Filing date: **03/23/2016**

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	BCD N.V.		
Entity	Limited Liability Company	Citizenship	Netherlands
Address	Utrechtseweg 67 Zeist, NL-3704 HB NETHERLANDS		

Attorney information	James A. Trigg Kilpatrick Townsend & Stockton LLP 1100 Peachtree Street, Suite 2800 Atlanta, GA 30309 UNITED STATES jtrigg@ktslaw.com, svayner@ktslaw.com, kteilhaber@ktslaw.com, tmadmin@ktslaw.com
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Applicant Information

Application No	86727183	Publication date	02/23/2016
Opposition Filing Date	03/23/2016	Opposition Period Ends	03/24/2016
Applicant	Viajes Beda S.A. de C.V. Av Bonampak SM 10 MZ 2 Lote 7 Cancun, 00 MEXICO		

Goods/Services Affected by Opposition

Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing personalized information about hotels and temporary accommodations for travel via the Internet; Providing travel lodging information services and travel lodging booking agency services for travelers; Travel agency services, namely, making reservations and booking for temporary lodging; Travel agency services, namely, making reservations and booking for temporary lodging for other travel agencies, travel suppliers, and corporations, via on-line computer networks; Travel agency services, namely, making reservations and bookings for restaurants and meals
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Applicant Information

Application No	86727157	Publication date	02/23/2016
Opposition Filing Date	03/23/2016	Opposition Period Ends	03/24/2016
Applicant	Viajes Beda S.A. de C.V. Av Bonampak SM 10 MZ 2 Lote 7 Cancun, 00 MEXICO		

Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Advertising services, namely, promoting and marketing the goods and services of others in the fields of cultural events, restaurants, shopping and travel via print and electronic media; providing information on marketing, advertising and promoting the goods and services of others in the fields of travel and tourism via email and electronic mail; providing travel management services

Applicant Information

Application No	86727148	Publication date	02/23/2016
Opposition Filing Date	03/23/2016	Opposition Period Ends	03/24/2016
Applicant	Viajes Beda S.A. de C.V. Av Bonampak SM 10 MZ 2 Lote 7 Cancun, 00 MEXICO		

Goods/Services Affected by Opposition

Class 039. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Arranging travel tours; Booking of seats for travel; Coordinating travel arrangements for individuals and for groups; Organisation of travel; Providing a website featuring information on travel; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Travel agency services, namely, making reservations and bookings for transportation; Travel information services

Applicant Information

Application No	86727134	Publication date	02/23/2016
Opposition Filing Date	03/23/2016	Opposition Period Ends	03/24/2016
Applicant	Viajes Beda S.A. de C.V. Av Bonampak SM 10 MZ 2 Lote 7 Cancun, 00 MEXICO		

Goods/Services Affected by Opposition

Class 042. First Use: 0 First Use In Commerce: 0

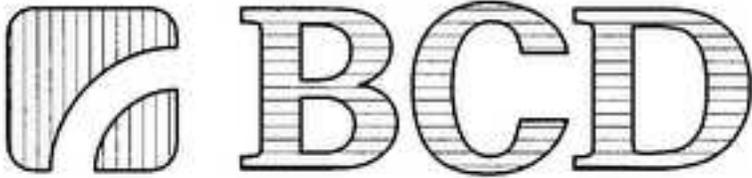
All goods and services in the class are opposed, namely: Providing a web site featuring technology that enables internet users to book travel

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.	2666810	Application Date	07/30/1999
Registration Date	12/24/2002	Foreign Priority Date	NONE
Word Mark	B C D		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 016. First use: First Use: 1994/00/00 First Use In Commerce: 1995/00/00 [Paper, cardboard and goods made from these materials, namely, paper boards, drawing paper boards, bond paper, paper boxes, bunting paper, carbon paper, decorative paper centerpieces, paper table cloths, paper cloth for polishing and cleaning, construction paper, paper containers, copy paper, corrugated paper; printed matter, namely, general feature magazines and books, namely, appointment books, autograph books, bookkeeping books, business record books; and bookbinding materials, namely, bookbinding tape, wire, and cloth]</p> <p>Class 036. First use: First Use: 1994/00/00 First Use In Commerce: 1995/00/00 [Insurance and financial affairs, namely, accident insurance underwriting, insurance actuarial services, insurance administration in the field of home, accident, automobile, fire, flood; insurance agencies in the field of home, accident, automobile, fire, flood; financial services, namely, financial analysis and consultation, financial clearing houses, financial exchange, financial forecasting, and financial guarantee and surety; funding, namely, financing services, and financing real estate projects in the nature of land acquisition, namely, real estate brokerage, real estate investment and real estate development; real estate management; real estate appraisal and business appraisal in the field of mortgage banking brokerage banking; brokerage in the field of buying and selling stocks in investment funds; management of investment funds]</p> <p>Class 039. First use: First Use: 1994/00/00 First Use In Commerce: 1995/00/00 [Transport of goods and passengers by ferry, boat, rail, truck, bus and air; transport of travelers by ferry, boat, rail, car, bus and air;] travel agency services, namely, making reservations and bookings for transportation; arranging of tours and sightseeing; vehicle rental; and providing information with regard to the aforementioned services</p>

U.S. Registration No.	3373193	Application Date	02/16/2006
Registration Date	01/22/2008	Foreign Priority Date	12/08/2005
Word Mark	BCD TRAVEL		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Transport of passengers and goods; transportation reservation services; travel agency services, namely the organization of trips, excursions and guided tours; escorting of travelers; organization of business travel, group travel and holiday travel and intermediary services therefor, namely, taxi transport; rental of cars and vehicles for transport; reservation of transport seats; advisory services with respect to transport and traveling; travel advisory services</p>		

	Class 043. First use: First Use: 0 First Use In Commerce: 0 Reservation and rental of temporary housing, namely, guest houses, hotels and holiday homes[, providing campgrounds facilities, holiday camp lodging services and rental of tents]		
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U.S. Registration No.	3856988	Application Date	06/26/2009
Registration Date	10/05/2010	Foreign Priority Date	06/11/2009
Word Mark	BCD MEETINGS & INCENTIVES		
Design Mark			
Description of Mark	The mark consists of the wording "BCD MEETINGS & INCENTIVES" in stylized black lettering with the design of six shaded circles in increasing size forming an arch design over the letter "D" in "BCD". The first two circles are yellow, the third and fourth are orange, and the fifth and sixth are red.		
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 Organization of meetings, conferences, incentives and events for commercial purposes; business consulting services related to the managing of meetings, conferences, incentives, events and live entertainment productions; professional business and business organization consulting services related to the managing of meetings, conferences, incentives, events and live entertainment; data management, namely, the compilation, collection, and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; arranging of trade fairs and exhibitions for commercial or advertising purposes		

U.S. Registration No.	3853877	Application Date	06/26/2009
Registration Date	09/28/2010	Foreign Priority Date	06/11/2009
Word Mark	BCD MEETINGS & INCENTIVES		
Design Mark	BCD MEETINGS & INCENTIVES		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 Organization of meetings, conferences, incentives and events for commercial purposes; business consulting services related to the managing of meetings, conferences, incentives, events and live entertainment productions; professional business and business organization consulting services related to the managing of meetings, conferences, incentives, events and live entertainment; data management, namely, the compilation, collection, and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; arranging of trade fairs and exhibitions for commercial or advertising purposes		

U.S. Registration No.	4307293	Application Date	05/25/2012
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Registration Date	03/26/2013	Foreign Priority Date	NONE
Word Mark	BCD TRAVEL		
Design Mark			
Description of Mark	<p>The mark consists of the wording "BCD TRAVEL" in stylized blue lettering with the design of six shaded circles in increasing size, with the first appearing within the center of the letter "C" and the remaining five forming an arch design over the letter "D" in "BCD". The first four circles ranging from a light orange to orange and the fifth and sixth are red.</p>		
Goods/Services	<p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Transport of persons and goods; services of a travel agent, namely, arranging of trips, excursions and guided tours; escorting of travellers; arranging of business travel, group travel and tourist travel, and intermediary services relating thereto, namely, taxi transport; rental of cars and other means of transport; booking of seats for passengers; providing information on transport and travel; travel advice</p> <p>Class 043. First use: First Use: 0 First Use In Commerce: 0 Rental and reservation of temporary accommodation, including boarding houses, hotels and holiday homes; providing campground facilities; holiday camp lodging services; rental of tents</p>		

U.S. Registration No.	4398254	Application Date	06/07/2012
Registration Date	09/10/2013	Foreign Priority Date	01/16/2012
Word Mark	BCD M&I		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Database management, namely, the compilation, collection and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; organization of exhibitions and trade fairs for business and promotional purposes</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Travel agency services, namely, arranging of tours and booking of transportation; escorting of travellers; arranging and escorting travellers of business tours and group tours; rental of cars, scooters and bicycles; travel agency services, namely, making reservations and bookings for transportation; travel agency consultation</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Arranging of educational conferences, entertainment services in the nature of live dance, live musical performances; providing information relating to the educational and entertainment services listed above</p>		

U.S. Registration No.	4294093	Application Date	06/07/2012
Registration Date	02/26/2013	Foreign Priority Date	01/16/2012
Word Mark	BCD M&I		
Design Mark			
Description of Mark	<p>The mark consists of the stylized letters "BCD M&I" with a design element comprising six circles displayed in a semi-circular fashion emanating from the middle of the "C" and terminating in the space between the "D" and "M". The circles get progressively darker in shade from left to right.</p>		
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Database management, namely, the compilation, collection and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; organization of exhibitions and trade fairs for business and promotional purposes</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Travel agency services, namely, arranging of tours and booking of transportation; escorting of travellers; arranging and escorting travellers of business tours and group tours; rental of cars, scooters and bicycles; travel agency services, namely, making reservations and bookings for transportation; travel agency consultation</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Arranging of educational conferences, entertainment services in the nature of live dance, live musical performances; providing information relating to the educational and entertainment services listed above</p>		

Attachments	75764672#TMSN.png(bytes) 79023291#TMSN.png(bytes) 79076500#TMSN.png(bytes) 79076280#TMSN.png(bytes) 79114385#TMSN.png(bytes) 79118155#TMSN.png(bytes) 79117667#TMSN.png(bytes) 2016.03.23 BCD Notice of Opposition.pdf(177457 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	/James A. Trigg/
Name	James A. Trigg
Date	03/23/2016

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

BCD N.V.,)	
)	Opposition No. _____
Opposer,)	
)	TM: BD TRAVELSOLUTION
v.)	
)	App. Serial Nos. 86727183
VIAJES BEDA S.A. de C.V.,)	86727157
)	86727148
Applicant.)	86727134
)	

CONSOLIDATED NOTICE OF OPPOSITION

Opposer BCD N.V., a Netherlands limited liability company with a principal place of business at Utrechtseweg 67, NL-3704 HB Zeist, Netherlands, will be damaged by registration of the BD TRAVELSOLUTION mark set forth in Application Serial Nos. 86727183, 86727157, 86727148, and 86727134 (the “Applications”), owned by Applicant Viajes Beda S.A. de C.V. (“Applicant”), and states the following for its consolidated opposition to the Applications:

1. BCD N.V. is the owner of the well-known BCD mark, both standing alone and in combination with other terms and/or design elements, which it and its predecessors in interest and affiliated entities (collectively, “BCD”) have used continuously in United States commerce for more than two decades in connection with a wide variety of travel agency, reservation, booking, transportation, meeting, conference, event, and other travel and event-related services (the “BCD Marks”), and since long prior to the August 17, 2015 filing date of the Applications.

2. As a result of BCD’s long and continuous use of its BCD Marks in connection with its travel agency, reservation, booking, transportation, meeting, conference, event, and other travel and event-related services, and as a result of BCD’s extensive advertising and promotion of services under its BCD Marks, the consuming public and the trade have come to recognize the BCD Marks as belonging to BCD, and associate and identify the services offered under the BCD

Marks with BCD. BCD consequently derives invaluable goodwill and value from this recognition, association, and identification by the consuming public and the trade.

3. In addition to its strong common law rights in the BCD Marks, BCD is the owner of several registrations that consist of or incorporate its BCD Marks, including the following:

Trademark	Reg. No.	Reg. Date	Goods and/or Services
	2666810	12/24/2002	<p><u>Class 39</u>: Travel agency services, namely, making reservations and bookings for transportation; arranging of tours and sightseeing; vehicle rental; and providing information with regard to the aforementioned services</p>
BCD TRAVEL	3373193	01/22/2008	<p><u>Class 39</u>: Transport of passengers and goods; transportation reservation services; travel agency services, namely the organization of trips, excursions and guided tours; escorting of travelers; organization of business travel, group travel and holiday travel and intermediary services therefor, namely, taxi transport; rental of cars and vehicles for transport; reservation of transport seats; advisory services with respect to transport and traveling; travel advisory services</p> <p><u>Class 43</u>: Reservation and rental of temporary housing, namely, guest houses, hotels and holiday homes</p>
	3856988	10/05/2010	<p><u>Class 35</u>: Organization of meetings, conferences, incentives and events for commercial purposes; business consulting services related to the managing of meetings, conferences, incentives, events and live entertainment productions; professional business and business organization consulting services related to the managing of meetings, conferences, incentives, events and live entertainment; data management, namely, the compilation, collection, and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; arranging of trade fairs and exhibitions for commercial or advertising purposes</p>

Trademark	Reg. No.	Reg. Date	Goods and/or Services
BCD MEETINGS & INCENTIVES	3853877	09/28/2010	<p><u>Class 35</u>: Organization of meetings, conferences, incentives and events for commercial purposes; business consulting services related to the managing of meetings, conferences, incentives, events and live entertainment productions; professional business and business organization consulting services related to the managing of meetings, conferences, incentives, events and live entertainment; data management, namely, the compilation, collection, and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; arranging of trade fairs and exhibitions for commercial or advertising purposes</p>
	4307293	03/26/2013	<p><u>Class 39</u>: Transport of persons and goods; services of a travel agent, namely, arranging of trips, excursions and guided tours; escorting of travellers; arranging of business travel, group travel and tourist travel, and intermediary services relating thereto, namely, taxi transport; rental of cars and other means of transport; booking of seats for passengers; providing information on transport and travel; travel advice</p> <p><u>Class 43</u>: Rental and reservation of temporary accommodation, including boarding houses, hotels and holiday homes; providing campground facilities; holiday camp lodging services; rental of tents</p>
BCD M&I	4398254	09/10/2013	<p><u>Class 35</u>: Database management, namely, the compilation, collection and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; organization of exhibitions and trade fairs for business and promotional purposes</p> <p><u>Class 39</u>: Travel agency services, namely, arranging of tours and booking of transportation; escorting of travellers; arranging and escorting travellers of business tours and group tours; rental of cars, scooters and bicycles; travel agency services, namely, making reservations and bookings for transportation; travel agency consultation</p> <p><u>Class 41</u>: Arranging of educational conferences, entertainment services in the nature of live dance, live musical performances; providing information relating to the educational and entertainment services listed above</p>

Trademark	Reg. No.	Reg. Date	Goods and/or Services
	4294093	02/26/2013	<p><u>Class 35</u>: Database management, namely, the compilation, collection and systemization of information regarding meetings, incentives, conferences, events and live entertainment productions and the management thereof, into computer databases; organization of exhibitions and trade fairs for business and promotional purposes</p> <p><u>Class 39</u>: Travel agency services, namely, arranging of tours and booking of transportation; escorting of travellers; arranging and escorting travellers of business tours and group tours; rental of cars, scooters and bicycles; travel agency services, namely, making reservations and bookings for transportation; travel agency consultation</p> <p><u>Class 41</u>: Arranging of educational conferences, entertainment services in the nature of live dance, live musical performances; providing information relating to the educational and entertainment services listed above</p>

(collectively, the “BCD Mark Registrations”). The BCD Mark Registrations are valid and subsisting.

4. In addition to the services covered by the BCD Mark Registrations, BCD also offers an array of services in Class 42. By way of example only, BCD’s affiliates own several United States federal service mark registrations that cover Class 42 services, including:

- “Providing temporary use of non-downloadable software for use by others to make travel reservations, to store and access travel information, and to manage travel information, all of the foregoing for use by business customers” (TRIPSOURCE; Reg. No. 3616667);
- “Providing temporary use of non-downloadable software for use by others to store and access travel information, to manage travel information, and to manage travel-related expenses and provide actionable travel and expense reports” (SOURCE: 360; Reg. No. 3699539);
- “Advice relating to electronic data processing software; providing of information relating to the design and development of electronic data processing software; computer technology support services, namely, help desk services provided by telephone, intranets and the internet to assist in the use of computer database programs and computer software” (ADVITO & Design; Reg. No. 3679965);

- “Architectural and construction drafting in particular for travel agencies; construction engineering and architectural design, namely, interior design; architectural services, namely, the technical preparation of building projects; creation, installation, operating, updating and maintenance of computer database programs and computer software, in particular software for the organization, reservation and arrangement of tourist services and business travel and for advertising travel on radio, television and electronic media; computer programming and computer programming for communications; rental of computer software and data processing equipment; consultancy relating to the design and development of electronic data processing software; provision of information relating to computer programming; consultancy in the field of information technology; providing and rental of computer equipment for internet cafes; information services in the field of installation, operating, updating and maintenance of computer software; computer services, namely, providing an e-commerce platform on the internet to allow users to request content from and receive content to a mobile device; internet services, namely, updating of internet pages, consultancy with regard to the design of homepages and internet pages, operating internet search engines, creating webpages for third parties, scientific research conducted using the internet, updating of internet sites, rental of memory space on the internet, namely, rental of web servers; providing memory space on the internet, namely, hosting of web sites; consultancy provided by means of telephone hotlines, intranets and the internet in relation to the operation, maintenance and use of computer database programs and computer software” (BIZ TRAILS & Design; Reg. No. 3856903); and
- “Installation, updating and maintenance of computer software, particularly of software for the organization, reservation and arrangement of transport services and business travel for advertising travel on radio and television and electronic media; providing of databases featuring transport services and business travel services; computer programming and consultancy in the field of operation, administration and use of computer databases and computer software, leasing access time to databases provided via the telephone, intranet and internet; rental of computer software and data processing apparatus” (OPTIMISER & Design; Reg. No. 4557915).

5. Because of the high degree of inherent and acquired distinctiveness of the BCD Marks, the length of time and extent to which BCD has used the BCD Marks, the advertising and publicity the BCD Marks have received, the substantial trading area in which the BCD Marks are used, the wide range of services for which the BCD Marks are used, and the high degree of consumer recognition of the BCD Marks, the BCD Marks are well-known and strong trademarks, deserving of a broad scope of legal protection.

6. On August 17, 2015, Applicant filed four (4) intent-to-use applications with the U.S. Patent and Trademark Office (“USPTO”) to register the mark BD TRAVELSOLUTION (“Applicant’s Mark”) for:

- “Advertising services, namely, promoting and marketing the goods and services of others in the fields of cultural events, restaurants, shopping and travel via print and electronic media; providing information on marketing, advertising and promoting the goods and services of others in the fields of travel and tourism via email and electronic mail; providing travel management services” in Class 35 (Serial No. 86727157);
- “Arranging travel tours; Booking of seats for travel; Coordinating travel arrangements for individuals and for groups; Organization of travel; Providing a website featuring information on travel; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Travel agency services, namely, making reservations and bookings for transportation; Travel information services” in Class 39 (Serial No. 86727148);
- “Providing a web site featuring technology that enables internet users to book travel” in Class 42 (Serial No. 86727134); and
- “Providing personalized information about hotels and temporary accommodations for travel via the Internet; Providing travel lodging information services and travel lodging booking agency services for travelers; Travel agency services, namely, making reservations and booking for temporary lodging; Travel agency services, namely, making reservations and booking for temporary lodging for other travel agencies, travel suppliers, and corporations, via on-line computer networks; Travel agency services, namely, making reservations and bookings for restaurants and meals” in Class 43 (Serial No. 86727183).

7. The services recited in the Applications are identical and/or closely related to the services that BCD currently provides in intrastate and interstate commerce in connection with its BCD Marks, and which it provided for years prior to any actual or constructive use date of Applicant’s Mark.

8. Applicant’s BD TRAVELSOLUTION mark is highly similar in sight, sound, appearance, and commercial impression to the BCD Marks, and particularly so to the BCD TRAVEL mark.

9. Applicant had constructive knowledge and, on information and belief, also had actual knowledge of BCD's BCD Marks prior to adopting Applicant's Mark.

10. Applicant had constructive knowledge and, on information and belief, also had actual knowledge of BCD's BCD Marks prior to filing the Applications.

11. BCD will be damaged by registration of Applicant's Mark because the mark so resembles the BCD Marks as to be likely to cause confusion, mistake, and deception. Persons familiar with the BCD Marks and the services offered under the BCD Marks would be likely to believe erroneously that Applicant's services are the services of BCD or are authorized, endorsed, sponsored, or licensed by BCD. Thus, registration of Applicant's Mark on the Principal Register would be inconsistent with BCD's strong prior rights in its BCD Marks under 15 U.S.C. §§ 1052(d) and 1063.

12. BCD therefore requests that the Board sustain this proceeding in BCD's favor by refusing registration to the mark underlying Application Serial Nos. 86727183, 86727157, 86727148, and 86727134.

13. The Director is authorized to debit Kilpatrick Townsend & Stockton LLP's Trademark Deposit Account No. 20-1430 for the required \$1200.00 opposition fee.

This 23rd day of March, 2016.

Respectfully submitted,

/Sabina A. Vayner/

James A. Trigg

Sabina A. Vayner

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Attorneys for Opposer BCD N.V.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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BCD N.V.,)	
)	Opposition No. _____
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)	TM: BD TRAVELSOLUTION
v.)	
)	App. Serial Nos. 86727183
VIAJES BEDA S.A. de C.V.,)	86727157
)	86727148
Applicant.)	86727134
)	

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **Consolidated Notice of Opposition** was served on Applicant's attorney of record and correspondence contact on March 23, 2016 via first-class mail, addressed to:

Jeffrey M. Furr, Esq.
Furr Law Firm
2622 DeBolt Road
Utica, Ohio 43080

JeffMFurr@FurrLawFirm.com

/Sabina A. Vayner/
Sabina A. Vayner
Attorney for Opposer

CERTIFICATE OF TRANSMITTAL

This is to certify that a true and correct copy of the foregoing **Consolidated Notice of Opposition** is being filed electronically with the TTAB via ESTTA on this day, March 23, 2016.

/Sabina A. Vayner/
Sabina A. Vayner
Attorney for Opposer