

ESTTA Tracking number: **ESTTA737261**

Filing date: **04/01/2016**

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 parties oppose registration of the indicated application.

**Opposers Information**

Name	J. Crew Inc.
Granted to Date of previous extension	04/03/2016
Address	770 Broadway New York, NY 10003 UNITED STATES

Name	J. Crew International, Inc.
Granted to Date of previous extension	04/03/2016
Address	770 Broadway New York, NY 10003 UNITED STATES

Attorney information	Lindsay M. Rodman and Maryann Licciardi Cowan, Liebowitz & Latman, P.C. 114 West 47th Street New York, NY 10036 UNITED STATES lmr@cll.com, jks@cll.com, mel@cll.com, mxs@cll.com, trademark@cll.com Phone:(212) 790-9200
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**Applicant Information**

Application No	86482940	Publication date	10/06/2015
Opposition Filing Date	04/01/2016	Opposition Period Ends	04/03/2016
Applicant	Sims, Joseph L. and Sims, Denise M. 1840 Westley Drive Riverdale, GA 30296 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 035. First Use: 2013/02/05 First Use In Commerce: 2013/04/11 All goods and services in the class are opposed, namely: Event planning and management for marketing, branding, promoting or advertising the goods and services of others; On-line retail store services featuring clothing, namely, "CREWNATION" brand apparel; Online advertising and promotional services; Promotional sponsorship of film workshops, namely, production companies and film and television-related businesses within the entertainment industry and promotional sponsorship of educational training for filmmakers, namely, production companies and film and television-related businesses within the entertainment industry; Providing a website featuring an online marketplace for ex-</p>
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changing goods and services with other users; Providing consumer information services and making referrals in the field of entertainment services for products, services, events, activities, facilities and locations

Class 041. First Use: 2013/02/05 First Use In Commerce: 2013/04/11

All goods and services in the class are opposed, namely: Arranging and conducting business seminars in the field of film and television production; Arranging and conducting special events for social entertainment purposes; Arranging of seminars; Arranging professional workshop and training courses; Arranging, organizing, conducting, and hosting social entertainment events; Education services, namely, providing live and on-line training and education in the field of motion picture production; Education services, namely, providing mentoring, tutoring, classes, seminars and workshops in the field of motion picture production; Education services, namely, providing education and training in the field of motion picture production; Entertainment services in the nature of arranging social entertainment events; Entertainment services in the nature of hosting social entertainment events; Hosting social entertainment events, namely, film workshops and social entertainment mixers, for others; Organizing events in the field of film and television production for cultural or educational purposes; Publication of books, of magazines, of journals, of newspapers, of periodicals, of catalogs, of brochures; Publication of electronic magazines; Publishing of web magazines; Rental of facilities and equipment for the production of radio and television programs, musical and theatrical productions, namely, performance venues, studios, sets, dressing rooms; Rental of stage and movie equipment, namely, camera equipment, lighting equipment and grip equipment; Rental of video cameras; Rental services for audio and video equipment; Social club services, namely, arranging, organizing, and hosting social events, get-togethers, and parties for club members; Training in the use and operation of motion picture cameras and motion picture sound recording equipment; Training services in the field of motion picture production; Workshops and seminars in the field of film and television production and the entertainment industry

## Grounds for Opposition

Other	See attached pleading.
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Attachments	Notice of Opposition - CREWNATION design.pdf(140385 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	/Lindsay M. Rodman/
Name	Lindsay M. Rodman
Date	04/01/2016

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

In the Matter of Application Serial No. 86/482,940  
Filed: December 17, 2014  
Published in the Official Gazette of October 6, 2015

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J. CREW INTERNATIONAL, INC.	:	<b>CONSOLIDATED</b>
and J. CREW INC.,	:	<b><u>NOTICE OF OPPOSITION</u></b>
	:	Opposition No.
Opposers,	:	
	:	
v.	:	
	:	
JOSEPH L. SIMS and DENIS M. SIMS,	:	
	:	
Applicant.	:	
-----X		

Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

J. Crew International, Inc., a Delaware corporation, and J. Crew Inc., a Delaware corporation and an affiliated company of J. Crew International, Inc., believe that they will be damaged by registration of the mark shown in Application Serial No. 86/482,940 filed by Joseph L. Sims and Denis M. Sims (“Applicants”) on December 17, 2014, and hereby oppose the same.

As grounds for opposition, it is alleged that:

1. For many years and since long prior to February 5, 2013, Applicants’ earliest claimed first use date, J. Crew International, Inc., J. Crew Inc., their affiliates, and their predecessors (referred to as “Opposers”) have engaged throughout the United States in the marketing of clothing, including, without limitation, shirts, sweaters, hats, caps and jackets, bags and accessories as well as the provision of retail store, online store, factory store and mail order catalog services in these fields; on-line blog services to further promote the sale of goods in these

fields; credit card services; promoting public awareness of socially responsible business practices; and providing information on-line relating to socially responsible business practices.

2. For many years and since long prior to February 5, 2013, Applicants' earliest claimed first use date, Opposers have used names and/or marks comprising or containing the word CREW, alone or with other word, letter and or design elements ("Opposers' CREW Marks") in connection with their various goods and services.

3. Opposer J. Crew International, Inc. is the owner of the following federal registrations and applications for Opposers' CREW Marks:

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
CREW	1,348,064	7/9/85	Dress shirts, vests, skirts, pants and shorts
CREW	2,431,701	2/27/01	Shirts, vests, pullovers, tops, skirts, dresses, jackets, coats, pants, jeans, trousers, shorts, sweaters, hats, caps, scarves, neckties, belts, coats, pajamas, boxer shorts, swimwear, socks and footwear
J. CREW	1,308,888	12/11/84	Luggage, umbrellas, handbags, duffel bags, men's and women's shirts, sweaters, shoes, caps, hats, bandanas, shorts, sweatshirts, pants, belts, socks, jackets, slickers, skirts, blouses, dresses, retail catalog services in the field of clothing, luggage and clothing accessories
J. CREW	2,351,667	5/23/00	Retail outlet and retail store services in the field of clothing and accessories
J. CREW	2,462,509	6/19/01	Necklaces, bracelets, earrings, rings
J. CREW	3,737,898	1/12/10	Intimate apparel, namely, pants, tank tops, shorts, t-shirts, pajamas; swimwear
J. CREW	3,622,997	5/19/09	Credit card services
J. CREW	4,190,784	8/14/12	Magnetic coded gift cards; Issuing gift certificates which may then be

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			redeemed for goods or services
J. CREW	4,144,171	5/15/12	Promoting public awareness of socially responsible business practices; providing information on-line relating to socially responsible business practices
J. CREW	4,598,134	9/2/14	Battery chargers; cell phone battery chargers; protective covers and cases for tablet computers; protective covers for smartphones; Stationery; date books; rubber stamps; notebooks; paper napkins; coasters made of paper; Picture frames; personal compact mirrors; Water bottles sold empty; Playing cards and card games
J. CREW	3,098,101	5/30/06	On-line catalog services featuring clothing and accessories distributed by means of a global computer information network
J. CREW	4,756,806	6/16/15	Baby blankets and beach towels; Hair accessories, namely, barrettes, bobby pins, claw clips, hair ties, hair bands, hair clips, hair elastics and hair ornaments in the form of combs
J. CREW	4,882,454	1/5/16	Eyeglasses; sunglasses; eyeglass and sunglass cases; electronic and magnetic encoded gift cards; battery chargers; cell phone battery chargers; protective covers and cases for tablet computers; protective covers for smartphones; Necklaces, bracelets, earrings and rings, cuff links, bangles, brooches, jewelry, watch bands and straps, tie clips, tie bars, and jewelry, namely, arm cuffs; Umbrellas, luggage, handbags, duffel bags, tote bags, travel bags, backpacks, school bags, sports bags, beach bags, haversacks, clutch bags, messenger bags, satchels, travel kits, namely, toiletry cases sold empty, briefcases, wallets, valises, garment bags for travel, key cases, attaché cases, billfolds and business card cases, credit card cases; Eyeglass cleaning cloths; water bottles sold empty; Beach towels, baby blankets handkerchiefs; Shirts, sweaters, cardigans,

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			<p>shorts, dress pants, pants, overalls, sweatshirts, blouses, dresses, gowns, wedding dresses, skirts, knit tops, boxer shorts, pajamas, nightgowns, undershirts, underwear, tank tops, lingerie, bodysuits, halters tops, camisoles, loungewear, and exercise and aerobic wear, namely, pants, shorts, t-shirts, skirts, tights, tank tops; clothing of leather, namely, leather vests, skirts, jackets, pants, hats, coats, and belts; slippers, t-shirts, neckties, trousers, vests, suits, blazers, waistcoats, tuxedos, jeans, robes, leggings, socks, belts, scarves, hats, caps, bandannas, headbands, berets, ear muffs, sports jackets, and outerwear, namely, coats, rain coats, jackets, parkas, slickers; jumpsuits, swimwear, gloves, mittens, bow ties, shawls, mufflers, veils, shoes, sneakers, sandals, and boots; dress shoes; footwear; intimate apparel, namely, pants, tank tops, shorts, t-shirts, and pajamas; pocket squares; and suspenders; Electronic, mail order, and web-based retail catalog services in the fields of clothing, headgear, swimwear, footwear, bags, fashion accessories, eyewear, sunglasses, jewelry, watches, personal care products, perfumes, fragrances, toys, games, sporting goods, books, paper stationery, and playthings; online retail store, retail outlet store, and retail store services in the fields of clothing, headgear, swimwear, footwear, bags, fashion accessories, eyewear, sunglasses, jewelry, watches, personal care products, perfumes, fragrances, toys, games, sporting goods, books, paper stationery, and playthings; online retail store, retail outlet store, and retail store services featuring men's, women's, children's, and baby's clothing, headgear, swimwear, footwear, bags, fashion accessories, eyewear, sunglasses, jewelry, watches, personal care products, perfumes, fragrances, toys, games, sporting goods, books, paper stationery, and playthings; online retail store and retail store services featuring a wide variety of consumer goods of others; retail department store services; on-line retail department store services; promoting public awareness of socially responsible business practices; providing information on-line relating to socially responsible business practices; issuing gift certificates which may then be redeemed for goods or services</p>

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
J. CREW (Stylized)	3,870,032	11/2/10	Necklaces, bracelets, earrings and rings; umbrellas, handbags, messenger bags, duffel bags; shirts, sweaters, shoes, caps, hats, shorts, sweatshirts, pants, belts, socks, jackets, skirts, blouses, dresses; t-shirts, sweat pants, coats, jackets, suits, swimwear, underwear, sleepwear, loungewear, tights, gloves, scarves, ties, and footwear; intimate apparel, namely, pants, tank tops, shorts, t-shirts, pajamas; online store, retail outlet, and retail store services in the fields of clothing, footwear, bags, accessories, sunglasses, jewelry, and watches; mail order catalog services in the fields of clothing and accessories; credit card services
J. CREW (Stylized)	4,368,617	7/16/13	Entertainment services, namely, providing an on-line blog and journal in the field of fashion, beauty and lifestyle
CREWCUTS	3,107,778	6/20/06	Shirts, sweaters, sweatshirts, jackets, pants, skirts, coats, caps, hats, socks and footwear
CREWCUTS	3,163,866	10/24/06	Totebags, backpacks, wallets, school bags, school book bags, sports bags; hair accessories, namely, twisters, snap clips; barrettes; hair bands; hair bows; hair buckles; hair clips; hair ornaments in the form of combs; hair ribbons; retail stores and on-line retail store services all featuring children's clothing
CREWCUTS and Design	4,172,027	7/10/12	Jewelry; necklaces, bracelets, rings, pins being jewelry; packaging, namely, paper and cardboard boxes; bags, namely, tote bags, backpacks, wallets, school bags, school book bags; apparel, namely, shirts, sweaters, sweatshirts, jackets, pants, skirts, coats, caps, hats, socks, belts and footwear, scarves, ties, bathing

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			suits, tights, rompers, vests; hair accessories, namely, snap clips; barrettes; hair bands; hair bows; hair clips
CREWCUTS	4,652,335	12/9/14	Jewelry; necklaces, bracelets, rings, pins being jewelry
J. CREW COLLECTION	4,781,357	7/28/15	clothing, namely, blazers, blouses, cardigans, dress pants, dresses, jumpsuits, knit tops, leggings, pants, scarves, shawls, shirts, shorts, skirts, sweaters, sweatshirts, sweatpants, tank tops, trousers, tunics, t-shirts, vests; outerwear, namely, coats, jackets, parkas, ponchos, rain coats; clothing of leather, namely, skirts, shorts, jackets, pants, coats; footwear, shoes, dress shoes, sandals, boots; online retail store and retail store services in the fields of clothing, footwear and jewelry
J. CREW BABY and Design	4,717,463	4/7/15	clothing, namely, baby bunting, bathing suits, bloomers, bodysuits, booties, cardigans, coats, coveralls, dresses, hats, infant sleepers, infant wear, jackets, jumpers, knit tops, layettes, leggings, leotards, loungewear, mittens, one-piece garments for children, outerwear, namely, coats, jackets, and snow suits; pajamas, pants, play suits, rash guards, rompers, shirts, shorts, skirts, sleepwear, snow suits, socks, sweaters, sweatshirts, swimwear, tights, t-shirts, tunics; footwear
J. CREW BABY	4,709,191	3/24/15	clothing, namely, baby bunting, bathing suits, bloomers, bodysuits, booties, cardigans, coats, coveralls, dresses, hats, infant sleepers, infant wear, jackets, jumpers, knit tops, layettes, leggings, leotards, loungewear, mittens, one-piece garments for children, outerwear, namely, coats, jackets, and snow suits; pajamas, pants, play suits, rash guards, rompers, shirts, shorts,

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			skirts, sleepwear, snow suits, socks, sweaters, sweatshirts, swimwear, tights, t-shirts, tunics; footwear; retail stores and on-line retail store services in the fields of clothing, footwear, bags, toys, playthings and accessories therefor
J. CREW FACTORY	4,084,606	1/10/12	Online store and retail store services in the fields of clothing, footwear, bags, sunglasses, jewelry, watches, and accessories
J. CREW UNTUCKED	3,240,424	5/8/07	Shirts, t-shirts, sweaters, sweat shirts, coats, jackets, pants, sleepwear, loungewear, socks and footwear
J. CREW STYLE GUIDE	4,261,541	12/18/12	Mail order catalog and online catalog services featuring clothing, footwear, bags, luggage, sunglasses, jewelry, watches, and fashion accessories
J. CREW MERCANTILE and Design	4,895,913	2/2/16	Online retail store and retail store services in the fields of clothing, footwear, bags, sunglasses, jewelry, watches, and accessories for all the preceding goods
J. CREW MERCANTILE 4838476	4,838,476	10/20/15	Online retail store and retail store services in the fields of clothing, footwear, bags, sunglasses, jewelry, watches, and accessories for all the preceding goods
J. CREW MERCANTILE	86/285414	Appl. Filed 5/19/14	Clothing, namely, shirts, t-shirts, sweaters, sweatshirts, cardigans, jerseys, knit tops, caps, hats, bandannas, headbands, berets, ear muffs, mufflers, scarves, shawls, veils, shorts, jeans, pants, trousers, dress pants, pocket squares, suspenders, aprons, overalls, jumpsuits, belts, socks, leggings, tights, skirts, blouses, dresses, gowns, wedding dresses, sweat pants, suits, blazers, sports jackets, waistcoats, tuxedos, vests, swimwear, leotards, layettes,

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			underwear, thongs, tank tops, bras, panties, lingerie, bodysuits, halter tops, camisoles, slips, boxer shorts, robes, sleepwear, nightgowns, undershirts, loungewear, gloves, mittens, ties, bow ties, neckties, and outerwear, namely, coats, rain coats, parkas, slickers, jackets, and exercise and aerobic wear, namely, t-shirts, shorts, tank tops, pants, skirts, tights, padded shorts, sports bras, and athletic shoes, and clothing of leather, namely, vests, skirts, jackets, pants, hats, coats, and belts; and footwear, shoes, sneakers, sports shoes, sandals, athletic shoes, and boots; and intimate apparel, namely, pants, tank tops, shorts, t-shirts, and pajamas
J. CREW MERCANTILE	86/128624	Appl. Filed 11/25/13	Jewelry; necklaces, bracelets, earrings, rings, watches; Bags, namely, handbags, duffel bags, tote bags, travel bags, backpacks, school bags, sports bags, beach bags, haversacks, clutch bags, messenger bags; umbrellas; satchels; travel kits, namely, toiletry cases sold empty; brief cases; luggage; wallets; valises; garment bags for travel; key cases; attache cases; billfolds and business card cases, credit card cases
J. CREW (Stylized)	86/677826	Appl. Filed 6/29/15	Protective covers and cases for smartphones; Jewelry, bangles, bracelets, earrings, necklaces, rings, tie clips; Credit card cases and holders, messenger bags, tote bags, wallets, passport

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg. Date</u>	<u>Goods/Services</u>
			holders; Clothing, namely, shirts, t-shirts, polos, sweatshirts, knit tops, bandanas, pants, jeans, shorts, knit bottoms, swimwear, sleepwear; outerwear, namely, jackets, leather jackets, coats, rain coats, vests; belts; footwear, shoes, sandals, boots, dress shoes; Catalog ordering services featuring clothing, footwear, bags, sunglasses, jewelry, watches, and fashion accessories; retail store services in the fields of clothing, footwear, bags, sunglasses, jewelry, watches, and fashion accessories ; mail order catalog services in the fields of clothing, footwear, bags, sunglasses, jewelry, watches, and fashion accessories; Credit card services

Registration Nos. 1,308,888; 1,348,064; 2,431,701; 2,351,667; 2,462,509; 2,929,166; 3,098,101; 3,107,778; 3,163,866; 3,240,424 and 3,622,997 are incontestable.

4. Additionally, Opposers have informally come to be known as “Crew” by both the public and within the trade.

5. On December 17, 2014, Applicants filed a use-based application in the United States Patent and Trademark Office, Serial No. 86/482,940, for the registration on the Principal



Register of the design mark CREWNATION as shown here: in Class 35 for “Event planning and management for marketing, branding, promoting or advertising

the goods and services of others; On-line retail store services featuring clothing, namely, "CREWNATION" brand apparel; Online advertising and promotional services; Promotional sponsorship of film workshops, namely, production companies and film and television-related businesses within the entertainment industry and promotional sponsorship of educational training for filmmakers, namely, production companies and film and television-related businesses within the entertainment industry; Providing a website featuring an online marketplace for exchanging goods and services with other users; Providing consumer information services and making referrals in the field of entertainment services for products, services, events, activities, facilities and locations" and in Class 41 for "Arranging and conducting business seminars in the field of film and television production; Arranging and conducting special events for social entertainment purposes; Arranging of seminars; Arranging professional workshop and training courses; Arranging, organizing, conducting, and hosting social entertainment events; Education services, namely, providing live and on-line training and education in the field of motion picture production; Education services, namely, providing mentoring, tutoring, classes, seminars and workshops in the field of motion picture production; Education services, namely, providing education and training in the field of motion picture production; Entertainment services in the nature of arranging social entertainment events; Entertainment services in the nature of hosting social entertainment events; Hosting social entertainment events, namely, film workshops and social entertainment mixers, for others; Organizing events in the field of film and television production for cultural or educational purposes; Publication of books, of magazines, of journals, of newspapers, of periodicals, of catalogs, of brochures; Publication of electronic magazines; Publishing of web magazines; Rental of facilities and equipment for the production of radio and television programs, musical and theatrical productions, namely, performance venues, studios,

sets, dressing rooms; Rental of stage and movie equipment, namely, camera equipment, lighting equipment and grip equipment; Rental of video cameras; Rental services for audio and video equipment; Social club services, namely, arranging, organizing, and hosting social events, get-togethers, and parties for club members; Training in the use and operation of motion picture cameras and motion picture sound recording equipment; Training services in the field of motion picture production; Workshops and seminars in the field of film and television production and the entertainment industry.”

6. Commencing long prior to February 5, 2013, Applicants’ earliest claimed first use date, Opposers have extensively advertised and otherwise promoted the sale of their goods and services bearing Opposers’ CREW Marks and have sold such goods and rendered such services in interstate commerce.

7. Upon information and belief, Applicants made no use in United States commerce of the CREWNATION design mark in connection with the applied-for services prior to their earliest claimed first use date of February 3, 2013.

8. The services covered by the Application are closely related to the goods and services in connection with which Opposers have used Opposers’ CREW marks.

9. Applicants’ CREWNATION design mark so resembles Opposers’ CREW Marks, as to be likely, when applied to Applicants’ services, to cause confusion, or to cause mistake, or to deceive because the public is likely to believe that Applicants’ CREWNATION services have their origin with Opposers and/or that such services are approved, endorsed or sponsored by Opposers or associated in some way with Opposers. Opposers would thereby be injured by the granting to Applicants of a certificate of registration for the CREWNATION design mark.



**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and complete copy of the foregoing  
CONSOLIDATED NOTICE OF OPPOSITION to be sent via First Class Mail, postage prepaid,  
to Applicant's Attorney and Correspondent of Record, Mark A. Baker, Mark A. Baker Law,  
LLC, 496 Rankin Street, N.E., Atlanta, Georgia 30308.

Dated: New York, New York  
April 1, 2016

/Lindsay Rodman/  
Lindsay Rodman