

ESTTA Tracking number: **ESTTA739679**

Filing date: **04/13/2016**

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	GLV CAPITAL S.p.A.
Granted to Date of previous extension	04/17/2016
Address	Piazzale Flaminio, 9 Rome, I-00196 ITALY

Attorney information	Jason Lee DeFrancesco Baker and Rannells, PA 92 East Main St, Ste. 302 Somerville, NJ 08876 UNITED STATES jld@br-tmlaw.com
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Applicant Information

Application No	86645587	Publication date	10/20/2015
Opposition Filing Date	04/13/2016	Opposition Period Ends	04/17/2016
Applicant	Global Logistic Properties Limited 501 Orchard Road #08-01, Wheelock Place Singapore, 238880 SINGAPORE		

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: Planning and design of supply chain logistic facilities
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Applicant Information

Application No	86645559	Publication date	10/20/2015
Opposition Filing Date	04/13/2016	Opposition Period Ends	
Applicant	Global Logistic Properties Limited 501 Orchard Road #08-01, Wheelock Place Singapore, 238880 SINGAPORE		

Goods/Services Affected by Opposition

Class 037. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Real estate development; construction ser-

vices, namely, planning, laying out and custom construction of commercial buildings; land development services, namely, planning and laying out of commercial buildings

Applicant Information

Application No	86645493	Publication date	10/20/2015
Opposition Filing Date	04/13/2016	Opposition Period Ends	
Applicant	Global Logistic Properties Limited 501 Orchard Road #08-01, Wheelock Place Singapore, 238880 SINGAPORE		

Goods/Services Affected by Opposition

Class 036. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Real estate acquisition services; commercial real estate services, featuring real estate management, leasing, and consultation; commercial real estate services, namely, real estate investment services in the nature of purchasing and selling of real estate for others; commercial real estate services, namely, real estate procurement for others; investment management services; management of a capital investment funds

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
No bona fide intent to use mark for identified goods or services	Trademark Act section 1(b)

Mark Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		

Design Mark	
Goods/Services	<p>Business management; coordinating the management of funded companies; organization and administration; Financial affairs; financial coordination of funded companies; real estate affairs; securities transactions and affairs; disbursement of personal guarantees and collateral, including for others; Building construction, construction of industrial complexes and plants in general, auxiliary infrastructure and units, parts and manufactured goods therefor; Engineering services; development of usage and process techniques linked to the construction of industrial installations, infrastructure and building works; technical coordination of funded companies in planning and structural activities linked to the fields of industrial installations, infrastructure, civil and industrial building</p>

Attachments	<p>Design GLV.jpg Notice of Opposition_GLP.pdf(107436 bytes)</p>
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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	/Jason DeFrancesco/
Name	Jason Lee DeFrancesco
Date	04/13/2016

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

In re Application Nos. 86645587, 86645559 and 86645493
All Published in Official Gazette, October 20, 2015

Mark: **GLP** 

GLV Capital S.p.A,	:	Opposition No. _____
	:	
Opposer,	:	
v.	:	
	:	
Global Logistic Properties Limited,	:	
	:	
Applicant.	:	

**NOTICE OF OPPOSITION
PURSUANT TO 15 U.S.C. SECTION 1063**

In the matter of trademark application Serial Nos. 86645587 ('587), 86645559 ('559) and 86645493 ('493) filed by Global Logistic Properties Limited ("Applicant") for **GLP**  as a trademark for "Planning and design of supply chain logistic facilities" ('587); "Real estate development; construction services, namely, planning, laying out and custom construction of commercial buildings; land development services, namely, planning and laying out of commercial buildings" ('559); and "Real estate acquisition services; commercial real estate services, Services featuring real estate management, leasing, and consultation; commercial real estate services, namely, real estate investment services in the nature of purchasing and selling of real estate for others; commercial real estate services, namely, real estate procurement for others; investment management services; management of a capital investment funds" ('493) as published for opposition in the Official Gazette of October 20, 2015, the time to oppose having been extended, GLV Capital S.p.A ("Opposer") a societa per azioni, organized and existing under the laws of Italy and located and doing business at Piazzale Flaminio, 9, Rome, I-00196, Italy, believes it will be

damaged by registration of the opposed marks shown in the aforesaid applications, and therefore, opposes registration of said under the provisions of 15 U.S.C. §1063 (Trademark Act of 1946, Section 13), and as grounds therefore, states as follows,

1. Opposer believes that allowing Application Serial Nos. 86645587, 86645559 and 86645493 to proceed to registration will cause it damage.

2. Applicant is a corporation organized and existing under the laws of Singapore, with an address if 501 Orchard Road #08-01, Wheelock Place Singapore 238880.

3. On May 29, 2015, Applicant filed three intent-to-use trademark applications, Serial Nos. 86645587, 86645559 and 86645493, for the design plus words mark, **GLP**  (collectively as “Applicant’s Mark”), as a trademark for “Planning and design of supply chain logistic facilities; Real estate development; construction services, namely, planning, laying out and custom construction of commercial buildings; land development services, namely, planning and laying out of commercial buildings; Real estate acquisition services; commercial real estate services, Services featuring real estate management, leasing, and consultation; commercial real estate services, namely, real estate investment services in the nature of purchasing and selling of real estate for others; commercial real estate services, namely, real estate procurement for others; investment management services; management of a capital investment funds” (“Applicant’s Services”).

4. At the time of filing Application Serial Nos. 86645587, 86645559 and 86645493, Applicant did not have use of Applicant’s Mark in US commerce.

5. At the time of filing Application Serial Nos. 86645587, 86645559 and 86645493, Applicant did not have intent to use the applied–for mark in U.S. commerce.

6. Application Serial Nos. 86645587, 86645559 and 86645493 are void *ab initio* under Trademark Act Section 1(b) because Applicant lacked the requisite bona fide intent to use the mark in commerce when it filed for registration of Applicant's Mark.

7. Application Serial Nos. 86645587, 86645559 and 86645493 were published for opposition in the Official Gazette on October 20, 2015 and the time to oppose has been extended to April 17, 2016.

8. Opposer is the owner of the mark , of which is subject to numerous trademarks, trade names and or service marks used in association with a variety, and constantly expanding field of goods and services ("Opposer's Mark").

9. Opposer has long used Opposer's Mark continuously on and in association with goods and services in commerce that are closely-related to Applicant's Services, which include but are not limited to *Business management; coordinating the management of funded companies; organization and administration; Financial affairs; financial coordination of funded companies; real estate affairs; securities transactions and affairs; disbursement of personal guarantees and collateral, including for others; Building construction, construction of industrial complexes and plants in general, auxiliary infrastructure and units, parts and manufactured goods therefor; Engineering services; development of usage and process techniques linked to the construction of industrial installations, infrastructure and building works; technical coordination of funded companies in planning and structural activities linked to the fields of industrial installations, infrastructure, civil and industrial building.* (Hereinafter, the goods and services referenced in ¶¶ 8 and 9 are referred collectively as "Opposer's Goods and Services.")

10. Opposer's Goods and Services have been widely-advertised, promoted, continuously used, offered for sale and sold throughout the United States under Opposer's Mark, prior to any date which may be claimed by Applicant, and Opposer has priority.

11. Opposer is now, and has been for many years, trading under, known by and referred to by Opposer's Mark, this identifying Opposer as the exclusive source of Opposer's Goods and Services.

12. Applicant's Services under Applicant's Mark travel through the same channels of trade as Opposer's Goods and Services under Opposer's Mark, thus causing Applicant's Services under Applicant's Mark to be directed to the same ultimate consumer as Opposer's Goods and Services under the Opposer's Mark.

13. Opposer's Mark and Applicant's Mark are substantially identical and or confusingly similar when applied to the respective goods and or services of the parties.

14. Applicant's Services are in-part identical, in-part closely related and in-part similar to Opposer's Goods and Services or within Opposer's ever expanding natural progression of goods and services and channels of trade.

15. Applicant's purported intention to use, and or use thereof with respect to Applicant's Mark in commerce is without the approval, consent or permission of the Opposer.

16. The registration of Applicant's Mark will cause the relevant purchasing public to erroneously assume and thus be confused, misled, or deceived, that Applicant's Services are provided by, licensed by, controlled by, sponsored by, or in some way connected, related or associated with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), all to Opposer's irreparable damage.

17. Applicant's Mark falsely suggests a connection with Opposer, and or will bring Opposer into contempt or disrepute, in violation of §2(a) of the Lanham Act, 15 U.S.C. §1052(a), all to Opposer's irreparable damage.

18. Any use of Applicant's Mark on or in association to any related goods or services by Applicant shall point uniquely and unmistakably to the Opposer, such that consumers who encounter Applicant's Mark will recognize Applicant's Mark as pointing uniquely and unmistakably to the source of Opposer's Mark, namely, the Opposer causing damage to the Opposer.

19. Issuance of registration for Applicant's Mark to Applicant will create a false and misleading connection to the Opposer, all to the irreparable damage of the consumer and the Opposer.

20. Issuance of registration for Applicant's Mark to Applicant will create a cloud on Opposer's rights to use Opposer's Marks for Opposer's Goods and Services.

WHEREFORE, Opposer, GLV Capital S.p.A prays that the application for registration of Applicant's Mark, Nos. 86645587, 86645559 and 86645493, be denied and this Opposition be sustained.

Dated: April 13, 2016

Respectfully submitted,

By: /Jason DeFrancesco/
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Attorneys for Opposer,
GLV Capital S.p.A

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's Notice of Opposition was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 13th day of April, 2016 to Applicant, in care of its counsel as identified on the subject applications, at the following address:

Mark E. Miller
O'Melveny & Myers LLP
2 Embarcadero Ctr., 28th Floor
San Francisco, CA 94111

/Jason DeFrancesco/
Jason L. DeFrancesco