

ESTTA Tracking number: **ESTTA770750**

Filing date: **09/14/2016**

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	Logan Riley
Granted to Date of previous extension	09/14/2016
Address	322 Parnassus Ave. Suite 4. San Francisco, CA 94117 UNITED STATES

Correspondence information	Logan Riley 322 Parnassus Ave. Suite 4. San Francisco, CA 94117 UNITED STATES lriley3@mac.com Phone:702-234-1055
----------------------------	--

Applicant Information

Application No	86659507	Publication date	05/17/2016
Opposition Filing Date	09/14/2016	Opposition Period Ends	09/14/2016
Applicant	TeleCommunication Systems, Inc. Legal Department Annapolis, MD 21401 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Software development kit (SDK) comprised of computer software development tools for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation with natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information; application programming interface (API) software for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation with natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information</p>
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4835804	Application Date	03/03/2015
Registration Date	10/20/2015	Foreign Priority Date	NONE
Word Mark	LOOKFOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2014/05/20 First Use In Commerce: 2014/05/20 Computer application software for mobile phones, namely, software for displaying a blinking light to help people find their friends		

Attachments	86551529#TMSN.png(bytes) Opposition of Look4 Mark - Application Serial No. 86659507 .pdf(80989 bytes)
-------------	---

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	/Logan Riley/
Name	Logan Riley
Date	09/14/2016

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

LOGAN RILEY)	
Opposer,)	
vs.)	<i>In the matter of:</i>
)	
TELECOMMUNICATION SYSTEMS)	Application Serial No. 86659507
INC.)	Published on May 17, 2016
Applicant.)	Mark:
)	LOOK4

NOTICE OF OPPOSITION

In the matter of the application for registration of the mark *LOOK4* for “*Software development kit (SDK) comprised of computer software development tools for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation with natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information; application programming interface (API) software for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation with*

natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information” in International Class 009, filed June 11, 2015, by TELECOMMUNICATION, SYSTEMS INC. (“Applicant”), assigned Serial No. 86659507, and published for opposition in the Official Gazette of May 17, 2016, LOGAN RILEY (“Opposer”) believes that he would be damaged by such registration, and hereby opposes the registration of Applicant’s mark pursuant to 15 USC §1063 and 37 CFR §2.104.

As grounds of opposition, it is alleged that:

1. Opposer Logan Riley (“Riley”) is a United States citizen with a principal place of business at 322 Parnassus Ave, Suite 4 San Francisco CA, 94117.
2. Opposer, since at least April of 2014 has been, and is now, using the mark "LOOKFOR" in connection with computer and mobile phone navigation software. (“Opposer’s Marks”).
3. Opposer's Mark was successfully registered with the United States Patent and Trademark Office on October 20, 2015, in U.S trademark Registration No. 4835804.
4. Applicant filed to register the proposed mark LOOK4, Serial Number 86659507, for *“Software development kit (SDK) comprised of computer software development tools for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation*

with natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information; application programming interface (API) software for developing location based services for automotive, telematics, machine-to-machine and other mobile applications or devices, allowing them to provide features such as turn-by-turn navigation with natural voice guidance, precise device location, mapping capabilities, Doppler weather, and location-based search functions providing points of interest, movie reviews, gas prices and other relevant location-sensitive information,” on June 11, 2015, claiming a bona fide intent to use the mark in commerce, as is evidenced by publication of said mark in the Official Gazette in the May 17, 2016, issue (“Applicant’s Mark”).

5. Opposer's use of Opposer's Mark has been valid and continuous since at least March of 2015 and has not been abandoned. Opposer's mark is symbolic of extensive good will and consumer recognition. As a result of the substantial amounts of time and effort in advertising and promotion, Opposer has developed an exceedingly valuable goodwill in respect to Opposer's Marks.

6. Applicant’s Mark and Opposer's Marks are identical in sound.

7. Applicant’s Mark and Opposer's Marks are very similar in appearance and meaning.

8. Applicant’s services and Opposer's services are very similar and related; namely,

software used for the purpose of navigation.

9. Applicant's services and Opposer's services are likely to be marketed and sold together.

10. On information and belief, Opposer alleges that the services of Opposer and Applicant are offered or to be offered in similar channels of commerce and offered to similar customers.

11. Applicant's use of and application to register *LOOK4* is without the consent or permission of Opposer.

12. Applicant's Mark and Opposer's Mark is likely to be confused.

13. On information and belief, Opposer's first use of Opposer's Marks precedes Applicant's first use of Applicant's Mark in commerce.

14. On information and belief, Opposer's first use of Opposer's Marks precedes the filing of Applicant's application to register Applicant's Mark in the United States Patent and Trademark Office.

15. Applicant had knowledge of Opposer's Mark at least as early as October 25, 2015.

16. Applicant had knowledge of Opposer's Trademark's U.S. registration status at least as early as October 25, 2015.

17. As a result of confusing similarity between Opposer's Marks and Applicant's

Mark and because the goods and/or services of Applicant and Opposer is very similar, are in similar channels of commerce, and are directed to similar customers, registration of the proposed mark LOOKFOR in connection with Applicant's services is likely to deceive purchasers as to the source or sponsorship of such services, to cause confusion, to cause mistake, or to deceive.

18. Consumers familiar with the Opposer's Marks are likely to mistakenly believe that Applicant's services are sponsored, authorized, associated with or otherwise approved by Opposer because the proposed mark closely resembles Opposer's Marks. Deficiencies or faults in the quality of Applicant's services are likely to reflect negatively upon, tarnish and seriously injure the reputation which Opposer have established for services provided under Opposer's Marks. This confusion is likely to result in loss of revenues to Opposer and damage Opposer's reputations.

19. Applicant's use of the Applicant's Mark does or is likely to falsely suggest a relationship between Applicant's services and Opposer. Such use of the *LOOK4* mark is likely to cause confusion, mistake or deception with respect to the source or sponsorship of Applicant's services. Such use is likely to cause a significant level of sales by Applicant to consumers who would be confused by the use of the proposed mark into believing that Opposer is the source of Applicant's services, resulting in ill-gotten gains by Applicant. Applicant's use of the proposed mark is therefore likely to result in Applicant's trading off and benefiting from the goodwill associated with Opposer, resulting in ill-gotten gains by Applicant.

20. For the foregoing reasons, the registration sought by Applicant is contrary to the

provisions of the Lanham Act, and Opposer would be damaged thereby.

WHEREFORE, Opposer prays that the application for registration of the mark LOOK4, Serial No. 86659507, be refused and that this Opposition be sustained in favor of Opposer.

Respectfully,

Dated: September 09 2016

By: *Logan Riley*
Logan Riley, Opposer

Phone: 702.234.1055
Email: logan@lookfor.cl