

ESTTA Tracking number: **ESTTA770774**

Filing date: **09/15/2016**

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	Report It Systems Inc.
Granted to Date of previous extension	09/18/2016
Address	131 Atlantic Avenue West Sayville, NY 11796 UNITED STATES

Correspondence information	Report It Systems Inc. 131 Atlantic Avenue West Sayville, NY 11796 UNITED STATES kgold@rhoads-sinon.com Phone:717 237 6702
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Applicant Information

Application No	86794071	Publication date	03/22/2016
Opposition Filing Date	09/15/2016	Opposition Period Ends	09/18/2016
Applicant	Anonymous Alerts, LLC 245 Main Street, Suite 450 White Plains, NY 10601 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 009. First Use: 2012/11/27 First Use In Commerce: 2012/11/27 All goods and services in the class are opposed, namely: Downloadable software for electronic reception and transmission and tracking of emergency messages and signals; computer software that facilitates user input of information, student information, and emergency contact information; downloadable computer software that facilitates user input of information, student information, and staff information and parent information; smart devices, namely, mobile phones, tablet computers; downloadable software for transmitting emergency panic button communications across wireless networks; downloadable computer application software for mobile devices, namely, software for use in the reporting of bullying activities; computer software for providing communications between students, schools and their parents and for providing access to student, child, teacher, or parent location information; computer software for use in database management, use as a spreadsheet, and word processing; downloadable computer software that facilitates user input of information, student information, and staff information and parent information; downloadable software in the nature of a mobile application for school communications about active shooter on campus</p>
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4300099	Application Date	12/21/2011
Registration Date	03/12/2013	Foreign Priority Date	NONE
Word Mark	REPORT IT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 1999/04/22 First Use In Commerce: 1999/04/22 Telephone hot line counseling, namely, offering advice regarding employee misconduct investigations; providing advice through an anonymous interactive website regarding employee misconduct investigation		

Attachments	85500523#TMSN.png(bytes) Notice of Opposition.pdf(363217 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	/kmg/
Name	Report It Systems Inc.
Date	09/15/2016

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

In the Matter of Application Serial No.: 86/794,071
By Report It Systems Inc. for the Mark: REPORT IT
Filed: October 20, 2015
Published in the *Official Gazette*: March 22, 2016

REPORT IT SYSTEMS INC.,
Opposer,

v.

ANONYMOUS ALERTS, LLC
Applicant.

ESTTA Tracking No.: ESTTA758726

NOTICE OF OPPOSITION

Opposer, Report It Systems Inc., a New York corporation, ("Opposer"), believes that it will be damaged by registration of the mark in Application Serial No. 86/794,071 (the "Application") for REPORT IT and hereby opposes the same pursuant to 15 U.S.C. § 1063.

As grounds for opposition, Opposer states as follows:

1. Opposer, since at least as early as 1999, has advertised, marketed, sold, sells and continues to sell reporting tools and services in the education industry that allow students to, among other things, report incidents of violence, bullying, weapons, suicide, hazing, drugs and the like.

2. Opposer is the owner of the U.S. trademark registration for REPORT IT in Class 45 since March 12, 2013 at Registration Number 4,300,099. See Exhibit A.

3. The registration is in full force and effect on the Principal Register of the United States Patent and Trademark Office and serves as prima facie evidence of Opposer's ownership of said mark and its exclusive right to use the same in commerce throughout the United States.

4. Opposer has expanded its products and services under the REPORT IT mark and has extensively advertised and promoted its mark within the school safety and reporting field since at least as early as 1999. See Exhibit B.

5. On October 20, 2015, Applicant filed an application for an identical mark to Opposer's mark, REPORT IT, in Class 9 involving, among other things, a mobile application for students to report bullying activities.

6. In view of the similarities between the respective marks, their intended uses and the related nature of the goods and services of the respective parties, Applicant's mark so resembles Opposer's trademark, previously used in the United States and not abandoned, as to be likely to cause confusion, to cause mistake, or to deceive, to the irreparable damage of Opposer.

7. If Applicant is granted a registration for the mark herein opposed, it would obtain, at a minimum, a prima facie exclusive right to use the mark. Such registration would be a source of damage and injury to Opposer and Opposer's business. Opposer's registered mark for REPORT IT has priority of use.

WHEREFORE, Opposer prays that Application Serial No. 86/794,071 be rejected, that registration of the mark therein be refused, and that its opposition be sustained.

Respectfully submitted,

RHOADS & SINON LLP

By:  _____

Kevin M. Gold, Esquire
One South Market Square
P. O. Box 1146
Harrisburg, PA 17108-1146
(717) 233-5731
ATTORNEY FOR OPPOSER

Dated: September 15, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September, 2016, a true and correct copy of the foregoing NOTICE OF OPPOSITION has been served on Richard Mark Blank by means of United States mail, first class, postage prepaid, upon the following:

RICHARD MARK BLANK
19 LEDGEWOOD COMMONS
MILLWOOD, NY 10546



Kevin M. Gold

EXHIBIT A

United States of America
United States Patent and Trademark Office

REPORT IT

Reg. No. 4,300,099

REPORT IT SYSTEMS INC. (NEW YORK CORPORATION)
131 ATLANTIC AVE.

Registered Mar. 12, 2013

WEST SAYVILLE, NY 11796

Int. Cl.: 45

FOR: TELEPHONE HOT LINE COUNSELING, NAMELY, OFFERING ADVICE REGARDING EMPLOYEE MISCONDUCT INVESTIGATIONS; PROVIDING ADVICE THROUGH AN ANONYMOUS INTERACTIVE WEBSITE REGARDING EMPLOYEE MISCONDUCT INVESTIGATION, IN CLASS 45 (U.S. CLS. 100 AND 101).

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 4-22-1999; IN COMMERCE 4-22-1999.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-500,523, FILED 12-21-2011.

VERNA BETH RIRIE, EXAMINING ATTORNEY



Lena Street Lee

Acting Director of the United States Patent and Trademark Office

EXHIBIT B



Virtual Hotline Service Provider for K-12, Colleges, and Universities

[Home](#) [About Us](#) [Our Services](#) [Why Report it](#) [Request Information](#) [Ten Reasons](#) [Contact us](#) [What Schools Are Saying](#)

If you need to report
an emergency,
please CALL 911

Your school must
subscribe to report it in
order for us to process
and escalate your
anonymous tip to your
school administrators.

See it... Hear it...
Suspect it...

report it now!

(click above)

Why Report it

It is our mission to provide our clients with a turnkey anonymous hotline system that encourages communication in an effort to assist school administrators in identifying and mitigating risk through early detection.

Founded in 1999, we have earned the reputation as a trusted and respected leader of anonymous hotline services. With Report it you can be assured that no matter how complex or specific your hotline requirements may appear, we possess the experience, knowledge, systems and technology to provide you with a cost effective, anonymous tipline procedure system and solution.

Our dedicated staff assists you through the easy set up, implementation, and rollout. We are committed to providing the highest level of service throughout the business relationship.

Proven effective...

Report it has been instrumental in helping school administrators detect potential risk in their schools. We have helped apprehend a potential school bomber, identified a drug pushing school security guard, provided a lead in a stabbing that resulted in an arrest, helped recover stolen items, helped discover weapons on school grounds, potentially prevented numerous suicides as attested to by school administrators, and the list goes on and on.

Report it, a name and service that you can trust!

Our clients...

- K-12 Schools and School Districts (*for student tipline and/or fraud, waste and abuse hotline*)
- Colleges and Universities (*for student tipline and/or fraud, waste and abuse hotline*)
- Public Companies; listed on the New York Stock Exchange and NASDAQ
- Private Companies
- Hospitals
- Non-profit Organizations
- Government Agencies

(References available upon request)

[Ten Reasons](#) | [FAQs](#)

...Always safe, secure and anonymous.

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The national leading hotline for K-12, Colleges, and Universities.

[Home](#) [About Us](#) [Our Services](#) [Why Report it](#) [Request Information](#) [Ten Reasons](#) [Contact us](#) [What Schools Are Saying](#)

If you need to report
an emergency,
please CALL 911

Your school must
subscribe to report it in
order for us to process
and escalate your
anonymous tip to your
school administrators.

See it... Hear it...
Suspect it...

report it now!

(click above)

About Us

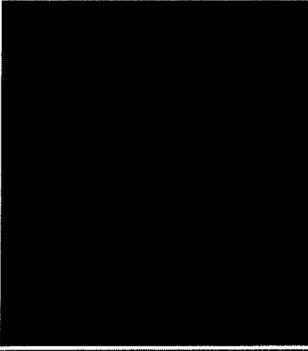
Report it was founded in 1999. For nearly a decade we have been providing unparalleled 24/7, technology based, online and telephone anonymous tipline / hotline and helpline service. Since our inception our mission has been to provide services and solutions that help our clients identify and mitigate risk and liability through early detection.

We accomplish this via the innovative use of technology and the power of the **report it** brand... *See it...Hear it...Report it!* Our proprietary software application is currently being used in many different areas such as:

School and Campus Safety, Violence Prevention, Corporate Governance, Fraud Waste and Abuse, Ethics & Compliance and Other Employee related issues. From our New York base we service clients in many different fields and industries throughout the United States.

Report it has been recognized by the media as an effective tool that works and has been featured on: CNN, The Montel Williams Show, WNBC New York, NBC KVOH Arizona, Fox 5 Good Day, NBC affiliate WLEX in Lexington Kentucky, CFO Magazine, Philadelphia Inquirer, Connecticut Post, Newsday and The New York Times and many others.

As a leading anonymous hotline provider, you can be assured that no matter how complex or specific your hotline requirements may appear, **report it** possesses the experience and knowledge to offer your organization a cost effective, turnkey solution. Our dedicated staff will assist you through the



easy set up, implementation and rollout. We are committed to providing the highest level of service throughout the business relationship.

With **report it** as your hotline, the message is simple: If you are aware of a situation that appears inappropriate or raises concern, **Report it...** the only name you need to know for anonymous hotline services.

To learn more about the **Report it** service, call today 877-300-2001.

...Always safe, secure and anonymous.

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