

ESTTA Tracking number: **ESTTA883154**

Filing date: **03/14/2018**

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	American Telangana Association		
Entity	not-for-profit corporation	Citizenship	ILLINOIS
Address	829 Lewisburg Lane Aurora, IL 60504 UNITED STATES		

Attorney information	Nicholas S. Lee Bishop Diehl & Lee, Ltd. 1475 East Woodfield Road, Suite 800 Schaumburg, IL 60173 UNITED STATES Email: nlee@bdl-iplaw.com, cmarcello@bdl-iplaw.com, swhite@bdl-iplaw.com Phone: 8479699123
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Applicant Information

Application No	87353692	Publication date	02/13/2018
Opposition Filing Date	03/14/2018	Opposition Period Ends	03/15/2018
Applicant	American Progressive Telugu Association 15911 E Boxthorn St. Wichita, KS 67228 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2008/02/01 First Use In Commerce: 2008/02/01 All goods and services in the class are opposed, namely: Association services, namely, promoting the interests of Telugu speaking people in the USA across all states
Class 036. First Use: 2008/02/01 First Use In Commerce: 2008/02/01 All goods and services in the class are opposed, namely: Philanthropic services concerning monetary donations for supporting and connecting all Telugu speaking people in the USA across all states
Class 041. First Use: 2008/02/01 First Use In Commerce: 2008/02/01 All goods and services in the class are opposed, namely: Organizing and hosting of cultural events and exhibitions for connecting all Telugu speaking people in the USA across all states

Grounds for Opposition

The mark is deceptively misdescriptive	Trademark Act Section 2(e)(1)
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Attachments	20180314 Complete Opposition 002113 W0008.pdf(1382117 bytes)
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Signature	/Nicholas S. Lee/
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Name	Nicholas S. Lee
Date	03/14/2018

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

In the matter of trademark application Serial No. 87/353,692
For the mark AMERICAN PROGRESSIVE TELUGU ASSOCIATION
Published in the Official Gazette on February 13, 2018

**AMERICAN TELANGANA
ASSOCIATION,**

Opposer,

v.

**AMERICAN PROGRESSIVE TELUGU
ASSOCIATION,**

Applicant.

Proceeding Number _____

NOTICE OF OPPOSITION

NOTICE OF OPPOSITION

Opposer, American Telangana Association (“Opposer”), is an Illinois not-for-profit corporation having a business address at 829 Lewisburg Lane, Aurora, IL 60504.

The above-identified Opposer believes that it will be damaged by the registration of U.S. Trademark Application Serial No. 87/353,692 for the mark “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” by American Progressive Telugu Association (“Applicant”) and hereby opposes same.

As ground for the opposition, Opposer states as follows:

1. Opposer is a non-profit that provides social association and club services for the purposes of promoting Telanganite cultural heritage maintaining the identity of people of Telanganite origin. Telangana is a region in India.

2. According to the subject application, Applicant is a Kansas non-profit corporation having a business address at 15911 E. Boxthorn St., Wichita, Kansas 67228.

3. On March 1, 2017, Applicant filed a use-based application for the mark “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” for the following services:

- a) IC 035: Association services, namely, promoting the interests of Telugu speaking people in the USA across all states.
- b) IC 036: Philanthropic services concerning monetary donations for supporting and connecting all Telugu speaking people in the USA across all states.
- c) IC 041: Organizing and hosting of cultural events and exhibitions for connecting all Telugu speaking people in the USA across all states.

4. Applicant claimed a date of first use and first use in commerce for all three classes of February 1, 2008. The application was assigned Serial No. 87/353,692. The mark published for opposition on February 13, 2018.

5. The phrase “American Progressive Telugu Association” is merely descriptive of, if not a generic term for, Applicant’s services.

6. Applicant promotes its services in America, as is implicit in a domestic trademark application before the USPTO. Additionally, Applicant’s services are described as being provided “in the USA across all states” for all three applied-for classes.

7. Applicant’s services, as defined in the subject application, are:

- a) “**Association** services, namely, **promoting** the interests of **Telugu** speaking people **in the USA** across all states.” – Class 35
- b) “Philanthropic services concerning monetary donations for **supporting** and connecting all **Telugu** speaking people **in the USA** across all states” – Class 36

c) “Organizing and hosting of cultural events and exhibitions for connecting all **Telugu** speaking people **in the USA** across all states” - Class 41

8. In other words, Applicant provides association services to promote and progress the Telugu culture in the United States – *i.e.*, they are an American, progressive, Telugu association.

9. “Promoting,” as used in Applicant’s description of services, means “advancing.”

10. “Progressive” and “progress” both refer to advancing or gradual betterment, *see* Exhibit A, and are thus synonymous with “promoting.”

11. Accordingly, “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” is a generic phrase for Applicant’s services.

12. Alternatively, “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” is merely descriptive of Applicant’s services.

13. Therefore, registration of “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” is prohibited under Section 2(e)(1) of the Lanham Act, 15 U.S.C. § 1052(e)(1).

14. Applicant’s purported mark “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” has not acquired secondary meaning and is not entitled to registration under Section 2(f), 15 U.S.C. § 1052(f). This is clear at a minimum because Applicant is not the only user of this designation. *See, e.g.*, Application Ser. No. 87/369,128 (“American Progressive Telugu Association” by the American Progressive Telugu Association a/k/a APTA located in Bolingbrook, IL).

15. Because Opposer also deals in association services for people of Indian cultural heritage, it competes with Applicant and will therefore be harmed if Applicant is permitted to register a descriptive or generic term. At a minimum, Opposer will be harmed because it will not

be able to use the term “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” or any similar term to describe their services.

16. For the reasons set forth this Notice of Opposition, Opposer will be directly harmed should Applicant’s application mature into a registration. Accordingly, Opposer requests and prays that Applicant’s application for “AMERICAN PROGRESSIVE TELUGU ASSOCIATION”, Serial No. 87/353,692, be denied registration.

WHEREFORE, in view of the foregoing, Opposer American Telangana Association alleges that it will be damaged should the “AMERICAN PROGRESSIVE TELUGU ASSOCIATION” mark eventually proceed to registration and hereby opposes same. The filing fee for the Notice is submitted with this Notice. Any additional amounts may be charged to Deposit Account No. 504487.

DATED: March 14, 2018

Respectfully submitted,

By: Nicholas S. Lee/
Nicholas S. Lee
nlee@bdl-iplaw.com
Stephanie N. White
swhite@bdl-iplaw.com
BISHOP DIEHL & LEE, LTD.
1475 E. Woodfield Rd., Suite 800
Schaumburg, IL 60173
Phone: (847) 969-9123
Fax: (847) 969-9124

Attorney for Opposer American Telangana Association

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following parties were served with a copy of this document via electronic mail and via certified mail, return receipt requested, this March 14, 2018.

Applicant's Attorney of Record

Matthew G. Minder (bcipdocketing@bryancave.com)
Bryan Cave LLP
211 North Broadway, Suite 3600
St. Louis, MO 63102

/Nicholas S. Lee/
Nicholas S. Lee

EXHIBIT A

¹ progress

noun | prog·ress | \ˈprä-grəs, -ˌgres, US also and British usually ˈprō-ˌgres\

Merriam-Webster

Popularity: Top 20% of words | Updated on: 10 Feb 2018

Examples: **PROGRESS** in a Sentence 



Definition of PROGRESS

- 1 a (1) : a royal journey marked by pomp and pageant (2) : a state procession
b : a tour or circuit made by an official (such as a judge)
c : an expedition, journey, or march through a region
- 2 : a forward or onward movement (as to an objective or to a goal) : **ADVANCE**
- 3 : gradual betterment; *especially* : the **progressive** development of humankind

—in progress

: going on : **OCCURRING**

See *progress* defined for English-language learners

See *progress* defined for kids

People Are Reading



A Drudge of
Lexicographers
Presents: *Collective*



Namesakes Word
Quiz



Trending: 'Unwitting'
and 'Hoax' Spike
After Russians'



2017 W
Year: B
S

Examples of PROGRESS in a Sentence

the rapid *progress* of the ship

He made slow *progress* down the steep cliff.

The project showed slow but steady *progress*.



Find exclusive

Recent Examples of PROGRESS from the Web

Relatives of Nanette Krentel, a former pre-school teacher, have been upset for some time over the apparent lack of *progress* in the investigation.

— Robert Rhoden, *NOLA.com*, "Sister of North Shore homicide victim meets with FBI," 28 Dec. 2017

In Archie's case, his actions came from a fear of *progress* to the point of striking out at anything modern.

— Marc Freeman, *T*
Gave Birth to Pol

How 'All in the Family'

— Mark Sappenfield, *The Christian Science Monitor*, "What about a Silicon Valley of politics?," 25 Dec. 2017



These example sentences are selected automatically from various online news sources to reflect current usage of the word 'progress.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. Send us feedback.

Origin and Etymology of PROGRESS

Middle English, from Anglo-French *progrés*, from Latin *progressus* advance, from *progredi* to go forth, from *pro-* forward + *gradi* to go — more at **PRO-**, **GRADE**



PROGRESS Synonyms

Synonyms

advancement, furtherance, going, headway, march, onrush, passage, process, procession, advance, progression



Antonyms

² progress 

verb | pro·gress | \prə-'gres\

Definition of PROGRESS

intransitive verb

1 : to move forward : **PROCEED**

2 : to develop to a higher stage

Examples of PROGRESS in a Sentence

The project has been *progressing* slowly.

The work is *progressing* and should be completed soon.

The caravan *progressed* slowly across the desert.

Recent Examples of PROGRESS from the Web

In fact, the report claims that a deal could even be fully agreed before the official opening of the transfer window on Monday - with talks *progressing* massively over the last few days.

— *SI.com*, "Liverpool Agree £75m Fee With Southampton for Long Term Target Virgil van Dijk," 27 Dec. 2017

Scott said a traumatic car accident involving himself and Susie *progressed* the disease more quickly.

— Kayla O'brien, *OrlandoSentinel.com*, "Family giving away Christmas decorations for heartbreaking reason," 23 Dec. 2017

Whatever *progress* the Bears made during their three-game winning streak was wiped away after another lopsided loss at home.

— *USA TODAY*, "Portland State jumps on Cal early on way to 106-81 win," 22 Dec. 2017



These example sentences are selected automatically from various online news sources to reflect current usage of the word 'progress.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. [Send us feedback.](#)

First Known Use of PROGRESS

1539

PROGRESS Synonyms

Synonyms

age, develop, grow, grow up, mature, ripen

Antonyms

remain, stand, stay, stop



Phrases Related to PROGRESS

Related Phrases

make progress

progress report

work in progress

PROGRESS Defined for English Language Learners

progress 

noun

Definition of PROGRESS for English Language Learners

: movement forward or toward a place

: the process of improving or developing something over a period of time

nprogress 

- : to move forward in time
- : to improve or develop over a period of time
- : to move forward or toward a place

PROGRESS Defined for Kids

¹ progress

noun | prog·ress | \ 'prä-grəs, - ,gres\

Definition of PROGRESS for Students

- 1 : the act of moving toward a goal • The ship made rapid *progress*.
- 2 : gradual improvement • He's not a good reader, but he is making *progress*.

—in progress

: happening at the present time • The trial is *in progress*.

² progress

verb | pro·gress | \prə-'gres\

Definition of PROGRESS for Students

progressed; progressing

- 1 : to move forward in place or time : **ADVANCE** • The story *progresses*.
- 2 : to move toward a higher, better, or more advanced stage

See [words that rhyme with *progress*](#)

Thesaurus: [All synonyms and antonyms for *progress*](#)

Spanish Central: [Translation of *progress*](#)

Nglish: [Translation of *progress* for Spanish speakers](#)

Britannica English: [Translation of *progress* for Arabic speakers](#)

Seen and Heard

What made you want to look up *progress*? Please tell us where you read or heard it (including the quote, if possible).

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WORD OF THE DAY

refection 

nourishment or food and drink

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1 noax, unwitting

'not knowing' or 'not intended'

2 Anglo-American

'reflecting English and American jurisprudence'

3 sartorial

'of or relating to clothes'

4 whipsaw

'to beset or victimize in two opposite ways at once'

5 treason

'the crime of trying to overthrow your country's government'

[SEE ALL >](#)

BROWSE DICTIONARY

[progredien](#)

[Progreso](#)


progress

[progress chart](#)

[progress clerk](#)

TEST YOUR VOCABULARY

Namesakes Word Quiz

 a-citrus-fruit-possibly-named-after-a-person


Which of the following is a fruit named after a Moroccan seaport?

[clementine](#)

[tangerine](#)

[nectarine](#)

[orange](#)

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Test your vocabulary with our 10-question quiz!

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Sprint

WORDS AT PLAY



alt-5a8c360499847

**Those Were the Days: On
'Nostalgia'**

When missing home was a
disease



alt-5a8afd0b10fa3

Can You Feel 'Nauseous'?

Or is it just *nauseated*?



alt-5a874ff469829

What Is a 'Sea Change?'

It's something rich and strange.

ASK THE EDITORS



image1760257654

2017 Word of the Year: Behind the Scenes

How we chose 'feminism'



video-title-words-of-the-year-1066

Words of the Year: 1066

Or, Why Pig Meat is Called 'Pork' and Cow Meat is Called 'Beef'



video-independent-express

Irregardless

It is in fact a real word (but that doesn't mean you should use it).

WORD GAMES



a-citrus-fruit-possibly-named-after-a-person

Namesakes Word Quiz

When names become words and then we ask you about them.

[TAKE THE QUIZ >](#)

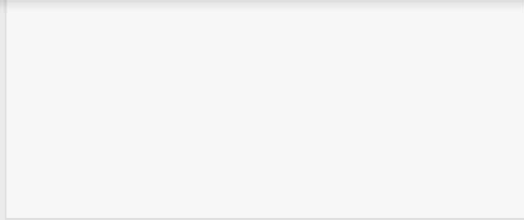


happy-valentines-day

Valentine's Day Quiz

A quiz for lovers and haters

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