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By: Toni Espinoza  
Toni Espinoza

Date Mailed: December 11, 2007  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Serial No.: 79/006720 )  
 )  
Filed: May 24, 2004 )  
 )  
Mark: SPECTRA )  
 )  
Classes: 4, 8, 9, 11, 12, and 28 )  
 )  
Published: August 14, 2007 )  
 )  
Applicant: Cycleurope AB )  
 )  
Our File No.: 21762-542 P2 )  
 )

NOTICE OF OPPOSITION BY  
KIA MOTORS AMERICA, INC.

Commissioner for Trademarks  
Trademark Trial and Appeal Board  
600 Dulany Street  
Alexandria, VA 22313-1451

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A. Cycleurope AB (hereinafter "Applicant") has applied for registration for SPECTRA in connection with goods in International Classes 4, 8, 9, 11, 12, and 28, Serial No. 79/006720 published in the Official Gazette on August 14, 2007.



B. Kia Motors America, Inc., ("Opposer") a corporation, based in Irvine, California believes that it will be damaged by registration of the above designated mark and hereby opposes it.

C. Opposer is the owner of Registration No. 2,605,304 for SPECTRA, registered August 6, 2002 for "automobiles" in class 12 in the United States Patent and Trademark Office.

D. Opposer has widely promoted, advertised and sold its SPECTRA automobiles and related automotive products since 2001 such that SPECTRA is distinctive and famous.

E. Opposer alleges it will be damaged by registration of Applicant's proposed mark because it is confusingly similar to Opposer's SPECTRA mark and dilutes Opposer's SPECTRA mark.

F. Applicant is not entitled to registration of the SPECTRA mark because:

1. Opposer has rights prior to Applicant; and
2. SPECTRA consists of or comprises a mark which so resembles the mark SPECTRA so as to be likely to cause confusion, mistake or to deceive (15 U.S.C. § 1052(d)); and
3. Opposer's SPECTRA trademark is famous and the proposed mark SPECTRA is likely to dilute the distinctive nature of Opposer's trademark (15 U.S.C. §1063) (a)).

Therefore Opposer requests that registration of the subject mark be refused.

Respectfully submitted,

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Dated: December 10, 2007

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