



T TAB

02-25-2002

U.S. Patent & TMOft/TM Mail Ropt Dt. #11

TRADEMARK

Docket No. 110.2*4/MM/F371

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

In the matter of trademark application **Serial No. 76/062,077**
For the mark **BRIGHTON**
Published in the Trademark *Official Gazette*
on January 22, 2002 at page TM204

<p>Leegin Creative Leather Products, Inc.</p> <p style="text-align: right;">Opposer,</p> <p style="text-align: center;">v.</p> <p>Schlage Lock Company</p> <p style="text-align: right;">Applicant.</p>

Opposition No.

NOTICE OF OPPOSITION

Leegin Creative Leather Products, Inc., a California corporation having its principal place of business at 14022 Nelson Avenue, City of Industry, California 91746, believes that it will be damaged by registration of the mark shown in application Serial No. **76/062,077** in International Class 6 and hereby opposes the same.

As grounds for opposition, opposer alleges that:

1. Opposer is engaged in the manufacture and sale of a wide variety of fashion and home products.

2. Since at least as early as 1985 as respects fashion products, and prior to applicant's priority date as respects fashion and home products, opposer has continuously and extensively used in commerce the mark BRIGHTON, alone and in combination with other terms and designs (hereinafter the "BRIGHTON Marks") in connection with the sale of fashion and home products, including switch plate covers, outlet covers, vanity lamps, key

02/27/2002 K6IBBONS 00000082 76062077

01 FC:377

300.00 OP

Docket No. 110.2*4/MM/F371

fobs, picture frames and other decorative products, and in connection with retail store services relating to same.

3. Opposer is the owner of Registration No. 2,288,239 of the mark BRIGHTON, issued October 19, 1999 for RETAIL STORE SERVICES FEATURING CLOTHING, JEWELRY, LEATHER GOODS, FASHION ACCESSORIES AND TOILETRIES. Said registration is valid and subsisting.

4. Opposer is the owner of Registration No. 2,209,973 of the mark BRIGHTON, issued December 15, 1998 for JEWELRY, LEATHER GOODS AND CLOTHING.. Said registration is valid and subsisting.

5. Opposer is the owner of Registration No. 2,401,412 of the mark BRIGHTON, issued November 7, 2000 for EYEWEAR, NAMELY SUNGLASSES. Said registration is valid and subsisting.

6. Through the widespread use and advertisement of its BRIGHTON Marks over a long period of time and by virtue of the quality of the goods and services sold and rendered under the marks, opposer has built up a valuable goodwill and reputation in connection with said marks which would be jeopardized by applicant's use and registration of the mark BRIGHTON.

7. The goods for which applicant seeks to register BRIGHTON, namely, metal locks, metal lock sets and metal door hardware, include decorative home products which are closely related to opposer's fashion and home products previously sold under or in connection with the BRIGHTON marks.

8. Applicant's mark BRIGHTON so resembles opposer's BRIGHTON Marks, previously used in commerce and/or registered with the United States Patent and Trademark Office, and not abandoned, as to be likely, when applied to the goods of applicant, to cause confusion, or to cause mistake or to deceive.

9. Opposer is informed and believes that applicant has not used the mark BRIGHTON in commerce for the goods in Serial No. 76/062,077.

Docket No. 110.2*4/MM/F371

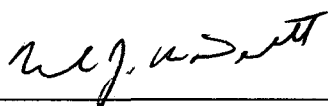
10. Opposer is informed and believes that applicant did not make use of the mark BRIGHTON for the goods in Serial No. 76/062,077 prior to its filing date of June 2, 2000.

WHEREFORE, Opposer prays that this opposition be sustained, and that registration of application Serial No. **76/062,077** be refused.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date: February 21, 2002

By 
Michael J. MacDermott
Attorneys for Opposer
P.O. Box 7068
Pasadena, California 91109-7068
626/795-9900

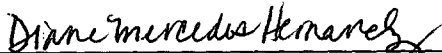
MM/rlf

Enclosures: Notice of Opposition (in duplicate)

DMH PAS415782.1*-2/20/02 4:39 PM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF OPPOSITION TRANSMITTAL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on February 21, 2002.

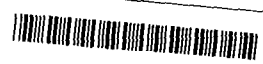

Diane M. Hernandez

Box TTAB FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

February 21, 2002

Commissioner:

Enclosed for filing are the following:


02-25-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #11

1. Notice of Opposition (original and copy) filed by Leegin Creative Leather Products, Inc. relating to the following registration application:

Mark : BRIGHTON
Serial No. : 76/062,077
Filed : June 2, 2000
Class(es) : 6
Applicant : Schlage Lock Company

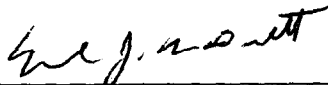
2. Our check for \$300 for the opposition filing fee.

The Commissioner is authorized upon filing or during prosecution of this opposition to charge any additional fees which may be required or credit any overpayment of fees to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction. **A copy of this letter is enclosed.**

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, California 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Michael J. MacDermott
626/795-9900

✓