

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

INTERNATIONAL DATA GROUP, INC.,)
)
Opposer,)
)
v.)
)
BROADBAND PUBLISHING CORPORATION)
)
Applicant.)

Opposition No. _____



04-03-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #67

Attorney Reference Number: 31703-177601

NOTICE OF OPPOSITION

In the matter of the application for registration of the trademark BROADBAND WORLD, of Broadband Publishing Corporation shown in Application Serial No. 76/212,389 filed February 15, 2001, and published for opposition in the *Official Gazette* of December 4, 2001.

International Data Group, Inc., of Framingham, Massachusetts, believes that it will be damaged by registration of the mark shown in said Application Serial No. 76/212,389, and hereby opposes the same.

As grounds for opposition it is alleged that:

1. Opposer is now and, for many years, has been engaged in the business of producing and selling magazines, newspapers and other printed and on-line publications in the fields of computers, computer products, computer technology, computer software and telecommunications. Opposer's products are sold in the United States and elsewhere under the trademarks COMPUTERWORLD, COMPUTERWORLD TELECOM JOURNAL, INFOWORLD, NETWORK WORLD, MACWORLD, PC WORLD, DOS WORLD, ENTERPRISE WORLD, WEB INDUSTRY WORLD, IT WORLD, PDA WORLD, CHANNELWORLD,

ELECTRONIC DESIGN WORLD, CWORLD, INTERNET VAR WORLD, VAR WORLD, WEBSITE WORLD, OLE WORLD and RESELLER WORLD

2. Opposer is the owner of U.S. Trademark Registrations for the marks listed in Paragraph 1 above, including

- a) U.S. Trademark Registration No. 857,066, issued September 17, 1968, for the mark COMPUTERWORLD, as used to identify a trade newspaper. This registration is currently in full force and effect and subject to the incontestability provisions of Section 15 of the Trademark Act.
- b) U.S. Trademark Registration No. 1,191,161, issued March 2, 1982, for the mark INFOWORLD, as used to identify a microcomputing trade newspaper. This registration is currently in full force and effect and subject to the incontestability provisions of Section 15 of the Trademark Act.
- c) U.S. Trademark Registration No. 1,401,169, issued July 15, 1986, for the mark NETWORK WORLD, as used to identify a weekly newspaper dealing with communication technology and the communications industry. This registration is currently in full force and effect and subject to the incontestability provisions of Section 15 of the Trademark Act.
- d) U.S. Trademark Registration No. 1,427,411, issued February 3, 1987, for the mark MACWORLD, as used to identify magazines pertaining to computer technology. This registration is currently in full force and effect and subject to the incontestability provisions of Section 15 of the Trademark Act.
- e) U.S. Trademark Registration No. 1,498,563, issued August 2, 1988, for the mark PC WORLD, as used to identify a trade journal. This registration is currently in full force and effect and subject to the incontestability provisions of Section 15 of the Trademark Act.

- f) U.S. Trademark Registration No. 2,187,976 issued September 8, 1998 for the mark IT WORLD as used to identify newsletters containing information relating to computers, computing and information technology.
- g) U.S. Trademark Registration No. 2,105,919 issued October 14, 1997 for the mark COMPUTERWORLD TELECOM JOURNAL as used to identify magazines and supplements thereto, and journals in the information technology, high technology, and telecommunications industries.
- h) U.S. Trademark Registration No. 1,947,659 issued January 9, 1996 for the mark DOS WORLD as used to identify magazine concerning computers, computer software and information technology.
- i) U.S. Trademark Registration No. 2,171,484 issued July 7, 1998 for the mark PDA WORLD as used to identify newsletters featuring computers, hand held computers, electronic notebooks, computer software and related goods and services.
- j) U.S. Trademark Registration No. 2,225,176 issued February 23, 1999 for the mark WEB INDUSTRY WORLD as used to identify newsletter and newsletter supplements in the field of information technology.
- k) U.S. Trademark Registration No. 2,300,291 issued December 14, 1999 for the mark CHANNELWORLD as used to identify, among other things, magazines, magazine supplements, journals and newsletters in the field of computers, high technology, communications and information services.
- l) U.S. Trademark Registration No. 2,406,586 issued November 21, 2000 for the mark ENTERPRISE WORLD as used to identify "books, magazines, magazine sections and supplements, and newsletters in the field of computers, high technology and information services."

- m) U.S. Trademark Registration No. 2,402,289 issued November 7, 2000 for the mark VAR WORLD as used to identify “books, magazines and supplements thereto, newsletters, journals and newspapers in the fields of computer high technology, communications and information services.”
- n) U.S. Trademark Registration No. 2,385,870 issued September 12, 2000 for the mark RESELLER WORLD as used to identify “books, magazines and supplements thereto, newsletters, journals and newspapers in the fields of computer high technology, communications and information services.”
- o) U.S. Trademark Registration No. 2,532,419 issued January 22, 2002 for the mark ELECTRONIC DESIGN WORLD as used to identify “printed publications, namely, newspapers, magazines, books, brochures, pamphlets and newsletters in the field of information technology.”
- p) U.S. Trademark Registration No. 2,493,985 issued October 2, 2001 for the mark WEBSITE WORLD as used to identify “books, magazines and supplements, catalogs, manuals, brochures, pamphlets, guides and newsletters all in the field of global information networks and online and information services.”
- q) U.S. Trademark Registration No. 2,496,799 issued October 9, 2001 for the mark WEBSITE WORLD as used to identify “print publications, namely, newspapers, magazines, and supplements sold therewith, journals, newspapers and books featuring information in the fields of computers, computer software, online services, high technology, communications, information technology and information services.”
- r) U.S. Trademark Registration No. 2,435,488 issued March 13, 2001 for the mark INTERNET VAR WORLD as used to identify “printed publications,

namely, magazines, magazine supplements, newsletters, journals, books, pamphlets, guides, brochures, manuals and columns relating to computers, computing, communications and information technology.”

s) Registration No. 2,357,836 issued June 13, 2000 for the mark OLE WORLD as used to identify “newsletters, magazines and supplements thereto, journals, newspapers, books in the computer, high technology, communications and information services fields.”

3. The applicant has filed U.S. Trademark Application Serial No. 76/212,389 on February 15, 2001 for the mark BROADBAND WORLD as used to identify “magazines, namely, a magazine dealing with products, services, markets and applications in the area of high speed network communications, including asynchronous transfer mode/frame, internet protocol/multi-protocol label switching and optical networks” alleging a date of first use of that mark of June 18, 1999.
4. Upon information and belief, Applicant did not use its trademark BROADBAND WORLD in the U.S. in connection with the goods listed in its application prior to June 18, 1999.
5. Opposer's marks have been in use in commerce or have constructive use in commerce since prior to any date of first use that can be alleged by Applicant.
6. The mark BROADBAND WORLD is so similar to opposer's trademarks, that Applicant's use of its trademark to identify its goods is likely to cause confusion and lead to deception as to the source of origin and/or the sponsorship of Applicant's goods and/or Opposer's good and services.


WHEREFORE, opposer prays that said Application Serial No.76/212,389, be rejected, that no registration be issued thereon to applicant, and that this opposition be sustained in favor of the opposer.

This Notice of Opposition is submitted in duplicate together with the statutory filing fee of \$300.00 (Class 16). Should any additional fee be required, please charge the same to our Account No. 22-0261 and notify us accordingly.

Opposer appoints Mark B. Harrison, Jacqueline Levasseur Patt, Julie A. Petruzzelli, Marcia A. Auberger, and Tonya D. Horton, along with the law firm of Venable, Baetjer, Howard & Civiletti, LLP, to transact all business on its behalf in connection with this Opposition.

Respectfully submitted,

Date: April 3, 2002

By: 

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