


TTAB

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

on 7/29/02
Date


Signature

LISA A. TVERSON
Typed or printed name of person signing certificate


08-01-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #71

ATTORNEY DOCKET NO: 60120-012

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

SAVVY, INC.)

Opposer,)

v.)

SALONSAVVY.COM, INC.)

Applicant.)

Opposition No. _____

08/05/2002 JHARLEY 00000208 75943080)
01 FC:377 300.00 OP)

ASSISTANT COMMISSIONER FOR TRADEMARKS
Box TTAB - FEE
2900 Crystal Drive
Arlington, VA 22202-3513

NOTICE OF OPPOSITION

RE: Application No. 75/943080
Mark: SALONSAVVY.COM (and Design)
Applicant: SALONSAVVY.COM, INC.
Filed: 03-13-00
Published: 10-30-01

Dear Madam/Sir:

In the matter of the application of SALONSAVVY.COM, INC. ("Applicant") for registration of the mark SALONSAVVY.COM (and Design), Application Serial No.

75/943080, published in the October 30, 2001 edition of the *Official Gazette* (Trademarks) of the United States Patent and Trademark Office, Savvy, Inc., an Illinois corporation with its principal place of business at 519 Talcott Road, Park Ridge, Illinois 60068 ("Opposer"), believes that it would be damaged by registration of the SALONSAVVY.COM (and Design) mark, Ser. No. 75/943080, and hereby opposes same. The Opposer encloses a check in the amount of \$300.00 for the filing fee and requests that any additional fees be charged to Deposit Account Number 50-0640.

Grounds for opposition to registration are as follows:

1. Opposer is using and has used the trade name SAVVY, INC. and the mark SAVVY SALON * SPA ("SAVVY name and mark") since 1989 in the United States for a wide variety of services in the salon business. Opposer's services are marketed and sold through various distribution channels.
2. Opposer is engaged and for many years has been engaged in the extensive promotion and sale of a wide variety of services, including, but not limited to, salon and beauty services (hereinafter "Opposer's services").
3. Opposer has expended substantial resources to advertise and promote Opposer's services under Opposer's SAVVY name and mark.
4. Since long prior to Applicant's filing of its intent-to-use application to register SALONSAVVY.COM (and Design), Opposer used Opposer's SAVVY name and mark in interstate commerce in connection with Opposer's services.
5. By reason of Opposer's advertisement and extensive promotion and use, as well as the wide distribution of Opposer's services, Opposer's SAVVY name

and mark have come to be well recognized as signifying Opposer and identifying Opposer's services.

6. Opposer has built up extensive goodwill in connection with Opposer's SAVVY name and mark.

7. On August 8, 1999, Opposer filed an application for the mark SAVVY, which has been assigned Serial No. 75/767890.

8. Notwithstanding Opposer's prior rights in and to Opposer's SAVVY name and mark, Applicant filed an intent-to-use application, which has been assigned Serial No. 75/943080, for registration of the mark SALONSAVVY.COM (and Design) for business management services, market analysis services, dissemination of advertising for others, namely, salons, via an on line electronic commerce network in International Class 35, and for salon and beauty information services provided via a global computer network, namely, a searchable on-line database featuring the goods and services of others and online appointment scheduling in International Class 42. This intent-to-use application was published in the October 30, 2001 edition of the *Official Gazette* (Trademarks) of the United States Patent and Trademark Office. Opposer has been granted time extensions and has filed Stipulated Requests to File Extension of Time to Oppose which if granted will expire on July 27, 2002.

9. Applicant's use and registration of the mark SALONSAVVY.COM (and Design) in connection with salon and beauty information services, amongst others, is likely to cause confusion, deception, and mistake among purchasers and consumers.

10. Applicant's registration of the SALONSAVVY.COM (and Design) mark will interfere with Opposer's rights in Opposer's SAVVY name and mark and will seriously damage Opposer, its business, and its goodwill.

WHEREFORE, Opposer believes that it would be damaged by said application for registration, and prays that it be denied.

This Notice of Opposition is submitted in triplicate as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

SAVVY, INC.

Dated: 7/29/02

By: 

Susan Somers Neal

Melissa J. Lee

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Neal & McDevitt

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(847) 424-8330

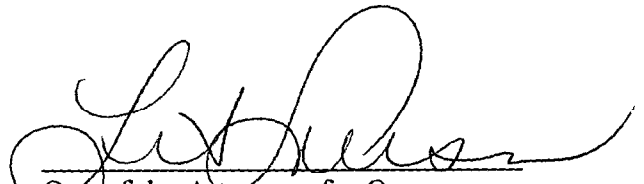
Fax: (847) 424-8320

Attorneys for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the foregoing NOTICE OF OPPOSITION was served upon Counsel for Applicant by first-class mail, postage-prepaid, this 29th day of July 2002, addressed as follows:

William L. Niro
Niro Scavone Haller & Niro
181 West Madison Street
Suite 4600
Chicago, IL 60602



One of the Attorneys for Opposer

Neal & McDevitt®

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Facsimile: 847-424-8320



08-01-2002

U.S. Patent & TMOfc/TM Mail RcptDt. #71

July 29, 2002

ATTORNEY DOCKET NO: 60120.0012

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

RE: Notice of Opposition

Dear Madam or Sir:

Enclosed please find a Notice of Opposition against Application Serial No. 75/943080 for the mark SALONSAVVY.COM on behalf of Opposer Savvy, Inc. This request is being submitted in triplicate, pursuant to 37 C.F.R. §102(d).

Also enclosed is a check in the amount of \$300.00 for the filing fee. If there are any additional fees associated with this filing, they should be charged to Deposit Account No. 50-0640. A duplicate copy of this letter is attached for charging purposes, if necessary.

Respectfully submitted,

Lisa A. Iverson
Attorney for Potential Opposer

LAI/kmc
Enclosures

02 AUG - 7 AM 8: 44
TRADEMARK TRIAL AND
APPEAL BOARD