"Express Mail" mailing label number: EV213228675US
Date of Deposit: November 26, 2002
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" services under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Box TTAB - FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.
Typed or Printed Name of Person Mailing Paper or Fee: Linda Mastrocola
Signature: Linda Mastrocola

TRADEMARK: MONSTER RANCHER ADVANCE

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Registration Application Serial No. 76/332,973 published in the Official Gazette (Trademarks) on October 29, 2002:

MONSTER CABLE PRODUCTS, INC., and MONSTER CABLE INTERNATIONAL, LTD., Opposer, v. TECMO, LTD., a Japan corporation. Applicant,	Opposition No. _____

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

NOTICE OF OPPOSITION

MONSTER CABLE PRODUCTS, INC., a California corporation ("Opposer"), whose address is 455 Valley Drive, Brisbane, CA 94005-1209, and MONSTER CABLE INTERNATIONAL, LTD., a Bermuda corporation and wholly owned subsidiary of Monster

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

Cable Products, Inc., (collectively referred to herein as "Opposer") believes that it will be damaged by the registration of the mark "MONSTER RANCHER ADVANCE" in International Class 9 (Computer game software, amusement game machines) on the Principal Register, as shown in the above-referenced application made by TECMO, LTD., ("Applicant"), and hereby opposes same.

The grounds for opposition are as follows:

1. Opposer has prior rights to the trademark MONSTER, as it first used said mark on May 18, 1978, and caused said mark to be placed in commerce on August 18, 1978 in connection with other goods, such as electrical and musical items.

2. Opposer is and has been for many years engaged in the manufacture, advertising and retail sales of the above mentioned goods and services. In connection therewith Opposer has used in interstate commerce throughout the United States the above-stated trademarks since long prior to the Applicant's application to register the trademark "MONSTER RANCHER ADVANCE".

3. Opposer owns Federal Trademark Registration No. 2,184,002, which was granted on August 25, 1998, for the trademark MONSTER for Class 9, namely electrical and music signal transmitting cable connectors. A true copy of said registration is attached hereto as Opposer's Exhibit A.

4. Opposer owns Federal Trademark Registration No. 2,197,793, which was granted on October 20, 1998, for the trademark MONSTER for Class 16, namely newsletters, magazines, catalogs and newspapers providing entertainment industry and cable industry news. A true copy of said registration is attached hereto as Opposer's Exhibit B.

5. Opposer owns Federal Trademark Registration No. 1,690,903, which was granted on June 2, 1992, for the trademark MONSTER STYLE for Class 41, for educational services, namely

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

conducting classes and seminars in the field of audio systems. A true copy of said registration is attached hereto as Opposer's Exhibit C.

6. Opposer owns Federal Trademark Registration No. 1,342,164, which was granted on June 18, 1985, for the trademark MONSTER CABLE for Class 9 for electrical signal transmitting cable and connectors. A true copy of said registration is attached hereto as Opposer's Exhibit D.

7. Opposer owns Federal Trademark Registration No. 1,340,229, which was granted on June 11, 1985, for the trademark MONSTER CABLE for Class 9 for musical and voice signal transmitting cable and connectors. A true copy of said registration is attached hereto as Opposer's Exhibit E.

8. Opposer owns Federal Trademark Registration No. 1,384,076, which was granted on February 25, 1986, for the trademark MONSTER CABLE (STYLIZED) for Class 9 for computer cables. A true copy of said registration is attached hereto as Opposer's Exhibit F.

9. Opposer owns Federal Trademark Registration No. 1,144,700, which was granted on December 30, 1980, for the trademark MONSTER CABLE (STYLIZED) for Class 6 for speaker wire. A true copy of said registration is attached hereto as Opposer's Exhibit G.

10. Opposer owns Federal Trademark Registration No. 1,336,372, which was granted on May 21, 1985, for the trademark MONSTER CABLE SPECIAL for Class 9, audio cable. A true copy of said registration is attached hereto as Opposer's Exhibit H.

11. Opposer owns Federal Trademark Registration No. 1,844,244, which was granted on July 12, 1994, for the trademark MONSTER HOME THEATRE for Class 9, audio cables. A true copy of said registration is attached hereto as Opposer's Exhibit I.

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

12. Opposer owns Federal Trademark Registration No. 1,738,114, which was granted on December 8, 1992, for the trademark MONSTER DESIGN for Class 9, cable connectors for use with audio equipment. A true copy of said registration is attached hereto as Opposer's Exhibit J.

13. Opposer owns Federal Trademark Registration No. 1,537,306, which was granted on May 2, 1989, for the trademark MONSTER MUSIC for Class 9, compact discs. A true copy of said registration is attached hereto as Opposer's Exhibit K.

14. Opposer owns Federal Trademark Registration No. 1,665,277, which was granted on November 19, 1991, for the trademark MONSTER MUSIC for Classes 41 and 42, production and compact discs, audio tapes and phonographic records, distributorship services in the field of prerecorded compact discs, audio tapes and phonographic records of various artists. A true copy of said registration is attached hereto as Opposer's Exhibit L.

15. Opposer owns Federal Trademark Registration No. 1,824,258, which was granted on March 1, 1994, for the trademark MONSTER POWER for Class 9 for magnetic circuit breakers, power distribution blocks, junction boxes, fuse holders and battery connectors. A true copy of said registration is attached hereto as Opposer's Exhibit M.

16. Opposer owns Federal Trademark Registration No. 1,759,527, which was granted on March 23, 1993, for the trademark MONSTER SOUND for Class 9, audio equipment, namely electrical cables and connectors and parts thereof. A true copy of said registration is attached hereto as Opposer's Exhibit N.

17. Opposer owns Federal Trademark Registration No. 1,428,215, which was granted on February 10, 1987, for the trademark MONSTER VIDEO for Class 9 for video cables. A true copy of said registration is attached hereto as Opposer's Exhibit O.

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

18. Opposer owns Federal Trademark Registration No. 1,351,414, which was granted on July 30, 1985, for the trademark MONSTER TIPS for Class 9 for electrical audio connectors for connections of home stereo and video components. A true copy of said registration is attached hereto as Opposer's Exhibit P.

19. Opposer owns Federal Trademark Registration No. 1,812,892, which was granted on December 21, 1993, for the trademark MONSTER CONNECTION for Class 16 for newsletters about consumer electronics. A true copy of said registration is attached hereto as Opposer's Exhibit Q.

20. Opposer owns Federal Trademark Registration No. 1,414,284, which was granted on October 21, 1986, for the trademark I AM A MONSTER for Class 25, namely tee shirts and jackets. A true copy of said registration is attached hereto as Opposer's Exhibit R.

21. Opposer owns Federal Trademark Registration No. 2,220,851, which was granted on January 26, 1999, for the trademark MONSTER CENTRAL for Class 9, namely electrical signals and distribution panels. A true copy of said registration is attached hereto as Opposer's Exhibit S.

22. Opposer owns Federal Trademark Registration No. 2,185,607 which was granted on September 9, 1998, for the trademark MONSTER COMPUTER for Class 9, namely computer cables. A true copy of said registration is attached hereto as Opposer's Exhibit T.

23. Opposer owns Federal Trademark Registration No. 2,215,211 which was granted on December 29, 1998, for the trademark MONSTER MICROPHONE for Class 9, namely microphones. A true copy of said registration is attached hereto as Opposer's Exhibit U.

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

24. Opposer owns Federal Trademark Registration No. 2,211,670, which was granted on December 15, 1998, for the trademark MONSTER MOUNTS for Class 9, namely loudspeaker mounting units. A true copy of said registration is attached hereto as Opposer's Exhibit V.

25. Opposer owns Federal Trademark Registration No. 2,153,562, which was granted on April 28, 1998, for the trademark MONSTER MULTIMEDIA for Class 9, namely Audio and video products, cable switch boxes. A true copy of said registration is attached hereto as Opposer's Exhibit W.

26. Opposer owns Federal Trademark Registration No. 2,227,322, which was granted on March 2, 1999, for the trademark MONSTER NETWORKING for Class 9, namely cables for the transmission of data signals. A true copy of said registration is attached hereto as Opposer's Exhibit X.

27. Opposer owns Federal Trademark Registration No. 2,183,518, which was granted on August 25, 1998, for the trademark MONSTER INTERNET for Class 9, namely computer cables, telephone cables and modems. A true copy of said registration is attached hereto as Opposer's Exhibit Y.

28. Opposer's products bearing the above-stated trademarks have been extensively and continuously offered to the public through various channels of trade. By reason of such distribution and advertising, the public has come to recognize marks bearing the word "MONSTER" as signifying Opposer and its individual products and family of products. Opposer has built up extensive goodwill in connection with the sale of products under its trademarks and family of marks.

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

29. The intended trademark MONSTER RANCHER ADVANCE is confusingly similar to Opposer's above-stated individual trademarks and the MONSTER family of marks, and registration of Applicant's proposed mark and continued use by Applicant on its goods is likely to cause confusion, deception and mistake. Applicant's use of said intended trademark interferes with Opposer's use of its above-stated trademarks and family of marks, and use or registration of its mark by Applicant will seriously damage Opposer. Furthermore, Opposer's MONSTER and family of MONSTER marks are entitled to famous mark protection, and Applicant's use will dilute or tend to dilute said marks.

WHEREFORE, Opposer prays that Application Serial No. 76/332,973 be rejected, and that the registration of the mark therein shown for the goods therein specified be refused and denied.

Respectfully submitted,

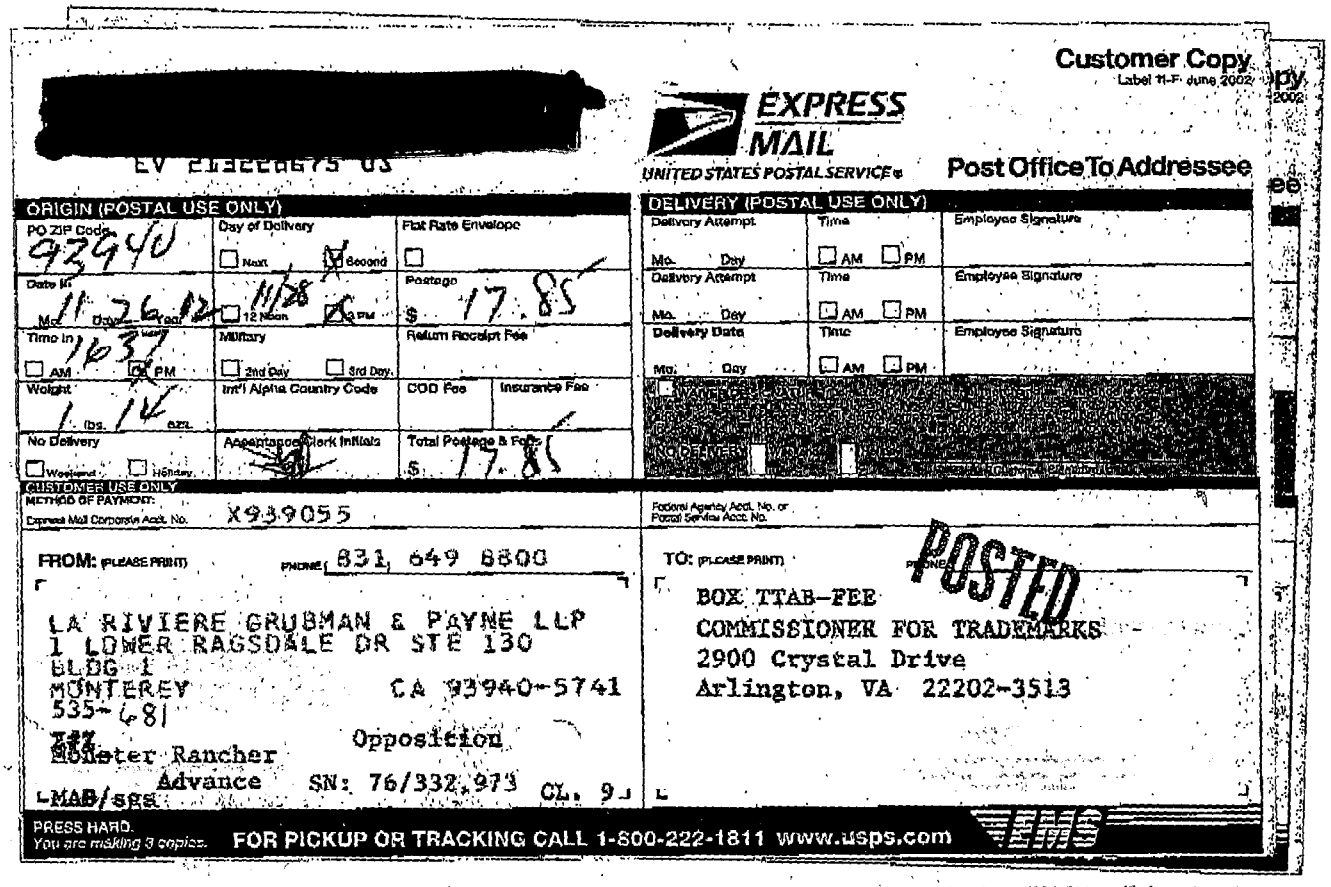
LARIVIERE, GRUBMAN & PAYNE, LLP

Dated: November 26, 2002

By: _____

Matthew A. Powelson, Esq.
1 Lower Ragsdale Drive
Building 1, Suite 130
P.O. Box 3140
Monterey, CA 93942-3140
(831) 649-8800
Attorneys for Opposer

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]



Customer Copy
Label 11-F, June 2002

EXPRESS MAIL
UNITED STATES POSTAL SERVICE

Post Office To Addressee

EV 213228675 US

ORIGIN (POSTAL USE ONLY)

PO ZIP Code: 93940
Day of Delivery: ☐ Next ☒ Second
Flat Rate Envelope: ☐
Date In: Mo. 11 Day 26 Year 02
☐ 12 Noon ☒ 3 PM
Postage: $ 17.85
Time In: 1637 ☐ AM ☒ PM
Military: ☐ 2nd Day ☐ 3rd Day
Return Receipt Fee:
Weight: 1 lbs. 14 ozs.
Int'l Alpha Country Code:
COD Fee:
Insurance Fee:
No Delivery: ☐ Weekend ☐ Holiday
Acceptance Clerk Initials:
Total Postage & Fees: $ 17.85

DELIVERY (POSTAL USE ONLY)

Delivery Attempt: Mo. Day ☐ AM ☐ PM — Time — Employee Signature
Delivery Attempt: Mo. Day ☐ AM ☐ PM — Time — Employee Signature
Delivery Date: Mo. Day ☐ AM ☐ PM — Time — Employee Signature
No Delivery

CUSTOMER USE ONLY
METHOD OF PAYMENT:
Express Mail Corporate Acct. No. X939055
Federal Agency Acct. No. or Postal Service Acct. No.

FROM: (PLEASE PRINT) PHONE (831) 649 8800

LA RIVIERE GRUBMAN & PAYNE LLP
1 LOWER RAGSDALE DR STE 130
BLDG 1
MONTEREY CA 93940-5741
535-681
Monster Rancher Advance Opposition
SN: 76/332,973 CL. 9
MAB/sgs

TO: (PLEASE PRINT) PHONE

POSTED

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

PRESS HARD. You are making 3 copies.
FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

Title: MONSTER RANCHER ADVANCE Class 9
Docket No.: 535-681 **Serial No.:** 76/332,973
Express Mail Label No.: EV213228675US
Express Mail-DATE IN: November 26, 2002

Please acknowledge receipt of the documents descril
the Patent and Trademark Office "Date Stamp" here
addressee indicated on the reverse hereof.

11-26-2002
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #76

1. Transmittal Letter (2 pages);
2. Notice of Opposition (7 pages), plus Exhibits A-Y (50 pages);
3. Check in the amount of $600.00 to cover filing fee; and
4. Post card in acknowledgment of receipt of transmitted materials.

*****IMPORTANT NOTICE*****

**Please stamp with same date as express mail "DATE IN" as shown abov
in compliance with 37 C/F.R. 1.6 (a)(2)**

EV213228675US

"Express Mail" mailing label number: EV213228675US
Date of Deposit: November 26, 2002
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" services under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Box TTAB - FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.
Typed or Printed Name of Person Mailing Paper or Fee: Linda Barrett
Signature: Linda Barrett

TRADEMARK: MONSTER RANCHER ADVANCE

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

SERIAL NO:	76/332,973
MARK:	MONSTER RANCHER ADVANCE
CLASS:	9
APPLICANT:	TECMO, LTD.
FILED:	OCTOBER 31, 2001
PUBLISHED:	OCTOBER 29, 2002

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

TRANSMITTAL LETTER

Dear Madame:

In connection with the above-referenced trademark application, transmitted herewith are the following:

1. Transmittal letter (2 pages);

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]

2. Notice of Opposition (7 pages), plus Exhibits A-Y (50 pages) (in triplicate);

3. Check in the amount of $600.00 to cover filing fees; and

4. Post card in acknowledgment of all transmitted materials.

Please date-stamp the enclosed postcard and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

LARIVIERE, GRUBMAN & PAYNE, LLP

Dated: November 26, 2002.

By:

Matthew A. Powelson, Esq.
1 Lower Ragsdale Drive
Building 1, Suite 130
P.O. Box 3140
Monterey, CA 93942-3140
(831) 649-8800
Attorneys for Opposers
Monster Cable Products, Inc. and
Monster Cable International, Ltd.

Received from < 18316498835 > at 12/30/02 12:56:53 PM [Eastern Standard Time]