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I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Trademark Trial and Appeal Board, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

February 4, 2004
Date

Annette Baca
Annette Baca

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



02-09-2004
U.S. Patent & TMO/TTM Mail Rpt DC #78

SKYWAY LUGGAGE COMPANY,)
)
Opposer,)
)
v.)
)
FAIR TRADE ENTERPRISE CO., LTD.,)
)
Applicant.)
_____)

OPPOSITION NO.
Serial No. 76/494,859
Docket No. 860010.835

Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

NOTICE OF OPPOSITION

Opposer Skyway Luggage Company ("Opposer"), which has a place of business at 30 Wall Street, Seattle, Washington 98121, believes that it would be damaged by registration of the mark SKYLINE shown in United States Trademark Application Serial No. 76/494,859 filed by Fair Trade Enterprise Co., Ltd. (hereinafter "Applicant") and published for opposition on October 7, 2003, and it therefore opposes that registration. The application may be summarized as follows:

02/12/2004 KSONCHANN 00000063 76494859
01 FC:6402 300.00 DP

In re trademark application: 76/494,859
Filed: March 5, 2003
Applicant: Fair Trade Enterprise Co., Ltd.
Mark: SKYLINE
For: Bags, namely luggage, travel bags, traveling bags, all purpose sports bags, athletic bags, backpacks, beach bags, clutch bags, diaper bags, gym bags, school bags, shoulder bags, tote bags, purses, handbags and knapsacks
International Class: 18
Published: October 7, 2003
Attorney's Docket No. 860010.835

A printout of a TARR status report showing the mark as published is attached hereto as Exhibit 1.

The grounds for this Opposition are as follows:

1. Opposer is in the business of manufacturing and marketing a variety of types of luggage.
2. Commencing at least as early as 1946, many years prior to the January 3, 2000 first-use date asserted in Applicant's application, Opposer has used, and is now using, the mark SKYWAY in commerce in the United States in connection with the marketing and sale of luggage.
3. Opposer owns United States Trademark Registration No. 1,034,848 for the mark SKYWAY AND DESIGN for luggage—namely, trunks, suitcases, garment carriers, and attaché cases. A copy of the Certificate of Registration is attached hereto as Exhibit 2.
4. Opposer owns United States Trademark Registration No. 1,415,883 for the mark SKYWAY AND DESIGN for luggage—namely, trunks, suitcases, garment bags for travel, and attaché cases. A copy of the Certificate of Registration is attached hereto as Exhibit 3.

5. Commencing at least as early as Opposer's April 18, 1955 date of incorporation, many years prior to the January 3, 2000 first-use date asserted in Applicant's application, Opposer has used the trade name "SKYWAY LUGGAGE" continuously as a trade name in connection with its business of marketing and selling luggage.

6. As a result of Opposer's use and advertising of its SKYWAY and SKYWAY AND DESIGN marks and SKYWAY LUGGAGE trade name (hereafter jointly referred to as the "SKYWAY Marks and Name"), the SKYWAY Marks and Name are well known in the United States and are recognized as identifying the high-quality goods of Opposer. The SKYWAY Marks and Name and the associated goodwill are valuable assets of Opposer.

7. Applicant's use of the mark SKYLINE in connection with the goods described in the application, i.e., bags, namely luggage, travel bags, traveling bags, all purpose sports bags, athletic bags, backpacks, beach bags, clutch bags, diaper bags, gym bags, school bags, shoulder bags, tote bags, purses, handbags and knapsacks, is confusing and deceptive, in that the trade and purchasing public will be confused by the SKYLINE mark and deceived into believing that Applicant's products are related to Opposer or Opposer's SKYWAY products.

8. Applicant mark SKYLINE for the goods described in the subject application is confusingly and deceptively similar to Opposer's SKYWAY Marks as used on the same or similar goods, such that the trade and purchasing public are likely to be confused by and deceived into believing that Applicant's goods originate with or are otherwise authorized by, sponsored by, licensed by, or associated with Opposer.

9. Upon information and belief, neither Applicant nor any predecessor-in-interest of Applicant has made use of the designation "SKYLINE" as a trademark or service mark prior to the January 3, 2000 first-use date asserted in the application.

10. By reason of all of the foregoing, Opposer would be greatly damaged by the registration of the mark SKYLINE to Applicant.

WHEREFORE, Opposer prays that this Opposition be sustained and the application be denied and the mark refused registration.

Opposer herewith submits this Notice of Opposition in duplicate along with the requisite filing fee in the amount of three hundred dollars (\$300). Please charge any additional fees or credit any excess to our Deposit Account No. 19-1090. A duplicate copy of this notice is enclosed.

Correspondence Address

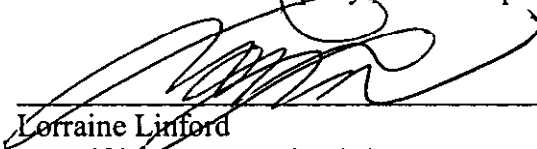
Please direct all communications to:

Lorraine Linford
SEED Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092.

DATED this 4th day of February, 2004.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



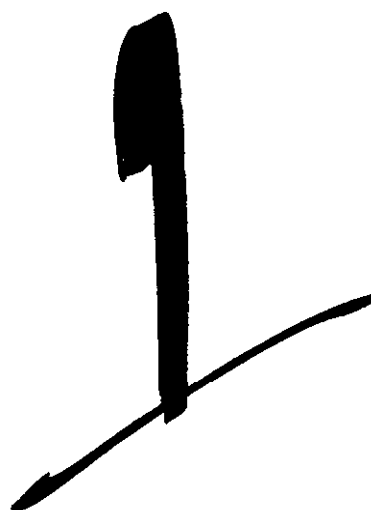
Lorraine Linford
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
(206) 622-4900
Fax: (206) 682-6031

Attorneys for Opposer

Enclosures:

- Postcard
- Check for \$300
- Exhibits 1-3
- Copy of Notice of Opposition

453314_1.DOC





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Record 1 out of 1

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(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark SKYLINE

Goods and Services IC 018. US 001 002 003 022 041. G & S: BAGS, NAMELY LUGGAGE, TRAVEL BAGS, TRAVELING BAGS, ALL PURPOSE SPORTS BAGS, ATHLETIC BAGS, BACKPACKS, BEACH BAGS, CLUTCH BAGS, DIAPER BAGS, GYM BAGS, SCHOOL BAGS, SHOULDER BAGS, TOTE BAGS, PURSES, HANDBAGS AND KNAPSACKS. FIRST USE: 20000103. FIRST USE IN COMMERCE: 20000103

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76494859

Filing Date March 5, 2003

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition October 7, 2003

Owner (APPLICANT) FAIR TRADE ENTERPRISE CO., LTD. CORPORATION TAIWAN
9F-4 NO. 1 FU HSIN N. RD. TAIPEI TAIWAN

Attorney of Record Bruce H. Troxell

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead LIVE

EXHIBIT 1

Indicator

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	Brows. Dict	TOP	HELP
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Int. Cl.: 18

Prior U.S. Cl.: 3

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 1,034,848

Registered Mar. 2, 1976

Renewal Term Begins Mar. 2, 1996

TRADEMARK
PRINCIPAL REGISTER



SKYWAY LUGGAGE COMPANY
(WASHINGTON CORPORATION)
10 WALL STREET
SEATTLE, WA 981211392

OWNER OF U.S. REG. NOS. 358,373,
642,172 AND OTHERS.

FOR: LUGGAGE—NAMELY,
TRUNKS, SUITCASES, GARMENT CAR-
RIERS, AND ATTACHE CASES, IN
CLASS 18 (U.S. CL. 3).
FIRST USE 0-0-1946; IN COMMERCE
0-0-1946.

SER. NO. 73-049,496, FILED 4-14-1975.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on May 7, 1996.*

COMMISSIONER OF PATENTS AND TRADEMARKS

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Int. Cl.: 18

Prior U.S. Cl.: 3

United States Patent and Trademark Office **Reg. No. 1,415,883**
Registered Nov. 4, 1986

**TRADEMARK
PRINCIPAL REGISTER**



SKYWAY LUGGAGE COMPANY (WASHINGTON CORPORATION)
10 WALL STREET
SEATTLE, WA 98121

FOR: LUGGAGE—NAMESLY, TRUNKS, SUITCASES, GARMENT BAGS FOR TRAVEL, AND ATTACHE CASES, IN CLASS 18 (U.S. CL. 3).

FIRST USE 0-0-1946; IN COMMERCE 0-0-1946.

OWNER OF U.S. REG. NOS. 358,373, 1,034,848 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE REPRESENTATION OF LUGGAGE, APART FROM THE MARK AS SHOWN.

SER. NO. 586,603, FILED 3-6-1986.

MARK TRAPHAGEN, EXAMINING ATTORNEY