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

IN THE MATTER OF Application Serial No. 76/080,812, filed November 2, 1999  
PUBLISHED IN THE OFFICIAL GAZETTE of November 25, 2003



RA BRANDS, LLC )  
 )  
 Opposer, )  
 )  
 v. )  
 )  
 FREDERIC REMINGTON TRUST 1861, )  
 )  
 Applicant. )

03-26-2004  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

RA BRANDS, LLC (“Opposer”), a limited liability company organized and existing under the laws of the State of Delaware, located and doing business at 870 Remington Drive, Madison, North Carolina 27025, believes that it will be damaged by the registration of the mark shown in the above-identified application and hereby opposes the same.

As grounds of opposition, Opposer alleges that:

1. On November 2, 1999, Applicant, Frederic Remington Trust 1861 (“Applicant”), filed a United States Trademark Application to register the mark FREDERIC REMINGTON (“Applicant’s Mark”) and the application was assigned Serial No. 76/080,812 by the United States Patent and Trademark Office (the “Application”).

2. Applicant’s Application was published for opposition in the November 25, 2003 Official Gazette in respect of the following services:

Entertainment, namely production of motion pictures and television shows in International Class 041.

03/29/2004 JBRDDK51 00000038 500517 76080812

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3. RA Brands, LLC (“Opposer”) is the owner of numerous federal registrations for the trademark REMINGTON (“Opposer’s Mark”) for use with outdoor sporting goods, including hunting and fishing equipment and related services (“Opposer’s Goods and Services”), including a registration for REMINGTON RACING for “organizing and conducting entertainment exhibitions in the nature of automobile racing” (Reg. No. 2,591,799).

4. Opposer’s Marks distinguish Opposer’s Goods and Services from the products of others.

5. Opposer’s Mark has attained wide public recognition as an identification of the source of Opposer’s Goods and Services, and Opposer’s Mark distinguishes Opposer’s Goods and Services from the products of others.

6. Applicant’s Mark is confusingly similar to Opposer’s Marks and is likely to cause confusion or to cause mistake or to deceive the public.

7. Applicant’s Mark dilutes Opposer’s famous mark in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §112(c).

8. Opposer will be damaged and irreparably injured if registration is granted to Applicant for Applicant’s Mark.

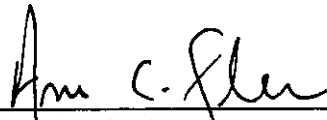
9. For the reasons set forth above, registration of Applicant’s Mark should be denied.

A duplicate copy of this Notice is enclosed. The Commissioner is hereby authorized to charge the required fee of \$300 to Deposit Account No. 50-0517. The Commissioner is also hereby authorized to charge any deficiency in the payment of the required fee or credit any overpayment to Deposit Account No. 50-0517.

WHEREFORE, Opposer respectfully prays that the registration sought by Applicant be refused and that this opposition be sustained in favor of Opposer.

This the 24<sup>th</sup> day of March, 2004.

WOMBLE CARLYLE SANDRIDGE & RICE  
*A Professional Limited Liability Company*



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Randel S. Springer  
Anne C. Fleeson  
Attorneys for Opposer RA Brands, LLC  
One West Fourth Street  
Winston-Salem, North Carolina 27101  
Telephone: (336) 721-3747  
Facsimile: (336) 726-6991  
E-Mail: RSpringer@wcsr.com

**Certificate of Mailing**

I hereby certify that the foregoing Notice of Opposition is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to the Commissioner for Trademarks, United States Patent and Trademark Office, Box TTAB, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the 24<sup>th</sup> day of March, 2004.

Lauri O. Rein