



UNITED STATES PATENT AND TRADEMARK OFFICE

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ESTTA Tracking number: **ESTTA4033**

Filing date: **12/19/2003**

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

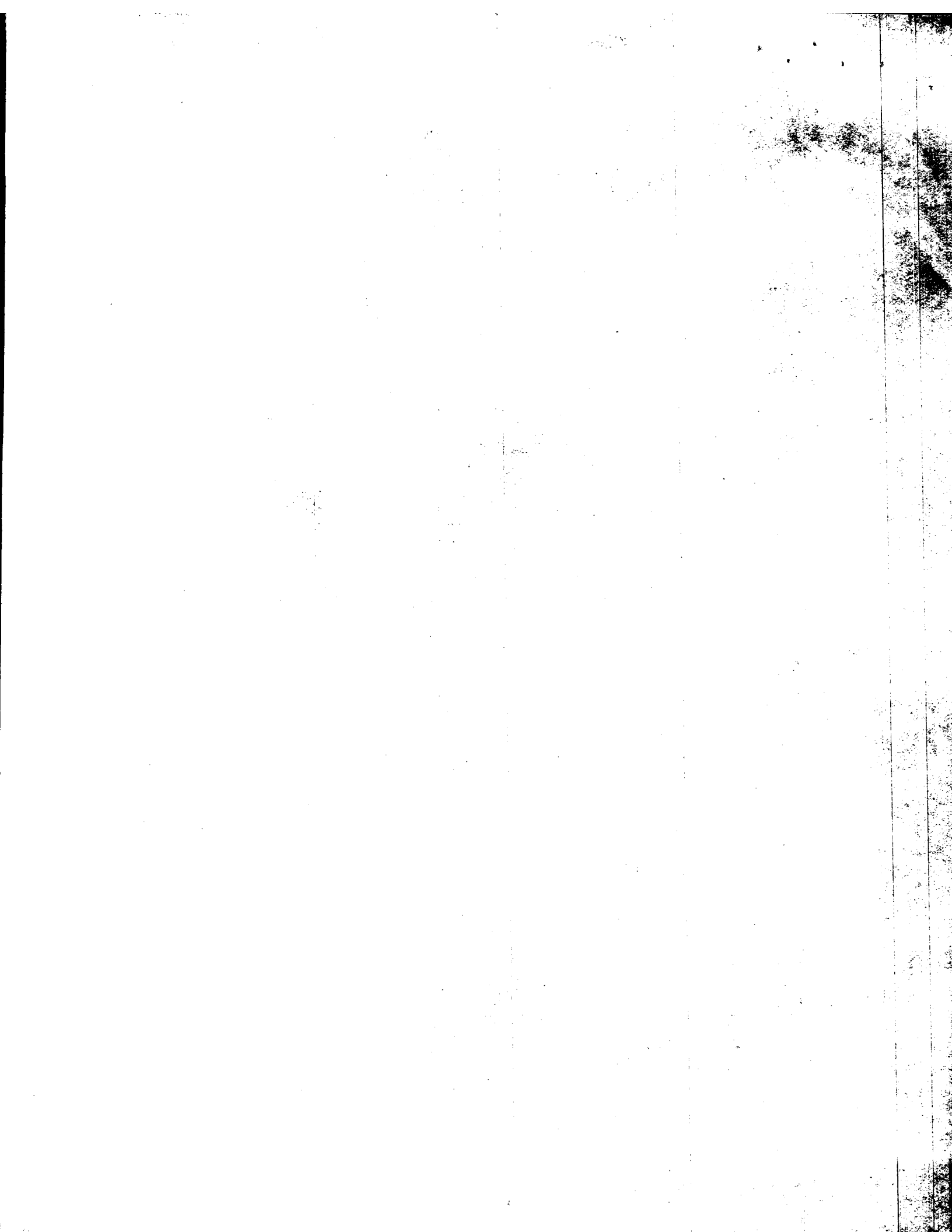
Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Name	NANDADI TEXTILE COMPANY LTD.
Granted to Date of previous extension	12/22/2003
Address	NANDADI TEXTILE COMPANY LTD. 18235 Valley Blvd. City of Industry, CA 91744 UNITED STATES

Attorney information	Albert J.C. Chang LAW OFFICES OF ALBERT J.C. CHANG 19138 Walnut Drive, Suite 100 Rowland Heights, CA 91748 UNITED STATES wlai@albertchang.com Phone:6268542112
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Applicant Information

Application No	78203296	Publication date	09/23/2003
Opposition	12/19/2003	Opposition	12/22/2003



Filing Date		Period Ends	
Applicant	BULUR GIYIM SANAYI VE TICARET LIMITED SIRKETI		
Address	KOCATEPE MAHALLESİ, 50 YIL CADDESİ, NO:25, BAYRAMPASA ISTANBUL, TURKEY		

Goods/Services Affected by Opposition

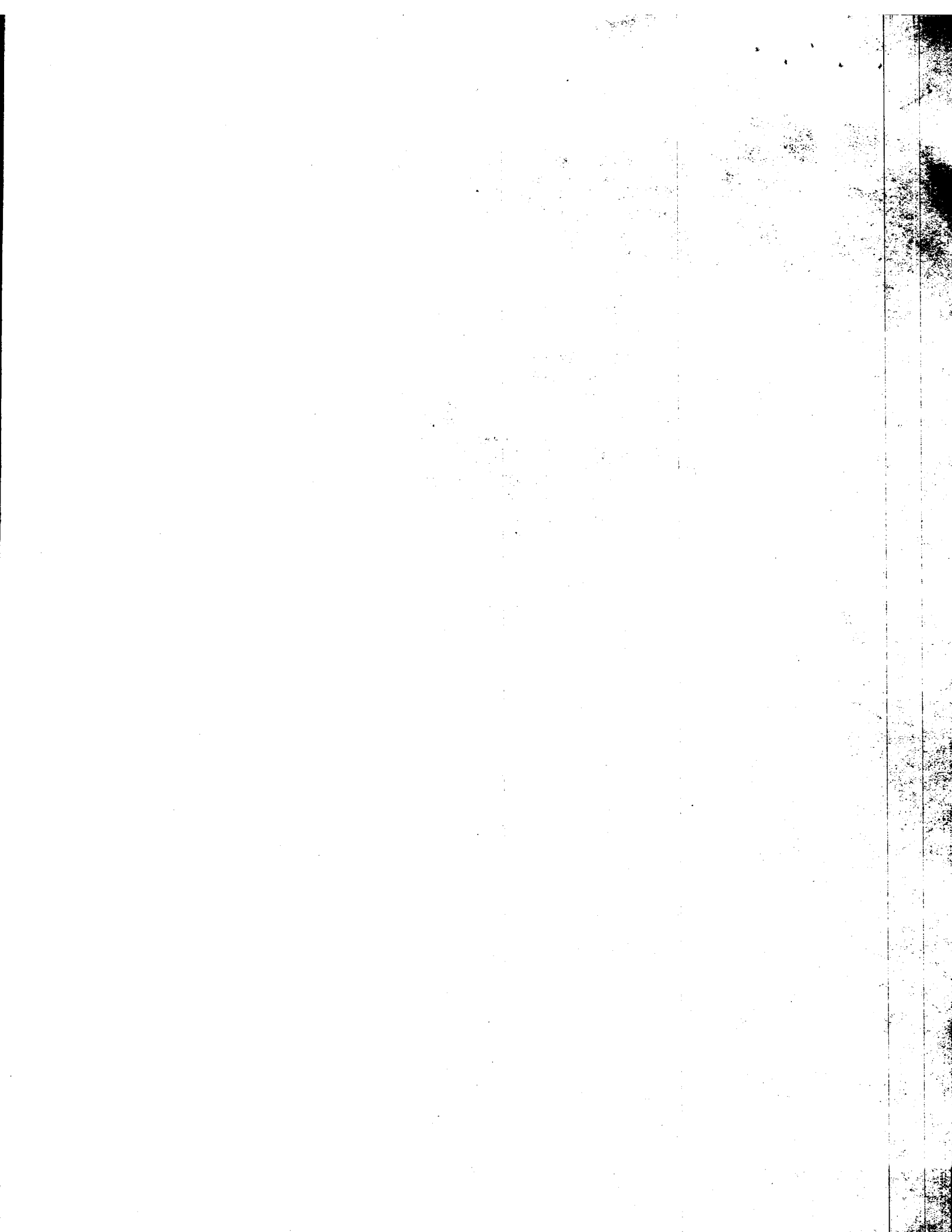
Class 025. First Use: First Use In Commerce:

All goods and services in the class are opposed, namely: Clothing, namely, shorts, shirts, t-shirts, swimsuits, blouses, skirts, scarves, gloves, pants, sweaters, jerseys, socks, jackets, suits, training suits, vests, neckties, belts, suspenders, dresses, coats, raincoats, overcoats, smocks, underwear, pajamas, brassieres, corsets, slips, lingerie; headwear, namely, hats, caps and berets; footwear, namely, boots, sandals, shoes and slippers

Attachments	Notice of Opposition.pdf (3 pages)
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William Lai

From: estta-server@uspto.gov
Sent: Friday, December 19, 2003 1:38 PM
To: wlai@albertchang.com
Subject: ESTTA. Notice of opposition confirmation receipt ID: ESTTA4033

Tracking No: ESTTA4033

ESTTA Filing Receipt

We have received your Notice of opposition submitted through the Trademark Trial and Appeal Board's ESTTA electronic filing system. This is the only receipt which will be sent for this paper. If the Board later determines that your submission is inappropriate and should not have been accepted through ESTTA, you will receive notification and appropriate action will be taken.

Please note:

Unless your submission fails to meet the minimum legal requirements for filing, the Board will not cancel the filing or refund any fee paid.

If you have a technical question, comment or concern about your ESTTA submission, call (703) 308-9300 during business hours or e-mail at estta@uspto.gov.

The status of any Board proceeding may be checked using TTABVUE which is available at <http://ttabvue.uspto.gov>. Complete information on Board proceedings is not available through the TESS or TARR databases. Please allow a minimum of 2 business days for TTABVUE to be updated with information on your submission.

The Board will consider and take appropriate action on your request for an extension of time to file an opposition in due course.

Printable version of your request is attached to this e-mail

ESTTA server at <http://estta.uspto.gov>

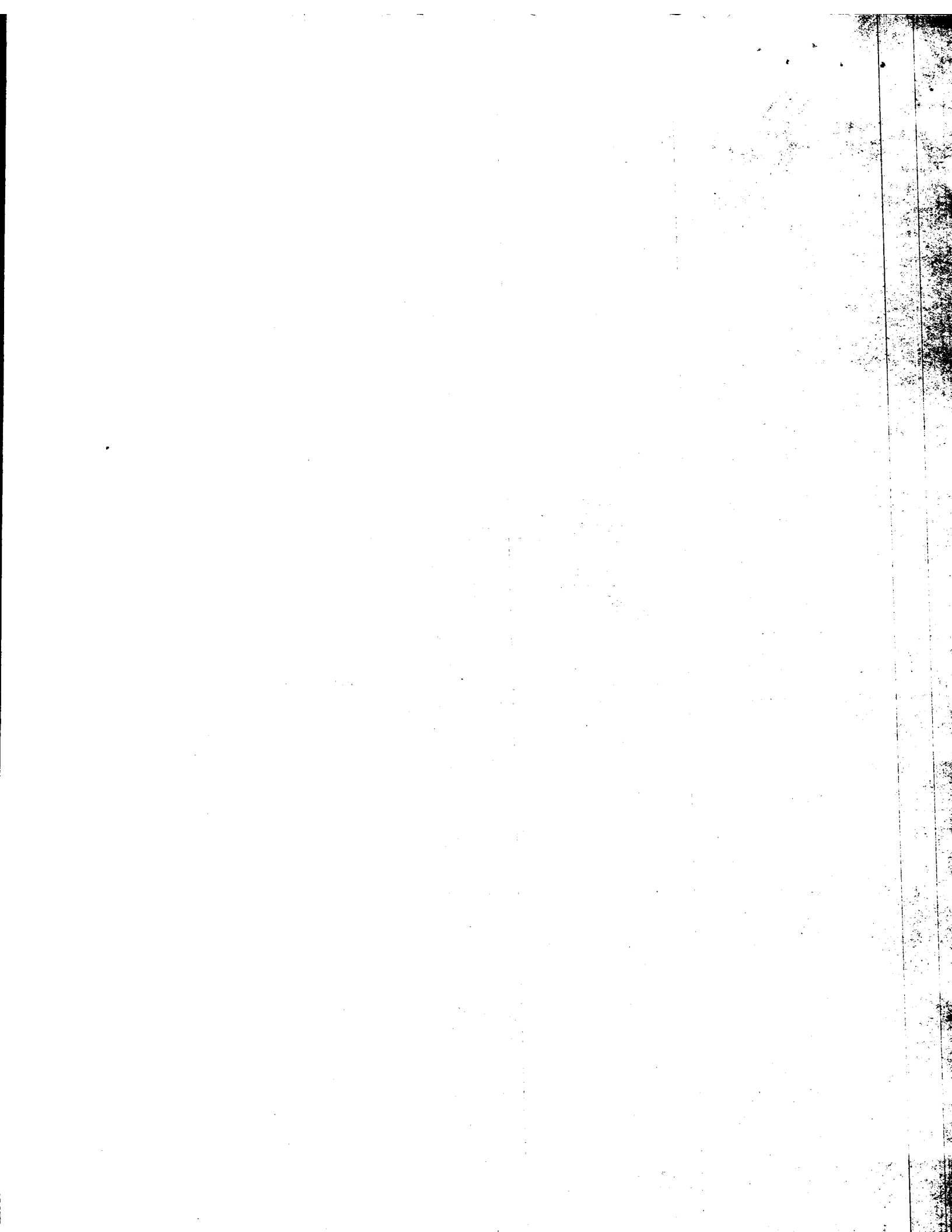
ESTTA Tracking number: ESTTA4033
Filing date: 12/19/2003

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

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Opposer Name: NANDADI TEXTILE COMPANY LTD.
Granted to Date of previous extension: 12/22/2003
Address: NANDADI TEXTILE COMPANY LTD.
18235 Valley Blvd.
City of Industry, CA 91744
UNITED STATES

Attorney information:
Albert J.C. Chang
LAW OFFICES OF ALBERT J.C. CHANG



19138 Walnut Drive, Suite 100
Rowland Heights, CA 91748
UNITED STATES
wlai@albertchang.com Phone:6268542112

Applicant Information:

Application No: 78203296

Publication date: 09/23/2003

Opposition Filing Date: 12/19/2003

Opposition Period Ends: 12/22/2003

Applicant: BULUR GIYIM SANAYI VE TICARET LIMITED SIRKETI

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ISTANBUL,

TURKEY

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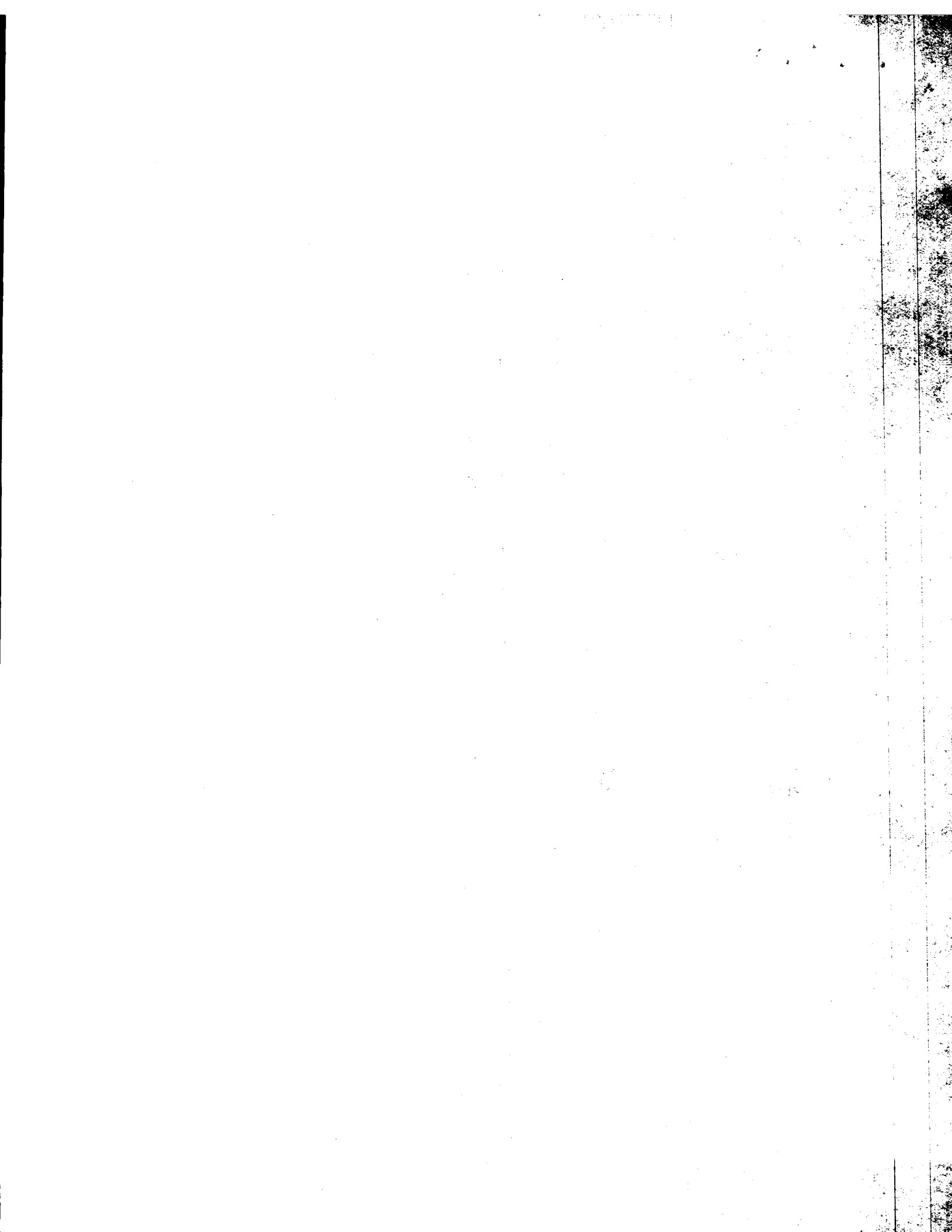
Class 025. First Use:

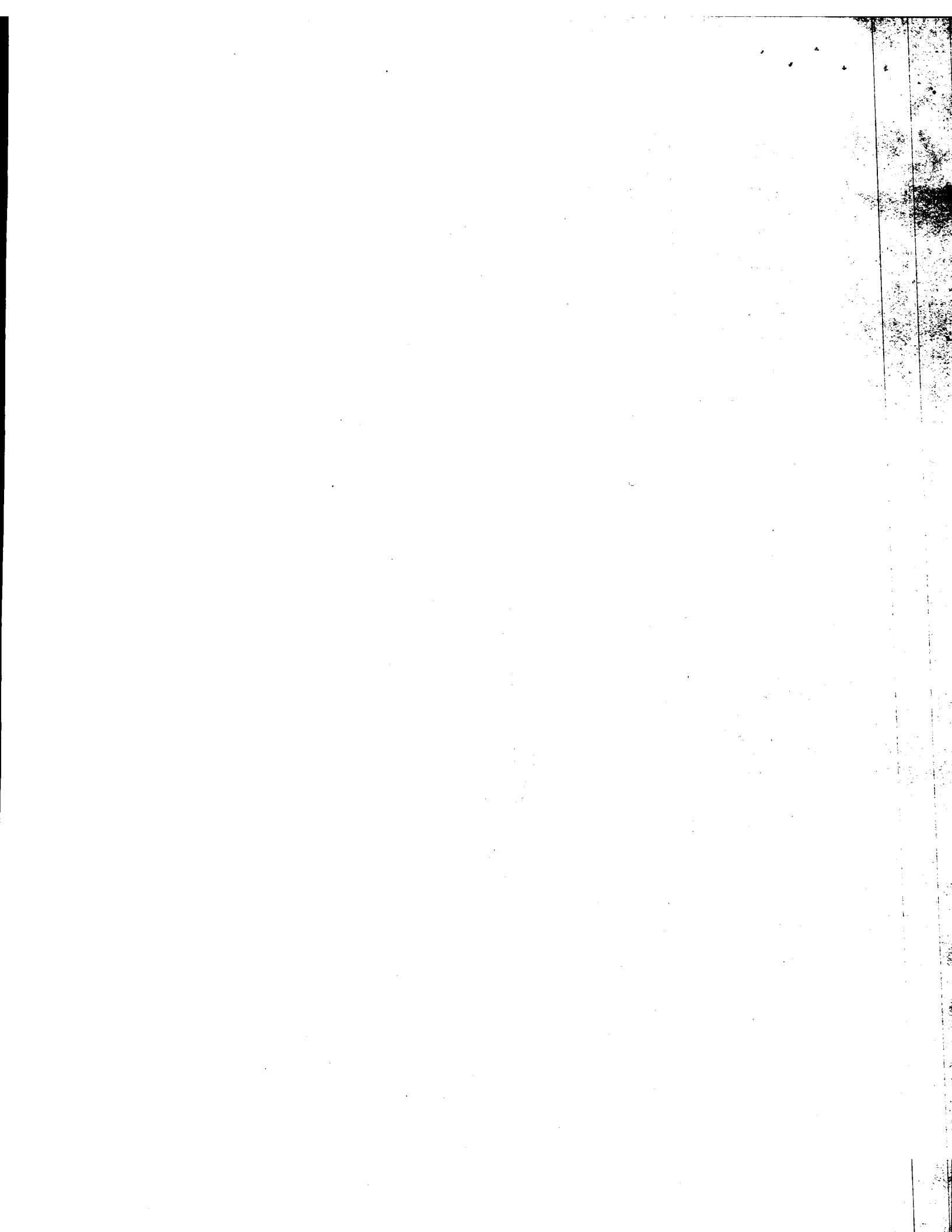
First Use In Commerce:

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Notice of Opposition.pdf (3 pages)



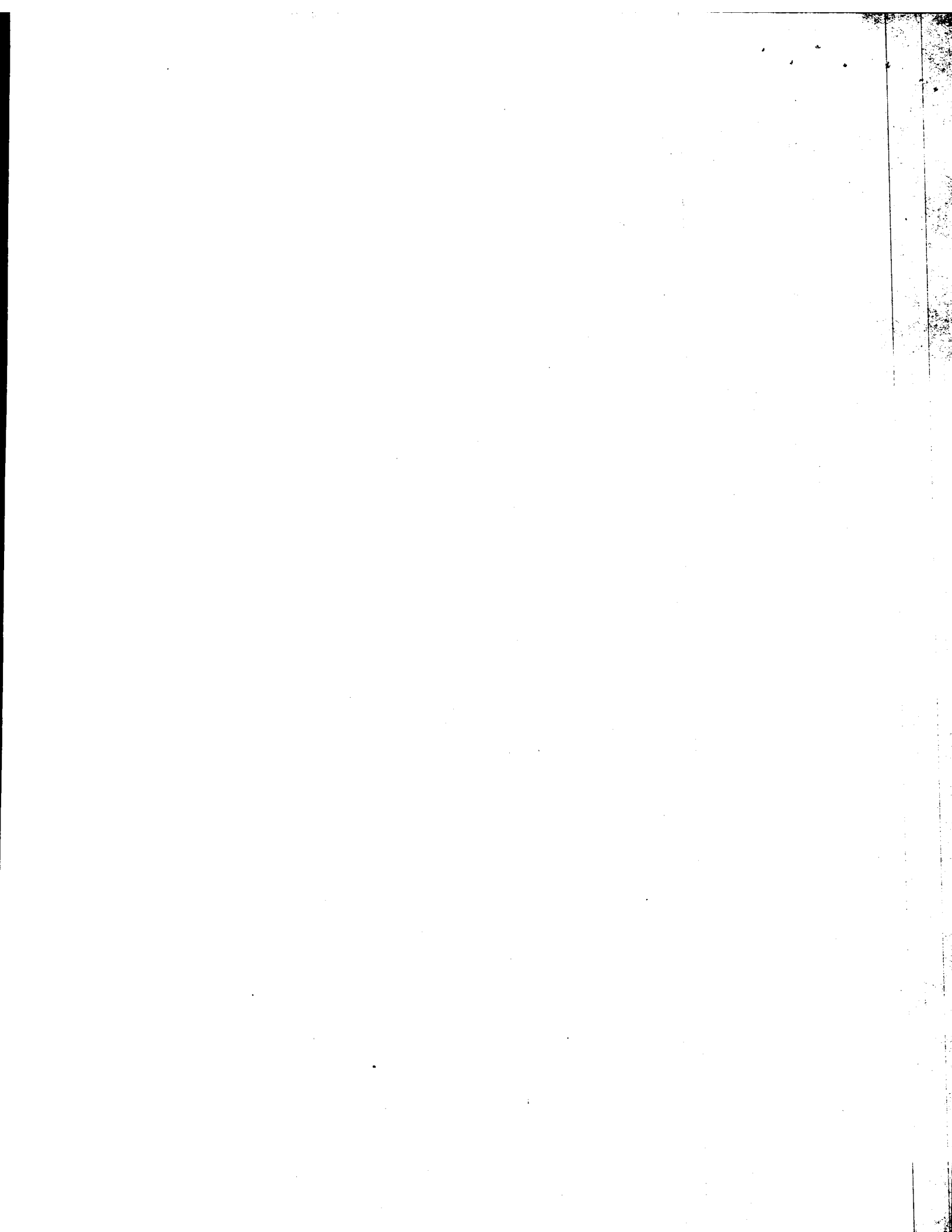


Request for Extension of Time to File Opposition, which was granted on October 31, 2003. On or about November 22, 2003, Opposer filed a Request for Further Extension of Time to File Opposition, which was granted on December 3, 2003. Opposer now submits this Notice of Opposition.

3. Opposer has expended considerable effort and expense in promoting its mark, VIGOSS, and the goods sold under such mark. Opposer sells clothing bearing its VIGOSS trademark throughout the United States.
4. The result of such promotion is that the purchasing public has come to know, rely upon, and recognize the products of Opposer by such mark. In addition, Opposer has valuable goodwill established in its VIGOSS mark. In the event Applicant's registration is allowed, Opposer will sustain significant damages.
5. Furthermore, Applicant's VIGOSS mark is identical to Opposer's VIGOSS mark, and purchasers are likely to be confused. Applicant's goods are identical to Opposer's goods in that it includes "Clothing" in International Class 025.
6. If Applicant's mark (Serial No. 78203296) is permitted federal registration, then Opposer is likely to be damaged by such registration because Opposer has expended significant effort and expense in establishing the goodwill of Opposer's VIGOSS mark (Serial No. 76158799) since April 15, 2002.
7. Purchasers are likely to consider the goods of Applicant that are sold under the mark VIGOSS as emanating from the Opposer, which may result in irreparable damage to Opposer's reputation and goodwill.
8. Since the marks and the goods are identical, the only issue is priority of use between the Applicant and the Opposer. Applicant filed an Intent to Use application on January 14, 2003, which is after Opposer's date of first use. As such, there is no issue as to priority of use because Opposer has prior use.

WHEREFORE, Opposer will be damaged by Applicant's registration of the above-referenced mark. Opposer requests that Applicant's registration of the VIGOSS mark (Serial No. 78203296) be denied because:

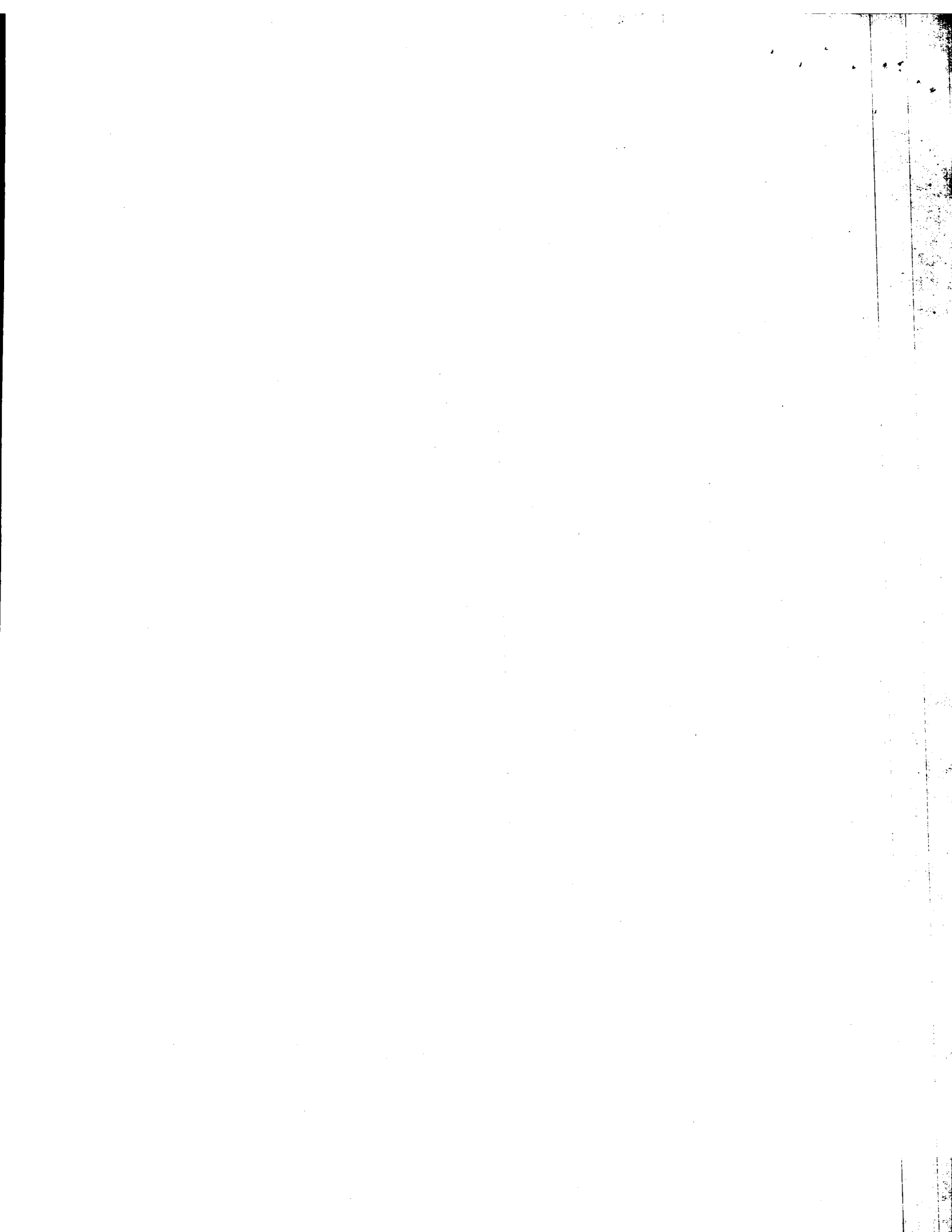
- 1) Opposer is likely to be damaged by such registration,
- 2) Applicant's mark (VIGOSS; Serial No. 78203296) is confusingly similar with Opposer's mark (VIGOSS; Serial No. 76158799),
- 3) the goods are identical, and
- 4) Opposer has priority of use.



Opposer reserves the right to amend this Notice of Opposition at a later date. A duplicate Notice of Opposition is being filed herewith, along with the filing fee required in 37 CFR §2.6(a)(17).

Respectfully submitted,

By: /s/ Albert J.C. Chang
Albert J.C. Chang
Attorneys for Opposer
Law Offices of Albert J.C. Chang
19138 Walnut Drive, Suite 100
Rowland Heights, CA 91748
(626) 854-2112
(626) 854-2120 facsimile
December 19, 2003



C O V E R

S H E E T

FAX

LAW OFFICES OF ALBERT J.C. CHANG

19138 Walnut Dr., Suite 100

Rowland Heights, California 91748

Tel: (626) 854-2112

Fax: (626) 854-2120

To: Mr. James Scott
Commissioner for Trademarks

Fax #: 703-308-9333

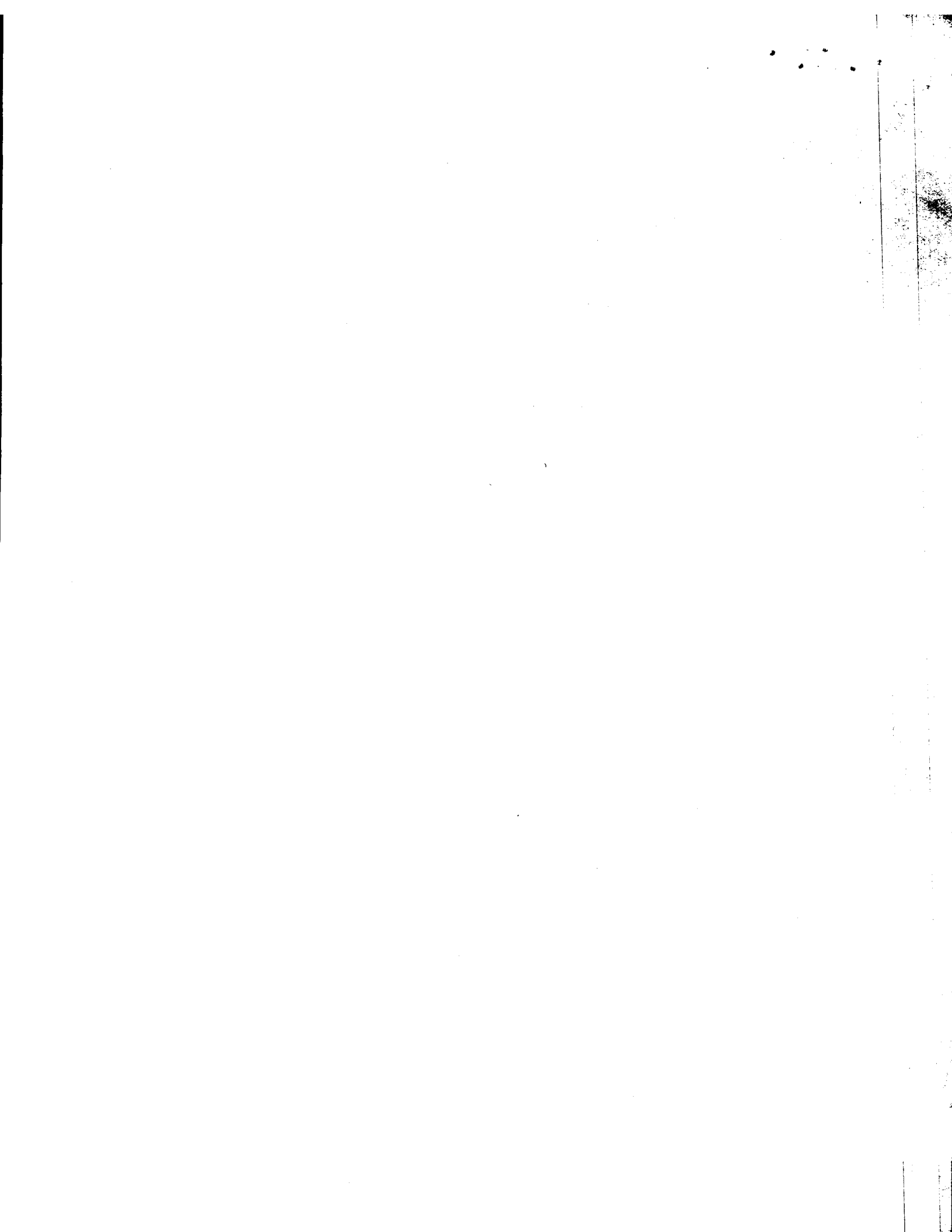
Subject: Status of Notice of Opposition

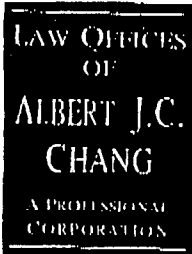
Date: May 24, 2004

Pages: 10 , including this cover sheet.

From: Sarah Zou

Notes: The information contained in this facsimile is confidential and is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient or the person responsible for delivering it to the intended recipient, do not use or disclose this facsimile.





19138 WALNUT DRIVE, SUITE 100, ROWLAND HEIGHTS, CA 91748
TEL: (626) 854-2112 FAX: (626) 854-2120

May 24, 2004

Via Facsimile and U.S. Mail
(703) 308-9333

Attn: Mr. James Scott
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Status of Notice of Opposition
Trademark Serial No. 78203296
Mark: VIGOSS
Opposer: Nandadi Textile Company Ltd.
Applicant: Bulur Giyim Sanayi Ve Ticaret Limited Sirketi

Dear Mr. Scott:

Per our conversation today, this office serves as counsel to Nandadi Textile Company Ltd. Recently, we learned that a Notice of Allowance was issued for the above-referenced trademark application despite our office filing a Notice of Opposition. On December 19, 2003, we filed a Notice of Opposition electronically on the UPSTO website. Enclosed please find a Receipt of filing (ESTTA Tracking No. ESTTA4033), an e-mail from the USPTO website confirming filing, as well as a copy of the documents that we filed for your reference.

The Notice of Opposition was filed in a timely manner as the previous extension for filing an opposition was granted until December 22, 2003. At this time, please inform us of the following:

- 1) Whether the Notice of Allowance for Serial No. 78203296 will be cancelled due to the Notice of Opposition which was timely filed.
- 2) Whether the TTAB will continue with the Opposition as originally filed.

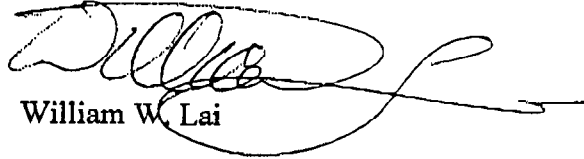
Serial No. 78203296

Mark: VIGOSS

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I look forward to your response. Thank you.

Very truly yours,
LAW OFFICES OF ALBERT J.C. CHANG

A handwritten signature in black ink, appearing to read "William W. Lai", written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

William W. Lai

WWL/sz

Enclosures

