

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

In re Application of

Saxon Athletic Manufacturing

Serial No. : 78/247,108  
MARK : Stylized S  
FILING DATE : May 8, 2003  
Published: : Official Gazette  
January 6, 2003

-----X  
:  
THE BASKETBALL CLUB OF SEATTLE, LLC :  
Petitioner :  
:  
v. : Opposition No. \_\_\_\_\_  
:  
SAXON ATHLETIC MANUFACTURING :  
Applicant :  
-----X

NOTICE OF OPPOSITION

The Basketball Club of Seattle, LLC (“Opposer”) believes that it will be damaged by the registration of the proposed Stylized S mark (the “Mark”) identified in application serial number 78/247,108 (the “Application”) and, hereby, opposes registration of the same.

As a preliminary matter, Opposer asserts that it has filed timely extensions of time to oppose the Application, which the TTAB inadvertently overlooked or did not process. In order to allow the TTAB to correct its prior error and process this timely opposition, copies of the relevant extensions are attached as Exhibit 1.

07/08/2004 KSONCHAN 00000052 140623 78247108  
01 FC:6402 300.00 DA



07-06-2004  
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

1. Opposer is a Washington corporation having its principal office and place of business at 351 Elliot Avenue West, Seattle, Washington 98119.

2. Opposer is the proprietor of the famous Seattle SuperSonics professional basketball team (the "Sonics"), a member team of the National Basketball Association (the "NBA").

3. Since long prior to May 8, 2003, the filing date of the Application, the Sonics have been and now are engaged in the business of providing a wide range of goods and services, including, but not limited to, entertainment services in the nature of rendering live basketball games and basketball exhibitions and collateral goods, including clothing, under a stylized S mark and SEATTLE SONICS S and Design mark (collectively, the "Sonics Marks").

4. The Sonics have used the Sonics Marks extensively and continuously and, in connection thereto, engaged in wide ranging promotional efforts and generated substantial sales. As a result, the Sonics Marks have become known to the public; are closely associated with the Sonics and the NBA; are closely associated with the goods and services of the Sonics; are recognized by the public as pointing to the source of origin for the goods and services of the Sonics; and represent substantial goodwill of the Sonics.

5. In addition to being distinctive of the goods and services of the Sonics, the Sonics Marks are famous. The Sonics Marks were famous prior to the Application filing date. The Sonics Marks are famous, among other reasons, because of its extensive and continuous nationwide use by the Sonics, the substantial sales volumes for goods and services associated with the Sonics Marks, the wide ranging promotional efforts relating to the Sonics Marks by the Sonics and the NBA, and extensive media attention concerning the Sonics, the goods and services of the Sonics, and the famous Sonics Marks.


6. Opposer owns several Sonics Marks registrations and/or applications, before the United States Patent and Trademark Office ("PTO"), which are validly subsisting, in assorted classes, including International Classes 41 and 25. Records of some of these registrations and/or applications are attached as Exhibit 2.

7. Notwithstanding the rights of the Sonics, Applicant seeks registration of the Mark for assorted clothing.
8. The Sonics Marks contain a stylized S.
9. The Mark contains a similar stylized S.
10. Upon information and belief, Applicant has made no use of the Mark, anywhere or in commerce, in connection with the relevant goods prior to the Application filing date. Therefore, the Sonics have prior and superior rights based on the earlier use of the Sonics Marks.
11. Goods bearing the Mark likely will cause people to believe, incorrectly, that such goods are authorized, endorsed, or sponsored by, and, therefore, connected or associated with the Sonics and the NBA.
12. Applicant's use of the proposed mark dilutes the Sonics Marks by blurring their distinctiveness.
13. Applicant's adoption of the Mark is without license or permission from the Sonics or Opposer.
14. Registration of the Mark would be contrary to and violate Trademark Act Sections 2(a), 15 U.S.C. § 1052(a); 2(d), 15 U.S.C. § 1052(d); and 43(c), 15 U.S.C. § 1125(c), and, therefore, violate and diminish the prior and superior rights of the Sonics in the Sonics Marks.
15. Opposer will be damaged if the PTO grants registration of the Mark because Applicant will obtain statutory rights in violation and derogation of the established prior and superior rights of the Sonics.
16. WHEREFORE, Opposer prays this opposition be sustained and that Application Serial No. 78/247,108 be refused and denied registration.

July 2, 2004

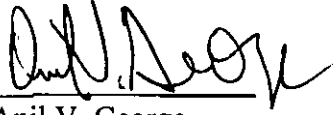
THE BASKETBALL CLUB OF SEATTLE, LLC

NBA PROPERTIES, INC.  
Olympic Tower  
645 Fifth Avenue  
New York, New York 10022  
(212) 407-8000

By:   
Ayala Deutsch  
Anil V. George  
Erik J. Levin  
Nicole E. Soffin  
Attorneys for Opposer

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on July 2, 2004

A handwritten signature in black ink, appearing to read "Anil V. George", written over a horizontal line.

Anil V. George  
July 2, 2004

**EXHIBIT 1**

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ESTTA Tracking number: **ESTTA5215**Filing date: **01/29/2004**

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

Applicant: **Saxon Athletic Manufacturing Inc.**  
Application Serial Number: **78247108**  
Application Filing Date: **05/08/2003**  
Mark: **S**  
Date of Publication **01/06/2004**

### First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, The Basketball Club of Seattle, LLC, 351 Elliott Avenue, West Seattle, WA 98119, UNITED STATES, a corporation organized under the laws of Washington, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The time within which to file a notice of opposition is set to expire on 02/05/2004. The Basketball Club of Seattle, LLC respectfully requests that the time period within which to file an opposition be extended until 03/06/2004.

Respectfully submitted,  
/avgeorge/ 01/29/2004

**Anil V. George**  
**NBA Properties, Inc.**  
**645 5th Avenue**  
**New York, NY 10022**  
**UNITED STATES**  
**IPGROUP@nba.com**

212-407-8330

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Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

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PTO-2153 (Exp. 5/31/2004)  
OMB No. 0651-0040 (Exp. 5/31/2004)

Request for extension of time to file notice of opposition.

## Validate and Submit

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Review the information below and click on the "Submit" button if the information is correct. If you need to edit any information, go back to proper screen using navigation facilities on this web page and make your correction(s).

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

Applicant: **Saxon Athletic Manufacturing Inc.**  
Application Serial Number: **78247108**  
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**Anil V. George**  
**NBA Properties, Inc.**  
**645 5th Avenue**  
**New York, NY 10022**  
**UNITED STATES**  
**IPGROUP@nba.com**  
**212-407-8330**

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01/29/2004 04:37 PM EST

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

In re Application of: )  
)  
Saxon Athletic Manufacturing )  
Inc. )  
)  
Serial No.: 78/247,108 )  
)  
Mark: S DESIGN )  
)  
Filed: May 8, 2003 )  
)  
Published: Official Gazette )  
January 6, 2003 )  
)

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Attention: Trademark Trial and Appeal Board

REQUEST UNDER RULE 2.102 (C) (2) TO EXTEND  
TIME FOR FILING NOTICE OF OPPOSITION

Sir:

The Basketball Club of Seattle, LLC, ("Petitioner"), a Washington corporation, located at 351 Elliot Avenue West, Seattle Washington 98119, by and through its attorneys, hereby requests that the time for filing a Notice of Opposition in the above-titled opposition due on March 6, 2004, be extended for a period of sixty (60) days to May 5, 2004.

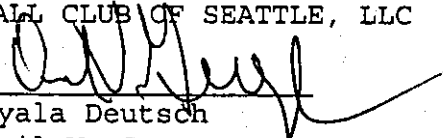
Petitioner is presently investigating the pending application. The requested extension is to enable Petitioner's attorney to have sufficient time to fully investigate this matter and to review this matter with Petitioner to determine whether an opposition against the above-identified application should be filed.

It is submitted that Petitioner has shown good cause for this request and respectfully requests that the extension be granted.

This request is submitted in triplicate, as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

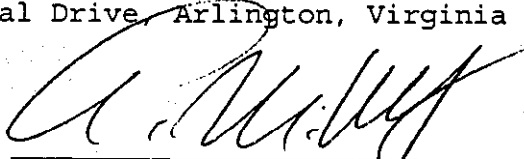
THE BASKETBALL CLUB OF SEATTLE, LLC

  
Ayala Deutsch  
Anil V. George  
Erik Levin  
Its Attorneys

NBA PROPERTIES, INC.  
Olympic Tower  
645 Fifth Avenue  
New York, New York 10022  
March 8, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on March 8, 2004.

  
Adrienne M. Williams

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
APPLICANT/REGISTRANT: SAXON ATHLETIC MANUFACTURING INC.

TRADEMARK: S DESIGN

SERIAL NO./REG NO./OPP. NO.: 78/247,108

CLASS:

DATE: MARCH 8, 2004

FILE:

DOCUMENT(S) FILED:

- APPLICATION FOR REGISTRATION
- AMENDMENT
- SPECIMENS/FACSIMILE
- DRAWING
- POWER OF ATTORNEY
- AFFIDAVIT(S)
- ASSIGNMENT
- EXTENSION OF TIME REQUEST
- DECLARATION
- COMMENTS:

- AFFIDAVIT - SECTION 8
- AFFIDAVIT - SECTION 15
- AFFIDAVIT - SECTION 12(c)
- APPLICATION FOR RENEWAL
- NOTICE OF OPPOSITION
- STATEMENT OF USE
- RESPONSE TO OFFICE ACTION
- REQUEST FOR CORRECT FILING RECEIPT

*605735*

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

In re Application of: )  
 )  
Saxon Athletic Manufacturing )  
Inc. )  
 )  
Serial No.: 78/247,108 )  
 )  
Mark: S DESIGN )  
 )  
Filed: May 8, 2003 )  
 )  
Published: Official Gazette )  
January 6, 2003 )  
 )

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Attention: Trademark Trial and Appeal Board

REQUEST UNDER RULE 2.102 (C) (2) TO EXTEND  
TIME FOR FILING NOTICE OF OPPOSITION

Sir:

The Basketball Club of Seattle, LLC, ("Petitioner"), a Washington corporation, located at 351 Elliot Avenue West, Seattle Washington 98119, by and through its attorneys, hereby requests that the time for filing a Notice of Opposition in the above-titled opposition due on May 5, 2004, be extended for a period of sixty (60) days to July 4, 2004.

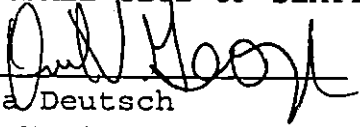
Petitioner and Applicant's counsel have entered settlement negotiations and the extension is necessary to continue such negotiations. Pursuant to Trademark Rule 2.102(C)(2), Applicant's counsel, Candace Lynn Bell, Esq., has consented to this request. Petitioner attaches proof of service in accordance with this rule.

It is submitted that Petitioner has shown good cause for this request and respectfully requests that the extension be granted.

This request is submitted in triplicate, as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

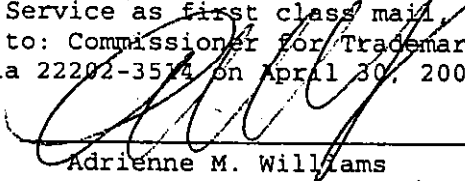
THE BASKETBALL CLUB OF SEATTLE, LLC

  
\_\_\_\_\_  
Ayala Deutsch  
Anil V. George  
Erik Levin  
Its Attorneys

NBA PROPERTIES, INC.  
Olympic Tower  
645 Fifth Avenue  
New York, New York 10022  
April 30, 2004

CERTIFICATE OF MAILING

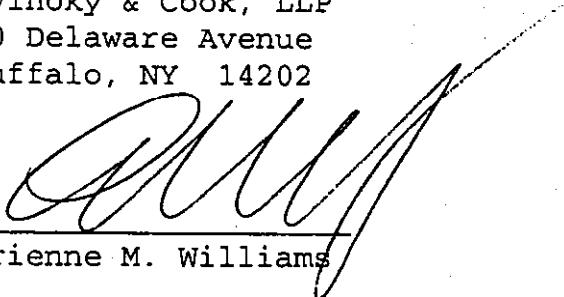
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3574 on April 30, 2004.

  
\_\_\_\_\_  
Adrienne M. Williams

CERTIFICATE OF SERVICE

I Adrienne M. Williams, hereby certify that I have this 30th day of April 2004, mailed by first-class United States mail, postage prepaid, the foregoing REQUEST UNDER RULE 2.102 TO EXTEND TIME FOR FILING A NOTICE OF OPPOSITION to the following:

Candace Lynn Bell  
Kavinoky & Cook, LLP  
120 Delaware Avenue  
Buffalo, NY 14202

  
\_\_\_\_\_  
Adrienne M. Williams

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
APPLICANT/REGISTRANT: SAXON ATHLETIC MANUFACTURING INC.  
TRADEMARK: S DESIGN

SERIAL NO./REG NO./OPP. NO.: 78/247,108  
CLASS:

DATE: APRIL 30, 2004  
FEE:

DOCUMENT(S) FILED:

- |   |   |
|---|---|
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| <input type="checkbox"/> AMENDMENT                            | <input type="checkbox"/> AFFIDAVIT - SECTION 15             |
| <input type="checkbox"/> SPECIMENS/FACSIMILE                  | <input type="checkbox"/> AFFIDAVIT - SECTION 12(c)          |
| <input type="checkbox"/> DRAWING                              | <input type="checkbox"/> APPLICATION FOR RENEWAL            |
| <input type="checkbox"/> POWER OF ATTORNEY                    | <input type="checkbox"/> NOTICE OF OPPOSITION               |
| <input type="checkbox"/> AFFIDAVIT(S)                         | <input type="checkbox"/> STATEMENT OF USE                   |
| <input type="checkbox"/> ASSIGNMENT                           | <input type="checkbox"/> RESPONSE TO OFFICE ACTION          |
| <input checked="" type="checkbox"/> EXTENSION OF TIME REQUEST | <input type="checkbox"/> REQUEST FOR CORRECT FILING RECEIPT |
| <input type="checkbox"/> DECLARATION                          |   |

COMMENTS:

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## **EXHIBIT 2**



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Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
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### Check Status

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<b>Word Mark</b>	SEATTLE SONICS
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely hosiery, footwear, basketball shoes, basketball sneakers, T-shirts, shirts, sweatshirts, sweatpants, pants, tank tops, jerseys, shorts, pajamas, sport shirts, rugby shirts, sweaters, belts, ties, nightshirts, hats, warm-up suits, warm-up pants, warm-up tops, jackets, parkas, coats, cloth bibs, head bands, wrist bands, aprons, boxer shorts, slacks, caps, ear muffs, gloves, mittens, woven and knit shirts.
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	210301 260108 261128 261521
<b>Serial Number</b>	78078239
<b>Filing Date</b>	August 8, 2001
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Owner</b>	(APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Anil V. George  
**Prior Registrations** 2003595;2003596;2003597;2006928;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** As to Seattle

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Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

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**Word Mark** SEATTLE SONICS

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Athletic bags, shoe bags for travel, overnight bags, umbrellas, backpacks, baby backpacks, duffel bags, tote bags, luggage, luggage tags, patio umbrellas, valises, attache cases, billfolds, wallets, briefcases, canes, business card cases, book bags, all purpose sports bags, golf umbrellas, gym bags, lunch boxes, purses, coin purses, fanny packs, waist packs, cosmetic cases sold empty, garment bags for travel, handbags, key cases, knapsacks, suitcases, toiletry cases sold empty, trunks for traveling and rucksacks

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 210301 260108 261128 261521

**Serial Number** 78078243

**Filing Date** August 8, 2001

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Owner** (APPLICANT) The Basketball Club of Seattle, LLC Limited Liability Company  
WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Anil V. George  
**Prior Registrations** 2003595;2003596;2003597;2006928;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** As to Seattle

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[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

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**Word Mark** SEATTLE SONICS

**Goods and Services** IC 035. US 100 101 102. G & S: Computerized on-line store, ordering, retail, electronic retailing, catalog and mail order catalog services featuring an array of basketball-themed merchandise; promoting the goods and services of others by allowing sponsors to affiliate these goods and services with a basketball program; promoting the sale of goods and services of others through the distribution of promotional contests provided over the internet. FIRST USE: 20010825. FIRST USE IN COMMERCE: 20010825

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 210301 261521

**Serial Number** 78078283

**Filing Date** August 8, 2001

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** March 11, 2003

**Owner** (APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company  
WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Anil V. George

**Prior Registrations** 1084317;1831387;2003595;2003596;2003597;2006928;2018293;2111016;2162316;  
2237225;2273519;2363920;2438681;2498526;2522436;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL-2(F)-IN PART

**Live/Dead Indicator** LIVE

**Distinctiveness Limitation Statement** as to "SEATTLE"

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**Word Mark**

SEATTLE SONICS S

**Goods and Services**

IC 041. US 100 101 107. G & S: Entertainment and educational services in the nature of ongoing television and radio programs in the field of basketball and rendering live basketball games and basketball exhibitions; the production and distribution of radio and television broadcasts of basketball games, basketball events and programs in the field of basketball; conducting and arranging basketball clinics and coaches clinics and basketball events, Website featuring television highlights, interactive television highlights, video recordings, video stream recordings, interactive video highlight selections, radio programs, radio highlights, and audio recordings in the field of basketball, Website featuring information, statistical information, database of information, and database of statistical information, Website featuring on-line computer games, video games, interactive video games, action skill games, arcade games, adults and children's party games, board games, trivia games and coloring books in the nature of drawings and pictures; providing information in the field of basketball over the internet. FIRST USE: 20010825. FIRST USE IN COMMERCE: 20010825

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code**

240101 261128

**Serial Number** 78078227

**Filing Date** August 8, 2001  
**Current Filing Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** January 14, 2003  
**Registration Number** 2799123  
**Registration Date** December 23, 2003  
**Owner** (REGISTRANT) The Basketball Club of Seattle, LLC LTD LIAB CO  
 WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119  
**Attorney of Record** Anil V. George  
**Prior Registrations** 1084317;1831387;2003595;2003596;2003597;2006928;2018293;2111016;2162316;  
 2237225;2273519;2363920;2438681;2498526;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** As to Seattle

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<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">DRAWING DOC</a>	<a href="#">TCP</a>	<a href="#">HELP</a>	<a href="#">...</a>
<a href="#">CURR LIST</a>	<a href="#">...</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |  
[CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

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PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE LIST	BOTTOM	HELP
CURR LIST		FIRST DOC	PREV DOC	NEXT DOC	LAST DOC			

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### Word Mark

SEATTLE SONICS

### Goods and Services

IC 042. US 100 101. G & S: Computer services, namely providing on-line magazines, newsletters, and coloring books in the field of basketball over the Internet, providing on-line catalogs featuring an array of basketball-themed products over the internet; conducting public opinion poll surveys and public opinion poll surveys in the field of basketball for non-business purposes over the internet; computer services, namely providing databases featuring general and local news and information of interest to specific geographic areas; providing databases of information, statistical information, trivia, and polling information over the internet, and providing interactive polling in the field of basketball over the internet; providing temporary use of on-line non-downloadable software for gaining access to and for viewing television highlights, video recordings, video stream recordings, interactive video highlight selections, radio programs, radio highlights and audio recordings in the field of basketball over the internet; providing temporary use of non-downloadable software via the Internet, namely, online computer game software, video game software, interactive video game software, trivia game software; action skill game software, arcade game software, adults' and children's party game software, trivia information game software, and board game software

### Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

### Design Search

**Code** 210301 261521  
**Serial Number** 78078298  
**Filing Date** August 8, 2001  
**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** April 15, 2003  
**Owner** (APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company  
 WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119  
**Attorney of Record** Anil V. George  
**Prior Registrations** 2003595;2003596;2003597;2006928;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** as to "SEATTLE"

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<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DOC</a>	<a href="#">TCP</a>	<a href="#">HELP</a>	<a href="#">...</a>
<a href="#">CURR LIST</a>	<a href="#">...</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |  
[CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

## Trademark Electronic Search System(Tess)

TESS was last updated on Fri Jul 2 04:47:21 EDT 2004

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DOC	BOTTOM	HELP
CURR LIST		FIRST DOC	PREV DOC	NEXT DOC	LAST DOC			

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List At:  OR to record:  **Record 6 out of 90**

### Check Status

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**Word Mark** SEATTLE SONICS

**Goods and Services** IC 038. US 100 101 104. G & S: Webcasting services in the nature of providing on-line chat rooms and on-line interactive chat rooms with guests for transmission of messages among computer users concerning the field of basketball; broadcasting programs over the internet, providing on-line electronic bulletin boards for transmission of messages among computer users concerning the field of basketball

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 210301 261521

**Serial Number** 78078291

**Filing Date** August 8, 2001

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** January 14, 2003

**Owner** (APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company

WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119

**Attorney of Record** Anil V. George  
**Prior Registrations** 1084317;1831387;2003595;2003596;2003597;2006928;2018293;2111016;2162316;2237225;2273519;2363920;2438681;2498526;2522437;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** As to SEATTLE

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<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE BY DOC</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">REGISTER</a>
<a href="#">CURR LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

## Trademark Electronic Search System(Tess)

TESS was last updated on Fri Jul 2 04:47:21 EDT 2004

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DISCS	BOTTOM	HELP
CURR LIST		FIRST DOC	PREV DOC	NEXT DOC	LAST DOC			

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### Check Status

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**Word Mark** SEATTLE SONICS

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Audio, video, computer and laser discs, pre-recorded audio and video cassettes, pre-recorded audio and video tapes, pre-recorded compact discs, pre-recorded computer discs, all related to basketball; computer accessories, namely mouse pads, mice, disc cases, computer carry-on cases, keyboard wrist pads, computer monitor cardboard frames, all related to basketball; computer programs for viewing information, statistics or trivia about basketball; computer software featuring basketball, namely screen savers; video game software, video game cartridges and video game machines for use with televisions; radio and telephones; binoculars; sunglasses; eyeglass frames; eyewear straps and chains; eyeglass and sunglass cases; magnets; credit cards and pre-paid telephone calling cards magnetically encoded, video recordings, video stream recordings, and audio recordings in the field of basketball provided over the Internet; downloadable computer software for gaining access to and for viewing databases of information, statistical information, trivia, polling information, and interactive polling in the field of basketball provided over the Internet; downloadable computer game software; downloadable video game programs, downloadable interactive video games and downloadable trivia game software provided over the Internet; downloadable computer software for use as screensavers, wallpaper, browsers, skins, and cursors provided over the Internet

**Mark Drawing** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Code****Design  
Search Code** 210301 261521**Serial  
Number** 78078258**Filing Date** August 8, 2001**Current  
Filing Basis** 1B**Original  
Filing Basis** 1B**Owner** (APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company  
WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119**Attorney of  
Record** Anil V. George**Prior  
Registrations** 2003595;2003596;2003597;2006928;AND OTHERS**Type of  
Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead  
Indicator** LIVE

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<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DOC</a>	<a href="#">TCP</a>	<a href="#">HELP</a>	
<a href="#">CURR LIST</a>		<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |  
[CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

Home	Index	Search	System Alerts	eBusiness Center	News & Notices	Contact Us
------	-------	--------	---------------	------------------	----------------	------------

## Trademark Electronic Search System(Tess)

TESS was last updated on Fri Jul 2 04:47:21 EDT 2004

PTO HOME	TRADEMARK	TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE LIST	BOTTOM	HELP	
CURR LIST		FIRST DOC	PREV DOC	NEXT DOC	LAST DOC				

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### Word Mark

SEATTLE SONICS

### Goods and Services

IC 016. US 002 005 022 023 029 037 038 050. G & S: Publications and printed matter, namely basketball trading cards, dance team trading cards, mascot trading cards, entertainment trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, paper coasters, post cards, place mats of paper and plastic, note cards, playing cards, memo pads, ball point pens, pencils, pen and paper holders, desktop document stands, scrap books, rubber stamps, paper banners and flags, bookmarks, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, wrapping paper, children's activity books, children's coloring books, statistical books, guide books and reference books for basketball, magazines in the field of basketball, commemorative game programs, paper pennants, stationery, stationery-type portfolios, and statistical sheets for basketball topics, newsletters and pamphlets in the field of basketball, bank checks, check book covers, check book holders, credit cards and telephone calling cards not magnetically encoded, electronic publications in the nature of magazines and newsletters in the field of basketball provided over the internet; coloring books in the nature of drawings and pictures provided over the internet; downloadable electronic publications in the nature of magazines, newsletters and coloring books in the nature of pictures and drawings in the field of basketball provided over the internet

### Mark Drawing

**Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 210301 261521  
**Serial Number** 78078255  
**Filing Date** August 8, 2001  
**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Owner** (APPLICANT) Basketball Club of Seattle, LLC, The Limited Liability Company  
 WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119  
**Attorney of Record** Anil V. George  
**Prior Registrations** 2003595;2003596;2003597;2006928;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** SEATTLE.

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<a href="#">FTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">TCP</a>	<a href="#">HELP</a>	<a href="#">...</a>
<a href="#">CURR LIST</a>	<a href="#">...</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) |  
[CONTACT US](#) | [PRIVACY STATEMENT](#)



# UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#)
[Index](#)
[Search](#)
[System Alerts](#)
[eBusiness Center](#)
[News & Notices](#)
[Contact Us](#)

## Trademark Electronic Search System(Tess)

TESS was last updated on Fri Jul 2 04:47:21 EDT 2004

<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DOC</a>	<a href="#">BOTTOM</a>	<a href="#">HELP</a>	<a href="#">...</a>
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[Start](#) List At:  OR [Jump](#) to record:  **Record 9 out of 90**

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<b>Word Mark</b>	SEATTLE SONICS
<b>Goods and Services</b>	IC 028. US 022 023 038 050. G & S: Toys, games and sporting goods, namely basketballs, golf balls, playground balls, sports balls, rubber action balls and foam action balls, plush balls, basketball nets, basketball backboards, pumps for inflating basketballs, and needles therefor, golf clubs, golf bags, golf putters, golf ball gift sets with divot repair tools, or tees or ball markers, golf accessories, namely golf bag covers, club head covers, golf gloves, golf ball sleeves, bicycle tags, electronic basketball table top games, basketball table top games, basketball board games, electronic video arcade game machines, basketball kit comprised of a basketball net and whistle, dolls, toy action figures, stuffed toys, jigsaw puzzles and Christmas ornaments
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	210301 260108 261128 261521
<b>Serial Number</b>	78078231
<b>Filing Date</b>	August 8, 2001
<b>Current Filing Basis</b>	1B
<b>Original Filing</b>	

**Basis** 1B  
**Owner** (APPLICANT) The Basketball Club of As to SeattleSeattle, LLC Limited Liability Company WASHINGTON 351 Elliot Avenue West, Suite 500 Seattle WASHINGTON 98119  
**Attorney of Record** Anil V. George  
**Prior Registrations** 2003595;2003596;2003597;2006928;AND OTHERS  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** As to Seattle

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<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DOC</a>	<a href="#">TCP</a>	<a href="#">HELP</a>	<a href="#">...</a>
<a href="#">CURR LIST</a>	<a href="#">...</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT/REGISTRANT: *Saxon Athletic Manufacturing*

TRADEMARK: *Stylized S*

SERIAL NO./REG NO./OPP. NO.: *78/247108*

CLASS:

DATE: *7/2/04*

FEE: *\$300.00 (Deposit Act)*

DOCUMENT(S) FILED:

- |   |   |
|---|---|
| <input type="checkbox"/> APPLICATION FOR REGISTRATION | <input type="checkbox"/> AFFIDAVIT - SECTION 8              |
| <input type="checkbox"/> AMENDMENT                    | <input type="checkbox"/> AFFIDAVIT - SECTION 15             |
| <input type="checkbox"/> SPECIMENS/FACSIMILE          | <input type="checkbox"/> AFFIDAVIT - SECTION 12(c)          |
| <input type="checkbox"/> DRAWING                      | <input type="checkbox"/> APPLICATION FOR RENEWAL            |
| <input type="checkbox"/> POWER OF ATTORNEY            | <input checked="" type="checkbox"/> NOTICE OF OPPOSITION    |
| <input type="checkbox"/> AFFIDAVIT(S)                 | <input type="checkbox"/> STATEMENT OF USE                   |
| <input type="checkbox"/> ASSIGNMENT                   | <input type="checkbox"/> RESPONSE TO OFFICE ACTION          |
| <input type="checkbox"/> EXTENSION OF TIME REQUEST    | <input type="checkbox"/> REQUEST FOR CORRECT FILING RECEIPT |
| <input type="checkbox"/> DECLARATION                  |   |

COMMENTS:

*By: The Basketball Club of Seattle, LLC.*



# NBA Properties, Inc.

TTAB

Direct Dial: (212) 407-8330

Direct Fax: (212) 223-5159

July 2, 2004

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**Re: The Basketball Club of Seattle, LLC v. Saxon Athletic Manufacturing  
Notice of Opposition to App. Ser. No. 78/247,108 – Stylized S**

Dear Sir:

On behalf of Petitioner, The Basketball Club of Seattle, LLC, enclosed in duplicate is a Notice of Opposition to Application Serial No. 78/247,108 for the Stylized S mark.

Please debit the fee of \$300.00 for filing the Notice of Opposition for all classes, plus any additional required fees, from Deposit Account No. 14-0623.

Respectfully submitted,

Anil V. George  
Intellectual Property Counsel

Enclosures



07-06-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22