

ESTTA Tracking number: **ESTTA16485**

Filing date: **10/06/2004**

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

### Notice of Opposition

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

#### Opposer Information

<b>Name</b>	State Street Corporation		
<b>Entity</b>	Corporation	<b>Citizenship</b>	Massachusetts
<b>Address</b>	225 Franklin Street Boston, MA 02110 UNITED STATES		

<b>Attorney information</b>	Timothy H. Hiebert Samuels & Hiebert LLC 225 Franklin Street, Suite 3300 Boston, MA 02110-2898 UNITED STATES hiebert@samuelsTM.com Phone:617-426-5553
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#### Applicant Information

<b>Application No</b>	76223955	<b>Publication date</b>	09/21/2004
<b>Opposition Filing Date</b>	10/06/2004	<b>Opposition Period Ends</b>	10/21/2004
<b>Applicant</b>	ABRACZINSKAS, WILLIAM		

#### Goods/Services Affected by Opposition

Class 036. First Use: 19990701 First Use In Commerce: 19990701

All goods and services in the class are opposed, namely: INTERNATIONAL FINANCIAL SERVICES, NAMELY, BANKING, INSURANCE UNDERWRITING SERVICES FOR ALL TYPES OF INSURANCE, SECURITIES BROKERAGE SERVICES, AGENCIES IN THE FIELD OF BONDS AND OTHER SECURITIES, AND CONSULTING SERVICES

<b>Attachments</b>	Notice of Opposition.PDF ( 4 pages )
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<b>Signature</b>	/Timothy H. Hiebert/
<b>Name</b>	Timothy H. Hiebert
<b>Date</b>	10/06/2004

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

In the Matter of the Application for Registration of GLOBALINK INTERNATIONAL in Class 36, Serial No. 76/223,955, filed on March 13, 2001 by William Abraczinskas, and published in the Official Gazette on September 21, 2004.

STATE STREET CORPORATION

Opposer

v.

WILLIAM ABRACZINSKAS

Applicant

Mark: GLOBALINK  
INTERNATIONAL

Ser. No. 76/223,955

Filed March 13, 2001

NOTICE OF OPPOSITION

State Street Corporation, a Massachusetts corporation located at 225 Franklin Street, Boston, Massachusetts 02110, believes that it will be damaged by registration of the mark shown in the above-identified application and hereby opposes the same. As grounds for the opposition, Opposer alleges that:

1. Since at least as early as November 1997, Opposer has used the mark GLOBAL LINK ("Opposer's Mark") in connection with financial services, namely, automated trade execution and settlement services, financial research and analysis, financial information processing and providing financial information by electronic means ("Opposer's Services").

2. Opposer's Mark is the subject of pending application Serial No. 78/223,361 dated March 9, 2003, which has been suspended in view of Applicant's prior application Serial No. 76/223,955, and which is likely to be rejected in view of any registration resulting therefrom.

3. Applicant's application Serial No. 76/223,955 for GLOBALINK INTERNATIONAL ("Applicant's Mark") is based on use of the mark since July 1, 1999 for international financial services, namely, banking, insurance underwriting services for all types of insurance, securities brokerage services, agencies in the field of bonds and other securities, and consulting services ("Applicant's Services").

4. Opposer has been using Opposer's Mark for Opposer's Services since before Applicant began using Applicant's Mark for Applicant's Services.

5. Opposer's Mark and Applicant's Mark are very similar; Opposer's Services and Applicant's Services are similar; the channels of trade employed by Opposer and Applicant are unrestricted; and the customers of Opposer and Applicant are unrestricted.

6. Therefore, potential customers for Opposer's Services sold under Opposer's Mark are likely to become confused and deceived when they see Applicant's advertising, whereupon they may purchase Applicant's Services sold under Applicant's Mark, believing that Applicant is associated or affiliated with Opposer. This confusion and deception harms Opposer.

7. The likelihood of confusion between Opposer's Mark and Applicant's Mark in the present situation is so great that, if Applicant is permitted to use and register Applicant's Mark for Applicant's Services, continuing confusion in the trade resulting in damage and injury to Opposer would be inevitable. Not only will such confusion cause loss of sales to Opposer but, more importantly, it will cause loss of good will to Opposer. Furthermore, any dissatisfaction found with Applicant's Services or any customer dissatisfaction caused by dealings with Applicant, will reflect negatively upon and seriously injure Opposer's reputation which Opposer has established for Opposer's Services provided under Opposer's Mark.

8. If Applicant is granted the registration herein opposed, Applicant will obtain thereby at least a prima facie exclusive right to the use of Applicant's Mark. Such registration will be a source of damage and injury to Opposer and will wrongfully and improperly hinder Opposer's use and registration of Opposer's Mark.

WHEREFORE, Opposer prays that application Ser. No. 76/223,955 be rejected, and that registration of the mark shown therein sought for the services therein specified be denied.

#### DECLARATION

The undersigned declares that he is attorney for Opposer and is authorized to execute this notice of opposition and declaration on behalf of Opposer; that he has read and signed the notice of opposition and knows the contents thereof, that all statements made therein of his own knowledge are true and that all statements made therein on information and belief are believed to be true; and

further that all statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document or this opposition.

Respectfully submitted,



Date: October 6, 2004

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