

ESTTA Tracking number: **ESTTA20874**

Filing date: **12/08/2004**

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

Name	Outdoor Life Network, L.L.C.
Granted to Date of previous extension	12/08/2004
Address	281 Tresser Blvd. Two Stamford Plaza Stamford, CT 06901 UNITED STATES

Attorney information	David M. Silverman, Esq. Cole, Raywid & Braverman, L.L.P. 1919 Pennsylvania Ave., N.W. Suite 200 Washington, DC 20006 UNITED STATES dsilverman@crblaw.com Phone:202-659-9750
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Applicant Information

Application No	76507407	Publication date	08/10/2004
Opposition Filing Date	12/08/2004	Opposition Period Ends	12/08/2004
Applicant	Gravity Co., Ltd. 5th Floor, Shingu Bldg. 620-2, Shinsa-dong, Kangnam-ku Seoul 135-894,		

KOREA, REPUBLIC OF

Goods/Services Affected by Opposition

Class 006.

All goods and services in the class are opposed, namely: memorial cups made of non-precious metal

Class 009.

All goods and services in the class are opposed, namely: Recorded CD-ROMs containing game programs

Class 016.

All goods and services in the class are opposed, namely: Posters

Class 041.

All goods and services in the class are opposed, namely: Publication of text and graphic works of game guidebooks, game strategic books, art books using game images and illustration books; publication of electronic books and magazines about the above subjects; and providing on-line games

Attachments	GRAVITY 76507407 Opp._001.pdf (4 pages)
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Signature	/david m. silverman/
Name	David M. Silverman, Esq.
Date	12/08/2004

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

Outdoor Life Network, L.L.C.)	
a Delaware corporation,)	
)	
Opposer)	Opposition No. _____
)	
v.)	Mark: GRAVITY & Design
)	Serial No.: 76/507407
Gravity Co., Ltd.)	Published: August 10, 2004
)	at Page TM 61
Applicant.)	

NOTICE OF OPPOSITION

On behalf of Outdoor Life Network, L.L.C. (“Opposer”), we hereby oppose the captioned application of Gravity Co., Ltd. (“Applicant”). Opposer believes that it will be damaged by the registration of Serial No. 76/507407 published in the Official Gazette on August 10, 2004 for the mark GRAVITY & Design and hereby opposes registration of said mark to Applicant.

The grounds for this Opposition are as follows:

1. Opposer is a limited liability company organized and existing under the laws of Delaware, located and doing business at 281 Tresser Boulevard, Two Stamford Plaza, Stamford, Connecticut 06901.
2. Upon information and belief, Applicant is a corporation organized and existing under the laws of the Republic of Korea, located and doing business at 5th Floor, Shingu Bldg. 620-2, Shinsa-dong, Kangnam-ku, Seoul 135-894, Republic of Korea.
3. Applicant has filed Trademark Application Serial No. 76/507407 to register

the mark GRAVITY & Design in International Classes 6, 9, 16 and 41 for the goods and services specified therein. This application was filed on an intent-to-use basis under Section 1(b) of the Trademark Act with respect to all classes.

4. Opposer is the owner of the following United States registered marks and applications, among others:

Registration 2,872,255 for the mark GRAVITY GAMES & Design in Class 9, filed May 10, 2002, and registered August 10, 2004.

Registration 2,522,255 for the mark GRAVITY GAMES & Design in Class 41, filed November 17, 2000, and registered December 25, 2001.

Registration 2,531,919 for the mark GRAVITY GAMES in Class 41, filed January 11, 2001 and registered January 22, 2002.

Application No. 76/201328 for the mark GRAVITY GAMES & Design in Classes 6, 9, 11, 12 and 28, filed January 29, 2001, and allowed for registration on February 25, 2003.

Application No. 75/578961 for the mark GRAVITY FESTIVAL in Classes 25 and 41, filed October 28, 1998, and allowed for registration on October 7, 2003.

These marks and other GRAVITY-related marks used and/or registered by Opposer (“Marks”) constitute a family of marks that are used together by Opposer in such a way that purchasers associate not only the individual marks, but use of term GRAVITY with Opposer.

5. Opposer and its predecessors in interest have, since at least as early as January 5, 1999, prior to the filing of Applicant’s application, spent great sums of money and effort in using and promoting its Marks in connection with extreme sports exhibitions

and competitions and with various goods and services related thereto. Such Marks have become nationally recognized.

6. All of Opposer's applications enumerated above were filed prior to the filing date of Applicant's application and thus have priority over Applicant's captioned application. Two of these marks, Reg. Nos. 2,522,255 and 2,531,919, were registered prior to the filing date of Applicant's application.

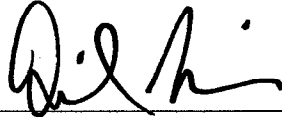
7. It is anticipated that Opposer will market CD-ROMs, online games and related goods and services under the GRAVITY or GRAVITY GAMES marks as areas of natural expansion relating to Opposer's extreme sports exhibitions and competitions provided under these same names. Accordingly, the use and registration of the mark GRAVITY by Applicant is likely to cause confusion in the relevant market and to cause the relevant purchasing public to assume that Applicant's goods and services identified by the mark GRAVITY are sold by Opposer, or that such goods and services originate with or are connected in some way with Opposer.

8. The use by Applicant of the mark GRAVITY, which mark is substantially similar to Opposer's Marks, dilutes the uniqueness and exclusivity of the Marks as used by Opposer and/or covered in its registrations and applications.

9. Applicant's mark so resembles the Marks used and registered by Opposer as to be likely, when used in connection with the goods and/or services specified by Applicant, to cause confusion, or to cause mistake, or to deceive.

WHEREFORE, the Opposer, Outdoor Life Network, L.L.C., believes that it will be damaged by Applicant's registration of GRAVITY and requests that the application for registration of GRAVITY be denied.

OUTDOOR LIFE NETWORK, L.L.C.

By: 

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Maria C. Moran

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Its Attorneys

December 8, 2004