

ESTTA Tracking number: **ESTTA41676**

Filing date: **08/09/2005**

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>	G Records
<b>Granted to Date of previous extension</b>	08/10/2005
<b>Address</b>	1555 E. Flamingosuite 155 Las Vegas, NV 89119 UNITED STATES

<b>Correspondence information</b>	G Records 1555 E. Flamingosuite 155 Las Vegas, NV 89119 UNITED STATES legal@grecords.com Phone:7025710288
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#### Applicant Information

<b>Application No</b>	78155590	<b>Publication date</b>	04/12/2005
<b>Opposition Filing Date</b>	08/09/2005	<b>Opposition Period Ends</b>	08/10/2005
<b>Applicant</b>	G Studios, LLC 4500 Campus Drive Suite 200 Newport Beach, CA 92660 UNITED STATES		

## Goods/Services Affected by Opposition

Class 041.

All goods and services in the class are opposed, namely: Entertainment, namely, production and distribution of motion picture; production of television shows and cable television programs; production of audio and multimedia programs, namely, games, educational films, comedies, and music for broadcast over a global computer network

<b>Attachments</b>	Opposition Letter2.pdf ( 4 pages )
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<b>Signature</b>	/George Stokes/
<b>Name</b>	G Records
<b>Date</b>	08/09/2005

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

**In the Matter of Application No. 78/155590  
For the mark "G STUDIOS"  
Published for opposition  
in the Official Gazette of April 12, 2005**

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G Records Inc.,  
Opposer,

- against-

G Studios ,  
Applicant,

Opposition No.

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF OPPOSITION**

Opposer, G RECORDS INC. ("Opposer"), a Nevada Corporation with a place of business at 1555 E. Flamingo Rd., Las Vegas, Nevada 89119, believes that it will be damaged by the registration of the mark "G STUDIOS" as shown in application Serial No. 78/155590 and having been granted an extension of time until August 10, 2005 in which to oppose the application, hereby opposes the same.

The grounds for opposition are as follows:

1. Applicant has filed an application in the U.S.P.T.O., serial no. 78155590, filed August 19, 2002 for registration of trademark "G Studios" on the Principle Register (Class 41) based upon an intent to use.

2. Opposer has continuously used the mark "G Records" in commerce since 1987.

3. Opposer has registered the trademark "G Records" on the Principal Register of U.S.P.T.O., Reg. No. 2771589 dated October 7, 2003.

4. There is no issue of priority since the filing date of Applicant's "G Studios" trademark application is subsequent to the filing date for Opposer "G Records" trademark.

5. On information and belief, the Applicant adopted its G Studios mark with knowledge of Opposer's mark "G Records".

6. Applicant first filed its application to register "G Studios" in connection with entertainment services on August 19, 2002, almost 15 years after Opposer began using the G Records trademark in commerce.

7. Opposer has built significant goodwill with respect to its "G Records" trademark.

8. Opposer's trademark "G Records" has become distinctive and exclusively associated with Opposer and, as such identify and distinguish the source of Opposer's goods and services.

9. Opposer's trademark "G Records" is known for its distinctiveness in the entertainment field.

10. Applicants "G Studios" mark is too closely similar to Opposer's mark "G Records". G being the dominant character.

11 Applicant's mark "G Studios" will confuse consumers as to the actual source of products or services as both Opposer and Applicant are in the entertainment business.

12(a) In the Entertainment Industry, being the relevant industry, the terminology, i.e.: entertainment, records, studio and music, all signify variations of the same source of product or services. To split these variations between multiple sources would only confuse the consumer.

(b) G being the dominant character, the use of entertainment, records, music or studios from separate sources would confuse consumers to the point of deception.

(c) In the entertainment industry the commercial relationship between music, music videos, movies, television and the internet are all inter-connected, and accordingly, pass through the exact same trade channels.

(d) Confusion to consumers would be caused under circumstances that could give the mistaken belief that the goods come from a common source. This would cause irreparable damage to Opposer's business and goodwill.

13. Opposer's inherent distinctive mark "G Records" has become exclusively associated with the Opposer.

14. Opposer has invested considerable time and resources since 1987 developing the exclusively distinctive mark of "G Records."

15. Opposer also will be damaged by the registration of the G Studios mark, in that said mark will dilute Opposer's G Records mark in violation of Section 43(c) of the Lanham Act (15 U.S.C. 1125 (c))

Wherefore, Opposer requests that this opposition be sustained and the application by the Applicant to register the mark G Studios (serial no. 78155590) be refused.