

ESTTA Tracking number: **ESTTA86435**

Filing date: **06/21/2006**

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	SOP Services, Inc.
Granted to Date of previous extension	06/21/2006
Address	2325-B Renaissance Drive, Suite 10 Las Vegas, NV 89119 UNITED STATES

Attorney information	Charles J. Meyer Woodard, Emhardt, Moriarty, McNett & Henry, LLP 111 Monument Circle, Suite 3700 Indianapolis, IN 46204 UNITED STATES cjmeyer@uspatent.com, dsneed@uspatent.com, docketdept@uspatent.com Phone:(317) 634-3456
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**Applicant Information**

Application No	78496520	Publication date	02/21/2006
Opposition Filing Date	06/21/2006	Opposition Period Ends	06/21/2006
International Registration No.	NONE	International Registration Date	NONE
Applicant	PING PONG LIMITED Unit 3F Standard Industrial Estate Henley Road, North Woolwich LONDON, E16 2ES UNITED KINGDOM		

**Goods/Services Affected by Opposition**

<p>Class 029. All goods and services in the class are opposed, namely: Prepared frozen entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared entrees consisting primarily of meat, poultry, vegetables and/or fruits; packaged entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared dim sum consisting primarily of meat, poultry, game, vegetables and/or fruit; meat, poultry and game; processed, canned, dried, and preserved fruits; eggs, milk and milk products, namely, milk-based beverage containing coffee, milk proteins, milk powder for nutritional purposes, milk drinks containing fruits, milk beverages with high milk content</p>
<p>Class 030. All goods and services in the class are opposed, namely: Prepared frozen entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready prepared entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; packaged entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready prepared dim sum consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; spring rolls; flavored ices; ice cream; ready-made sauces</p>

## Applicant Information

Application No	78496529	Publication date	02/21/2006
Opposition Filing Date	06/21/2006	Opposition Period Ends	
International Registration No.	NONE	International Registration Date	NONE
Applicant	PING PONG LIMITED UNIT 3F STANDARD IND. ESTATE, HENLEY RD E162ES UNITED KINGDOM		

## Goods/Services Affected by Opposition

Class 043. All goods and services in the class are opposed, namely: Restaurant services; catering services; cafeteria services; take-out restaurant services; restaurants featuring home delivery; bar services and cocktail bar services
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Attachments	SOP Notice of Opposition - PING PONG.pdf ( 5 pages )(35354 bytes )
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Signature	/Scott Stevens/
Name	Scott J. Stevens
Date	06/21/2006

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

In the matter of trademark applications Serial Nos. 78/496,520 and 78/496,529  
For the mark PING PONG  
Published in the Official Gazette on February 21, 2006

SOP Services, Inc.,

Opposer

Opposition No. \_\_\_\_\_

v.

Ping Pong Limited,

Applicant

**NOTICE OF OPPOSITION**

SOP Services, Inc. (hereafter “Opposer”) hereby files a Notice Of Opposition against Ping Pong Limited (hereafter “Applicant”) regarding Applicant’s pending Applications for federal registration of the mark PING PONG, with Serial No. 78/496,520 for “*prepared frozen entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared entrees consisting primarily of meat, poultry, vegetables and/or fruits; packaged entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared dim sum consisting primarily of meat, poultry, game, vegetables and/or fruit; meat, poultry and game; processed, canned, dried, and preserved fruits; eggs, milk and milk products, namely, milk-based beverage containing coffee, milk proteins, milk powder for nutritional purposes, milk drinks containing fruits, milk beverages with high milk content,*” in International Class 29 and “*prepared frozen entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready*

*prepared entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; packaged entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready prepared dim sum consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; spring rolls; flavored ices; ice cream; ready-made sauces,*” in International Class 30, and with Serial No. 78/496,529 for “*restaurant services; catering services; cafeteria services; take-out restaurant services; restaurants featuring home delivery; bar services and cocktail bar services,*” in International Class 43, both filed in the United States Patent and Trademark Office on October 7, 2004 (the “Applications”). The Applications were published in the Official Gazette on February 21, 2006. The time period within which this Notice of Opposition may be filed by the undersigned Opposer has been extended to and includes June 21, 2006, by order of the U.S. Trademark Trial and Appeal Board.

The grounds for the Opposition are as follows:

1. Opposer, a Nevada corporation with a principal place of business at 2325-B Renaissance Drive, Suite 10, Las Vegas, Nevada 89119, believes it will be damaged by the registration of the mark of such Applications and hereby opposes their federal registration.
2. Opposer owns Registration Nos. 283,766; 283,767; 294,408; and 520,270 for the mark PING-PONG (“the PING-PONG Mark”), for table tennis games and components, each being valid and subsisting.
3. Opposer and its predecessors in interest have been using the PING-PONG Mark, either directly or through licensees, on a continuous and uninterrupted basis to identify such products from at least as early as July, 1902. As such, the PING-PONG Mark has become famous.

4. Applicant seeks to register the trademark PING PONG for products including “prepared frozen entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared entrees consisting primarily of meat, poultry, vegetables and/or fruits; packaged entrees consisting primarily of meat, poultry, vegetables and/or fruits; ready prepared dim sum consisting primarily of meat, poultry, game, vegetables and/or fruit; meat, poultry and game; processed, canned, dried, and preserved fruits; eggs, milk and milk products, namely, milk-based beverage containing coffee, milk proteins, milk powder for nutritional purposes, milk drinks containing fruits, milk beverages with high milk content; prepared frozen entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready prepared entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; packaged entrees consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; ready prepared dim sum consisting primarily of pasta, rice, bread, cereals, noodles and/or pastries; spring rolls; flavored ices; ice cream; ready-made sauces,” and services including “restaurant services; catering services; cafeteria services; take-out restaurant services; restaurants featuring home delivery; bar services and cocktail bar services.”

5. The PING PONG mark for which Applicant seeks registration is confusingly similar to Opposer’s PING-PONG Mark.

6. Opposer’s PING-PONG trademark has priority over Applicant’s PING PONG mark.

7. The registrations and use of the PING PONG mark sought to be registered by Applicant are likely to cause confusion, mistake, and deception in the minds of the public and to lead the public to believe that Applicant’s products and services have their source in Opposer or that in some way Opposer is endorsing or sponsoring such products and services, or that Opposer

is in some way associated with Applicant in manufacturing and selling the products or providing the services so identified.

8. The registrations sought by Applicant should be denied. If Applicant succeeds in registering its mark, there will be statutory rights created thereby in violation of the earlier established rights of Opposer, all to the harm of Opposer's goodwill and with the resultant diminution of Opposer's rights in its mark, all to the damage and injury of Opposer and of the public.

WHEREFORE, Opposer files this Notice of Opposition and prays that the Applications herein opposed be denied; that registrations of the mark herein disclosed be refused, and for such other and further relief in the premises as may be deemed to be just and proper.

The filing fee of \$900.00 is submitted herewith.

Please recognize as Opposer's attorneys the following: Applicant hereby appoints Charles J. Meyer; C. David Emhardt; Joseph A. Naughton; John V. Moriarty; John C. McNett; Thomas Q. Henry; James M. Durlacher; Charles R. Reeves; Vincent O. Wagner; Steve Zlatos; Spiro Bereveskos; R. Randall Frisk; Daniel J. Lueders; Kenneth A. Gandy; Timothy N. Thomas; Kurt N. Jones; Holiday W. Banta; Troy J. Cole; Lisa A. Hiday; Christopher A. Brown; Scott J. Stevens; John M. Bradshaw; Quentin G. Cantrell; Charles P. Schmal; Edward E. Sowers; John J. Emanuele,; Michael S. Wherry; Elizabeth A. Shuster; Gary M. Gron; Timothy B. Paul; Teresa E. Knight; Marta L. Puckett; Adam W. Borgman; Douglas G. Gallagher; and John R. Troll, all of the same address and who are members of the Bar of the State of Indiana, constituting the firm of Woodard, Emhardt, Moriarty, McNett & Henry LLP, 111 Monument Circle, Suite 3700, Indianapolis, Indiana 46204-5137, its attorneys herein, with full power of substitution and

revocation, to transact all business in the Patent and Trademark Office and in the courts in connection herewith.

Please direct all correspondence to:

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Respectfully submitted,

By:       /Scott J. Stevens/        
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Attorney for Opposer  
SOP Services, Inc.