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June 28, 2006

**By Express Mail**Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
Attention: Trademark Trial and Appeal BoardRe: Notice of Opposition Against  
Application to Register MONSTER DOGS  
Attorney Ref. Nos. 21307.026

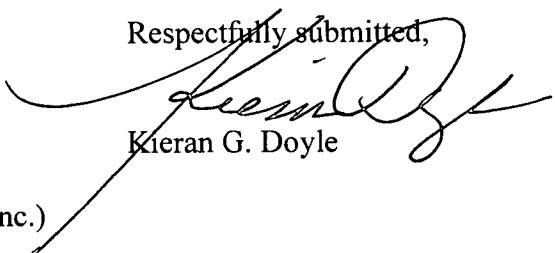
Dear Commissioner:

We enclose an original Notice of Opposition against Application Serial Number 78/651,596 published in the Official Gazette of February 28, 2006. We also enclose a check to cover filing fees.

If the enclosed check is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.

Kindly confirm receipt of this opposition by returning the attached postcard and address all future correspondence to Mary L. Kevlin.

Respectfully submitted,

  
Kieran G. Doyle

Enclosures

cc: Jennifer Hamilton, Esq. (w/enc.)  
Ms. Diane Kovach (w/enc.)  
Mary L. Kevlin, Esq. (w/o enc.)

Ref. No. 21307.026

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

In re Application Serial No. 78/651,596  
Filed: June 15, 2005  
For Mark: MONSTER DOGS  
Published in the Official Gazette: February 28, 2006

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:  
BOSTON RED SOX BASEBALL :  
CLUB LIMITED PARTNERSHIP, :  
:  
Opposer, :  
v. :  
:  
WICKFORD EQUITIES, LLC :  
:  
Applicant. :  
-----X

NOTICE OF OPPOSITION

Opposition No.

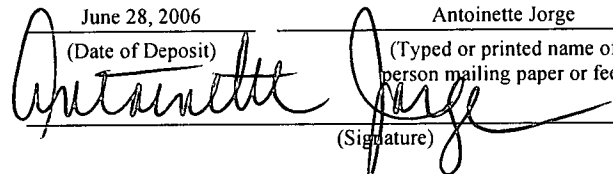
Commissioner for Trademarks  
BOX TTAB FEE  
P.O. Box 1451  
Alexandria, VA 22313-1451

Opposer, Boston Red Sox Baseball Club Limited Partnership ("Opposer"), a  
Massachusetts limited partnership, located at 4 Yawkey Way, Boston, Massachusetts 02215,  
believes that it will be damaged by registration of the word mark MONSTER DOGS in  
International Class 29 for "frankfurters" shown in Application Serial No. 78/651,596 (the

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"Express Mail" Mailing Label Number EV 606 058 380 US

I hereby certify that this paper or fee is being deposited with the United States  
Postal Service "Express Mail Post Office to Addressee" service under 37  
C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for  
Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on

June 28, 2006 Antoinette Jorge  
(Date of Deposit) (Typed or printed name of  
person mailing paper or fee)  
  
(Signature)

“Application”), and having been granted an extension of time to oppose up to and including June 28, 2006, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is the owner of the renowned BOSTON RED SOX MAJOR LEAGUE BASEBALL club.
2. Since long prior to June 15, 2005, Applicant’s constructive first use date, Opposer, its predecessors and their affiliates, licensees and/or sponsors, have used the mark MONSTER, either alone or with other words, letters and/or designs including without limitation MONSTER DOG, MONSTER DOGS, GREEN MONSTER, MONSTER SEATS and MONSTER CONCESSIONS (collectively, “Opposer’s MONSTER Marks”), in connection with baseball games and exhibition services, baseball stadium services, mascot services and a wide variety of goods and services, including, but not limited to, frankfurters and other food or beverage related goods and services, toys and games, posters, printed matter and clothing.
3. Opposer owns U.S. Federal registrations and applications for Opposer’s MONSTER Marks, namely, Registration No. 1,742,345 and Application Serial Nos. 78/759,947, 78/759,944, 78/759,941, 78/759,939, 78/759,949, 78/759,951, 78/619,642, 78/619,645, 78/619,647, 78/619,649, 78/619,652, 78/619,654, 78/619,655, 78/619,656, 78/619,640 and 78/619,657 in International Classes 6, 9, 14, 16, 18, 20, 21, 25, 28, 41.
4. Since long prior to June 15, 2005, Applicant’s constructive first use date, Opposer, its predecessors, and their affiliates, licensees and/or sponsors, have extensively promoted and advertised the sale and distribution of goods and services bearing or offered in

connection with Opposer's MONSTER Marks, including, but not limited to, baseball games and exhibition services, baseball stadium services, mascot services, frankfurters and other food or beverage related goods and services, toys and games, posters, printed matter and clothing, and have sold or distributed such goods and rendered such services in commerce.

5. As a result of the sales and promotion of its goods and services bearing or offered in connection with Opposer's MONSTER Marks, Opposer has built up highly valuable goodwill in Opposer's MONSTER Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

6. On June 15, 2005, Applicant Wickford Equities LLC, on an intent-to-use basis, filed the Application to register the word mark MONSTER DOGS for "frankfurters" in International Class 29.

7. Upon information and belief, Applicant did not use the mark MONSTER DOGS prior to June 15, 2005.

8. The goods covered by the Application are identical to the goods offered in connection with Opposer's MONSTER DOG and MONSTER DOGS marks and closely related to goods offered and services rendered in connection with Opposer's MONSTER Marks.

9. Applicant's MONSTER DOGS mark, which is identical to Opposer's MONSTER DOGS mark and confusingly similar to the family of MONSTER marks that comprises Opposer's MONSTER Marks, so resembles Opposer's MONSTER Marks as to be likely, when applied to Applicant's goods, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods have their

origin with Opposer and/or that such goods are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. Opposer would thereby be injured by the granting to Applicant of a certificate of registration for Applicant's MONSTER DOGS mark.

10. Opposer would be further injured by the granting of a certificate of registration to Applicant because Applicant's MONSTER DOGS mark would falsely suggest a connection between Applicant and Opposer.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's MONSTER DOGS marks and respectfully requests that the opposition be sustained and said registrations be denied.

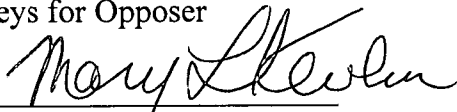
Please recognize as attorneys for Opposer in this proceeding Mary L. Kevlin, Richard S. Mandel and Kieran G. Doyle (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036.

Please address all communications to Mary L. Kevlin, Esq. at the address listed below.

Dated: New York, New York  
June 28, 2006

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

By: 

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Richard S. Mandel  
Kieran G. Doyle  
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