

TTAB

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July 21, 2006

**BY EXPRESS MAIL**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451  
Attention: Trademark Trial and Appeal Board

Re: Notice of Opposition Against MISSOURI TIGERS  
Serial No. 76/613,579  
Attorney Ref. No. 21307.029

Dear Commissioner:

We enclose an original Notice of Opposition against Application Serial Number 76/613,579, published in the Official Gazette of January 24, 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, Esq., of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

*Kieran Doyle*

Kieran G. Doyle

Enclosures

cc: Ms. Diane Kovach (w/enc. – by fax)

Ref. No. 21307-029

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

In re Application Serial No. 76/613,579  
Filed: September 30, 2004  
For Mark: MISSOURI TIGERS  
Published in the Official Gazette: January 24, 2006

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DETROIT TIGERS, INC.

Opposer,

v.

CURATORS OF THE UNIVERSITY OF:  
MISSOURI

Applicant.

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NOTICE OF OPPOSITION

Opposition No.

Commissioner of Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 22313-1451

Opposer, Detroit Tigers, Inc. ("Opposer"), a Michigan corporation, located at Comerica Park, 2100 Woodward Avenue, Detroit, Michigan 48201, believes that it will be damaged by registration of the word mark MISSOURI TIGERS in International Class 25 for "clothing namely, hats, shirts, pants" and in International Class 41 for "educational and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletics events and tournaments, exhibitions,

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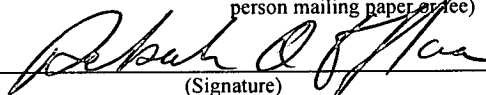
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P. O. Box 1451, Alexandria, VA 22313-1451 on

7/24/06

Deborah A O'Hara

(Date of Deposit)

(Typed or printed name of person mailing paper or fee)

  
(Signature)

conferences, live performances and festivals” as shown in Application Serial No. 76/613,579 (the “Application”), and having requested extensions of time to oppose up to and including July 23, 2006, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is the owner of the renowned DETROIT TIGERS MAJOR LEAGUE BASEBALL Club.

2. Since long prior to September 30, 2004, the filing date of the Application, Opposer, its predecessors, their affiliates, licensees and/or sponsors, have used marks that comprise or contain the word “TIGERS” or the design of a tiger, alone or with other word, letter and/or design elements (“Opposer’s TIGERS Marks”) in connection with baseball game and exhibition services and a wide variety of goods and services, including, but not limited to, apparel, printed matter, novelty items, sporting goods, toys and educational and community services.

3. Opposer owns U.S. Federal registrations and applications for Opposer’s TIGERS Marks in International Classes 06, 14, 16, 18, 21, 24, 25, 26, 28 and 41; namely, Registration Nos. 1,764,610, 1,983,453, 2,182,612, 2,001,049, 1,706,648, 1,480,101, 1,021,470 and 1,015,996 and Application Serial Nos. 78/727,740 and 78/727,741 for said trademarks and service marks. All of the foregoing registrations are incontestable.

4. Since long prior to September 30, 2004, the filing date of the Application, Opposer, its predecessors, their affiliates, licensees and/or sponsors, have promoted and advertised the sale and distribution of goods and services bearing or offered in connection with Opposer’s TIGERS Marks, including, but not limited to, baseball games and exhibition

services and a wide variety of goods and services, apparel, printed matter, novelty items, sporting goods, toys and educational and community services and have sold or distributed such goods and rendered such services in commerce.

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

6. On September 30, 2004, Applicant filed the Application to register the word mark MISSOURI TIGERS in connection with "clothing namely, hats, shirts, pants" in International Class 25 and for "educational and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances and festivals" in International Class 41.

7. The goods and services covered by the Application are identical or closely related to the goods offered and services rendered in connection with Opposer's TIGERS Marks.

8. Applicant's MISSOURI TIGERS mark so resembles Opposer's TIGERS Marks as to be likely, when used in connection with Applicant's goods and services, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods and services have their origin with Opposer and/or that such goods and services 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 MISSOURI TIGERS mark.

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

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's MISSOURI TIGERS mark and requests that the opposition be sustained and said registration 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  
July 24, 2006

Respectfully submitted,

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

By: Kieran Doyle /ss

Mary L. Kevlin  
Richard S. Mandel  
Kieran G. Doyle  
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