

ESTTA Tracking number: **ESTTA95695**

Filing date: **08/22/2006**

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	MotoJava		
Entity	Partnership	Citizenship	California
Composed Of:	Paul Somerville Saskia Pardo		
Address	498 9th St. San Francisco, CA 94103 UNITED STATES		

Correspondence information	Paul Somerville partner MotoJava 498 9th St. San Francisco, CA 94103 UNITED STATES paul@motojava.com Phone:415 255-9527		
----------------------------	---	--	--

Applicant Information

Application No	78779615	Publication date	08/22/2006
Opposition Filing Date	08/22/2006	Opposition Period Ends	09/21/2006
Applicant	Grasso, Joseph 3158 Evelyn Ave. Simi Valley, CA 93063 UNITED STATES		

Goods/Services Affected by Opposition

Class 030. All goods and services in the class are opposed, namely: Beverages made of coffee; Coffee; Coffee-based beverage containing milk; Ground coffee beans; Prepared coffee and coffee-based beverages

Attachments	Feb2003CityBikeAdWithBikesA.pdf (1 page)(95454 bytes) lettertoUSPTO.txt (1 page)(1003 bytes)
-------------	---

Signature	/paul somerville/
Name	Paul Somerville
Date	08/22/2006

MotoJavaTM

Motorcycle Shop

Café

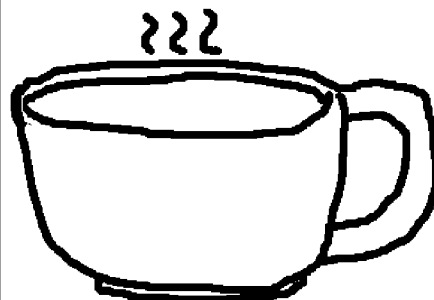
What's your drug of choice?

Adrenaline



or

Caffeine



We've got both:

- Used Motorcycles
- Coffee, Espresso
- Helmets, Jackets
- Pastries
- Suspension work by: AfterShocksTM

**Oil Change Special
\$39.95 +filter**

Exp: 03-15-2003

498 9th St. at Bryant in SF 415-255-9527 motojava.com

August 22nd, 2006

correspondence to USPTO regarding MotoJava trademark

To Whom it may concern,

I, Paul Somerville, and my business partner Saskia Pardo, founded a cafe (and

motorcycle shop) named "MotoJava" on July 10th 2002. We are writing to oppose

application, serial number 78779615, by Joseph Grasso who is seeking to trademark

the name MotoJava. The basis for our opposition of his application is that we have been using MotoJava as a trademark since November of 2002.

We have published ads in local newspapers and magazines every month, since that time. I have attached the ad which best describes the

business. This ad was

published in the February 2003 and April 2003 editions of "Citybike" magazine

(<http://citybike.com>). I have a hardcopy of the April ad in my hand, which shows

the publication date. I would be happy to fax this.

Thank you for your time and attention.

Paul Somerville

Partner, MotoJava

415-255-9527

paul@motojava.com

www.motojava.com