

ESTTA Tracking number: **ESTTA112562**

Filing date: **12/01/2006**

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	INTRAVISION TECHNOLOGIES, LLC
Granted to Date of previous extension	12/02/2006
Address	P.O. Box 634 Shawnee Mission, KS 66201 UNITED STATES

Attorney information	Daniel J. Noblitt Noblitt & Gilmore, LLC 4800 North Scottsdale Road Suite 6000 Scottsdale, AZ 85251 UNITED STATES dnoblitt@ngtechlaw.com
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Applicant Information

Application No	78666540	Publication date	10/03/2006
Opposition Filing Date	12/01/2006	Opposition Period Ends	12/02/2006
Applicant	INNOVATIVE AFTERMARKET SYSTEMS, L.P. 12800 ANGEL SIDE DRIVE LEANDER, TX 78641 UNITED STATES		

Goods/Services Affected by Opposition

Class 042. All goods and services in the class are opposed, namely: Providing temporary use of non-downloadable computer software for the reviewing, drafting, and administration of warranties, for records-keeping, for transaction recordation, for promotional presentations, for drafting consumer informed consent verification and for use in employee training in the field of automobile dealer management

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Signature	/djn/
Name	Daniel J. Noblitt
Date	12/01/2006

including hardware and software systems used by automobile dealerships in automobile finance and insurance (F&I) transactions.

3. Opposer is the owner of federal trademark registration No. 3,016,172 for the mark WE'RE THE EYE IN F&I for "Developing and integrating hardware and software systems for others for recording, storing, and accessing information" in International Class 42, filed August 28, 2003, and registered March 25, 2006.
4. Through its long and continuous use of the mark WE'RE THE EYE IN F&I, and substantial advertising and promotion, Opposer has developed valuable goodwill in its WE'RE THE EYE IN F&I mark.

Applicant and its YOUR EYE IN F&I Application

5. On information and belief, the applicant Innovative Aftermarket Systems, L.P., is a Texas limited partnership, composed of IAS Management Services, Inc., a Nevada corporation, having a business address of 12800 Angel Side Drive, Leander, Texas 78641.
6. On information and belief, the applicant is the current owner of intent-to-use Application Serial No. 78/666,540, filed on July 8, 2005, for YOUR EYE IN F&I for use in conjunction with "Providing temporary use of non-downloadable computer software for the reviewing, drafting, and administration of warranties, for records-keeping, for transaction recordation, for promotional presentations, for drafting consumer informed consent verification and for use in employee training in the field of automobile dealer management" in International Class 42.

Likelihood of Confusion, 15 U.S.C. § 1052(d)

7. Opposer repeats and realleges each and every allegation set forth in Paragraphs 1 through 6.


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8. Opposer has continuously used its WE'RE THE EYE IN F&I mark in commerce since prior to the filing date of the subject Application Serial No. 78/666,540, and any date of first use that may be alleged by the applicant.
 9. The applicant seeks to register YOUR EYE IN F&I for services that are closely related to the goods and/or services of Opposer.
 10. The applicant's YOUR EYE IN F&I so resembles Opposer's previously used and registered WE'RE THE EYE IN F&I mark as to be likely, when used in connection with the applicant's services, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer believes that it will be damaged by the registration of the mark shown in Application Serial No. 78/666,540, and requests that the opposition be sustained and that registration to the applicant be refused.

The filing fee of \$300.00 has been submitted electronically. Please charge any additional fees and/or credit any overpayments to Deposit Account No. 50-2993.

Respectfully Submitted,

Date: 01 DEC 2006



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