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Sheena L. Wilson Sheena L. Wilson
 Name of Person Mailing Paper Signature

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

GEORGIA-PACIFIC CORPORATION)	
)	
And its wholly-owned subsidiary)	
)	
FORT JAMES OPERATING)	
COMPANY,)	
)	
collectively, Opposers,)	Application No. 78/548,007
)	
v.)	Mark: AUNT GRANNY'S
)	DIXIE FIXINS
)	
DOLLY PARTON,)	
)	
)	Opposition No. _____
Applicant.)	

NOTICE OF OPPOSITION

Opposers Georgia-Pacific Corporation ("Georgia-Pacific") and its wholly-owned subsidiary, Fort James Operating Company (together "Opposers"), will be harmed and damaged by registration of the mark AUNT GRANNY'S DIXIE FIXINS that is the subject of Application Serial No. 78/548,007 and oppose the same pursuant to 15 U.S.C. §§ 1063 and 1052(d), and 37 C.F.R. §§ 2.101 and 2.104(a). The grounds for opposition are as follows:

1. Opposer Georgia-Pacific is a Georgia corporation with a principal place of business located at 133 Peachtree Street, N.E., Atlanta, Georgia 30303.

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2. Opposer Fort James Operating Company (“Fort James”) is a Virginia corporation with a principal place of business located at 133 Peachtree Street, N.E., Atlanta, Georgia 30303.
3. Opposer Georgia-Pacific is one of the world’s leading manufacturers and marketers of consumer disposable tabletop products including plates, cups, bowls, cutlery and other foodservice containers and items as well as other retail and commercial towel, napkin and related products.
4. Dolly Parton (“Applicant”) applied to register the mark AUNT GRANNY’S DIXIE FIXINS (Serial No. 78/548,007) with the U.S. Patent and Trademark Office.
5. Since at least as early as June 15, 1917, Opposers together with their predecessors in interest entities have continuously and exclusively used the DIXIE mark in connection with a wide variety of goods associated with Opposers.
6. Opposers own several federal registrations for marks comprised of or incorporating the formative DIXIE mark including but not limited to the following family of DIXIE marks in International Classes 8 and 21 (collectively, “Opposers’ Marks”):

Mark	Reg. Number	Goods	Class
DIXIE	2985457	Plastic container with lid for food or beverage	21
DIXIE	120264	Drinking cups, cartons made of paper, cardboard, or a cardboard-like material, and containers for beverages, confections, and fancy and staple foodstuffs Drinking cups, cartons made of paper, cardboard, or a cardboard-like material, and containers for beverages, confections, and fancy and staple foodstuffs	21
DIXIE	732447	Disposable eating utensils	21
DIXIE	2420128	Disposable plates and bowls	21
DIXIE & Design	1070923	Disposable eating utensils, namely, knives, forks and spoons	8

Mark	Reg. Number	Goods	Class
DIXIE & Design	1112247	Paper trays, paper cups, food containers and cartons for commercial use; paper and plastic trays, containers, cartons for domestic use, and cups of paper or plastic for either domestic or commercial use Paper trays, paper cups, food containers and cartons for commercial use; paper and plastic trays, containers, cartons for domestic use, and cups of paper or plastic for either domestic or commercial use	21
DIXIE & Design	2420129	Disposable plates and bowls	21
DIXIE ESPRESSO!	2924157	Cups	21
DIXIE KRAZY KRITTERS	2745307	Disposable cups, plates and bowls made of paper or plastic	21
DIXIE KRAZY KRITTERS	2858963	Disposable cutlery, namely, knives, forks and spoons	8
DIXIE PERFECTOUCH	2120617	Paper cups	21
DIXIE STONEWARE	2907200	Plates, bowls and serving platters	21
DIXIEWARE	2915164	Plastic containers for food or beverage storage. plastic covers for food or beverage storage	21
DIXIEWARE Logo	2915153	Portable plastic containers for storage of food, beverage, household and kitchen goods. Container closures of plastic, namely, cover for storage.	21
EXCLUSIVELY FROM DIXIE	2943030	Thermal insulated bags, wraps or containers for food or beverage.	21
EXCLUSIVELY FROM DIXIE & Logo	2972945	Meal trays, cups, plates, bowls, serving platters, beverage stirrers, tote bags and containers, all for food and beverages and all either thermal insulated or portable plastic.	21
MY FIRST DIXIE	2750655	Paper cups	21
TOTALLY COOL DIXIE	2421949	Paper cups	21

7. Additionally, Opposers own 7 other U.S. federal registrations and 12 pending applications that incorporate DIXIE.
8. Opposers' Marks are valid and have been continuously used by Opposers since the date of first use set forth in the referenced registrations, and Opposers' Marks have not been abandoned.

9. By virtue of Opposers widespread sales and extensive advertising and promotion, Opposers' Marks are distinctive and serve as identifiers of Opposers' goods, and constitute an important and extremely valuable symbol of Opposers' reputation and associated goodwill.
10. Opposers have sold billions of dollars worth of the above-identified products.
11. Opposers' Marks constitute a family of marks and by virtue of Opposers extensive use and promotion, Opposers' DIXIE marks have become well-known and famous deserving of a wide scope of trademark protection.
12. Opposers have used Opposers' Marks in association with numerous goods long prior to Applicant's filing date of the application for the AUNT GRANNY'S DIXIE FIXINS mark.
13. Applicant filed the instant application on January 14, 2005 on an intent-to-use basis for the following goods:
 - IC 8 - **Knives**, namely, chef knives, kitchen knives, butcher knives, paring knives, bread knives, carving knives, slicing knives, and boning knives; knife sharpeners; non-electric can openers; and flatware, namely **forks** and **spoons**; domestic non-electric appliances, namely choppers; and
 - IC 21 - Household kitchen utensils, namely, kitchen serving tongs, spatulas, turners, whisks, potato mashers, garlic presses, ladles, graters, splatter screens and strainers; containers for household or kitchen use not of precious metal, namely, mixing bowls, canisters and **storage containers for food and beverages with lids**; cookware, namely, pots, metal, glass and frying pans, skillets, roasting pans, metal grill pans, stock pots and colanders; beverage glassware; stemware, namely, goblets, wine

glasses, champagne flutes; dinnerware, namely, plates, saucers, serving dishes, **coffee cups** and charger plates; bakeware, namely, cookie sheets, pie pans, baking pans, loaf pans, muffin pans, tube pans with fluted sides and cake pans; knife blocks; domestic non-electric appliances, namely mixers. (emphasis added).

14. The application for DOLLY PARTON'S DIXIE FIXINS mark was published for opposition in the *Official Gazette* of June 6, 2006. Opposers requested extensions of time in which to file a notice of opposition, which extend through and include December 3, 2006.
15. Applicant's goods identified in its application are identical to Opposer's goods (as shown in bold) and are likely to be sold to the same class of purchasers as Opposers' goods.
16. Applicant must have known of Opposers' Marks prior to filing Application No. 78/548,007.
17. Registration of Applicant's AUNT GRANNY'S DIXIE FIXINS mark would dilute the distinctiveness of Opposers' Marks by eroding consumers exclusive identification of these marks with Opposers, tarnishing and degrading the positive associations and prestigious connotations of Opposers' Marks, and otherwise lessening the capacity of the marks to identify and distinguish the goods in violation of Section 13(a) and 43(c) of the Trademark Act, 15 U.S.C. §§ 1063(a) and 1125 (c).
18. Opposers will be damaged by registration of Applicant's mark AUNT GRANNY'S DIXIE FIXINS because this mark, and its associated goods, so resembles Opposers' Marks and their associated goods, so as to create confusion,

mistake and/or deception. Persons familiar with Opposers' Marks are likely to believe erroneously that Applicant's goods are offered by Opposers or are authorized, licensed, endorsed, or sponsored by Opposers, and registration of the AUNT GRANNY'S DIXIE FIXINS mark would be inconsistent with Opposers' rights in its DIXIE registrations and in violation of 15 U.S.C §§ 1052(d) and 1125(a).

19. Enclosed are two duplicate copies of this Notice of Opposition and the Director is authorized to debit Deposit Account No. 501409 for any fees.

WHEREFORE, Opposers will be damaged by the registration of Applicant's AUNT GRANNY'S DIXIE FIXINS mark and request that that Trademark Trial and Appeal Board grant Opposers' Notice of Opposition and refuse registration of Application No. 78/548,007.

Respectfully submitted,

GEORGIA-PACIFIC CORPORATION
FORT JAMES OPERATING COMPANY

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