

ESTTA Tracking number: **ESTTA143882**

Filing date: **06/04/2007**

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	Monster Cable Products, Inc.		
Entity	Corporation	Citizenship	California
Address	455 Valley Drive Brisbane, CA 94005 UNITED STATES		

Attorney information	Nicole A. Smith LaRiviere, Grubman & Payne, LLP 19 Upper Ragsdale Drive P.O. Box 3140 Monterey, CA 93942 UNITED STATES uspto@lgpatlaw.com		
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### Applicant Information

Application No	78827001	Publication date	05/08/2007
Opposition Filing Date	06/04/2007	Opposition Period Ends	06/07/2007
Applicant	Monster Daddy, LLC P.O. Box 26855 Greenville, SC 29616 UNITED STATES		

### Goods/Services Affected by Opposition

Class 045. All goods and services in the class are opposed, namely: licensing of intellectual property
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### Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2184002	Application Date	07/07/1997
Registration Date	08/25/1998	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 009. First use: First Use: 1978/05/18 First Use In Commerce: 1978/05/19 electrical and musical signal transmitting cable and connectors

U.S. Registration No.	1342164	Application Date	02/14/1984
Registration Date	06/18/1985	Foreign Priority Date	NONE
Word Mark	MONSTER CABLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1978/05/18 First Use In Commerce: 1978/05/19 ELECTRICAL SIGNAL TRANSMITTING CABLE AND CONNECTORS THEREFOR		

U.S. Registration No.	1340229	Application Date	02/13/1984
Registration Date	06/11/1985	Foreign Priority Date	NONE
Word Mark	MONSTER CABLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1978/05/18 First Use In Commerce: 1978/05/18 MUSICAL AND VOICE SIGNAL TRANSMITTING CABLE AND CONNECTORS THEREFOR		

U.S. Registration No.	1384076	Application Date	01/28/1985
Registration Date	02/25/1986	Foreign Priority Date	NONE
Word Mark	MONSTER CABLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/11/26 First Use In Commerce: 1984/11/26 COMPUTER CABLES		

U.S. Registration No.	2998513	Application Date	02/28/2000
Registration Date	09/20/2005	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2000/06/15 First Use In Commerce: 2000/06/15 BOWLING BALLS		

U.S. Registration No.	3103291	Application Date	12/02/2004
Registration Date	06/13/2006	Foreign Priority Date	NONE
Word Mark	MONSTER GARAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2002/12/17 First Use In Commerce: 2002/12/17 motion picture films, pre-recorded video disks and audio-visual recordings, pre-recorded videotapes, pre-recorded compact disc, DVDs and CD-ROMs all of the above goods featuring subject matter related to the television series of the same name that features the reconstruction of automobiles into unique motor vehicle devices		

U.S. Registration No.	3103290	Application Date	12/02/2004
Registration Date	06/13/2006	Foreign Priority Date	NONE
Word Mark	MONSTER GARAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/06/23 First Use In Commerce: 2002/06/23 Entertainment services in the nature of a television series regarding the reconstruction of automobiles into unique motor vehicle devices		

U.S. Registration No.	3097551	Application Date	12/02/2004
Registration Date	05/30/2006	Foreign Priority Date	NONE
Word Mark	MONSTER GARAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/06/23 First Use In Commerce: 2002/06/23 entertainment services in the nature of a television series regarding the reconstruction of automobiles into unique motor vehicle devices; provision of information related to television program of the same name via the internet		

U.S. Registration No.	3055801	Application Date	06/15/2001
Registration Date	01/31/2006	Foreign Priority Date	NONE
Word Mark	MONSTER GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2005/10/17 First Use In Commerce: 2005/10/17 luggage		

U.S. Registration No.	2972563	Application Date	08/07/2000
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	MONSTER MINTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2004/01/08 First Use In Commerce: 2004/01/08 MINT CANDY		

U.S. Registration No.	3057145	Application Date	02/13/2004
Registration Date	02/07/2006	Foreign Priority Date	NONE
Word Mark	MONSTER UNIVERSITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2000/07/31 First Use In Commerce: 2000/07/31 Educational and training services, namely, conducting online training with respect to electronic products, key word and key phrase information relating to electronic products, and hookup information relating to electronic products		

U.S. Registration No.	1844244	Application Date	08/31/1993
Registration Date	07/12/1994	Foreign Priority Date	NONE
Word Mark	MONSTER HOME THEATRE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1993/06/00 First Use In Commerce: 1993/06/00 audio cables		

U.S. Registration No.	1738114	Application Date	11/05/1991
Registration Date	12/08/1992	Foreign Priority Date	NONE
Word Mark	MONSTER DESIGN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1988/01/01 First Use In Commerce: 1988/01/01 cable connectors for use with audio equipment		

U.S. Registration No.	2809051	Application Date	05/14/2001
Registration Date	01/27/2004	Foreign Priority Date	NONE

Word Mark	MONSTER MOBILE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2001/09/14 First Use In Commerce: 2001/09/14 electrical equipment for recharging batteries		

U.S. Registration No.	1759527	Application Date	10/17/1990
Registration Date	03/23/1993	Foreign Priority Date	NONE
Word Mark	MONSTER SOUND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1990/10/29 First Use In Commerce: 1990/10/29 audio equipment; namely, electrical cables and connectors and parts thereof		

U.S. Registration No.	1428215	Application Date	06/02/1986
Registration Date	02/10/1987	Foreign Priority Date	NONE
Word Mark	MONSTER VIDEO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1986/01/07 First Use In Commerce: 1986/02/07 VIDEO CABLES		

U.S. Registration No.	1351414	Application Date	02/14/1984
Registration Date	07/30/1985	Foreign Priority Date	NONE
Word Mark	MONSTER TIPS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1981/01/01 First Use In Commerce: 1981/01/01 ELECTRICAL AUDIO CONNECTORS FOR CONNECTING HOME STEREO AND VIDEO COMPONENTS		

U.S. Registration No.	1812892	Application Date	11/06/1990
Registration Date	12/21/1993	Foreign Priority Date	NONE
Word Mark	MONSTER CONNECTION		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 016. First use: First Use: 1990/12/30 First Use In Commerce: 1990/12/30 newsletter about consumer electronics		
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U.S. Registration No.	1414284	Application Date	02/14/1984
Registration Date	10/21/1986	Foreign Priority Date	NONE
Word Mark	I AM A MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1983/12/20 First Use In Commerce: 1984/01/16 T-SHIRTS AND JACKETS		

U.S. Registration No.	2220851	Application Date	02/07/1997
Registration Date	01/26/1999	Foreign Priority Date	NONE
Word Mark	MONSTER CENTRAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/08/25 First Use In Commerce: 1998/08/25 electrical signals distribution panel		

U.S. Registration No.	2185607	Application Date	04/24/1997
Registration Date	09/01/1998	Foreign Priority Date	NONE
Word Mark	MONSTER COMPUTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 computer cables		

U.S. Registration No.	2211670	Application Date	01/28/1997
Registration Date	12/15/1998	Foreign Priority Date	NONE
Word Mark	MONSTER MOUNTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/04/02 First Use In Commerce: 1998/04/02 loudspeaker mounting units		

U.S. Registration No.	2153562	Application Date	01/28/1997
Registration Date	04/28/1998	Foreign Priority	NONE

		Date	
Word Mark	MONSTER MULTIMEDIA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/03/28 First Use In Commerce: 1997/03/28 audio and video products, namely, cables, switch boxes, and junction boxes		

U.S. Registration No.	2227322	Application Date	05/28/1997
Registration Date	03/02/1999	Foreign Priority Date	NONE
Word Mark	MONSTER NETWORKING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/01/05 First Use In Commerce: 1997/06/10 connectors and cables for the transmission of data signals		

U.S. Registration No.	2330194	Application Date	12/30/1997
Registration Date	03/14/2000	Foreign Priority Date	NONE
Word Mark	MONSTER LOCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/08/07 First Use In Commerce: 1998/08/07 electrical connectors		

U.S. Registration No.	2728729	Application Date	01/16/2002
Registration Date	06/24/2003	Foreign Priority Date	NONE
Word Mark	MONSTER POWER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1992/02/01 First Use In Commerce: 1992/02/01 ELECTRICAL POWER CONTROL PRODUCTS, NAMELY, BATTERIES, POWER STRIP TYPE ELECTRICAL OUTLETS, POWER LINE CONDITIONERS AND ELECTRICAL POWER EXTENSION CORDS		

U.S. Registration No.	2639223	Application Date	10/31/2001
Registration Date	10/22/2002	Foreign Priority Date	NONE
Word Mark	MONSTER USB		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2001/08/20 First Use In Commerce: 2001/08/20 USB cables and connector devices for computers and components

U.S. Registration No.	2213346	Application Date	01/28/1997
Registration Date	12/22/1998	Foreign Priority Date	NONE
Word Mark	MONSTER POWER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/01/27 First Use In Commerce: 1998/01/27 batteries, power strips, power line conditioners, and electrical power extension cords		

U.S. Registration No.	2083506	Application Date	05/09/1996
Registration Date	07/29/1997	Foreign Priority Date	NONE
Word Mark	MONSTER SATELLITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1995/01/31 First Use In Commerce: 1995/01/31 satellite disk-to-receiver interconnect; electrical cables, electrical connectors and amplifiers; satellite receiver connection kit comprised of electrical cables and electrical connectors, amplifier, and satellite finder		

U.S. Registration No.	2381247	Application Date	08/17/1999
Registration Date	08/29/2000	Foreign Priority Date	NONE
Word Mark	MONSTER DIGITAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/00/00 First Use In Commerce: 1998/00/00 Electrical signal transmitting cable and connectors		

U.S. Registration No.	2381246	Application Date	08/17/1999
Registration Date	08/29/2000	Foreign Priority Date	NONE
Word Mark	MONSTER STANDARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/00/00 First Use In Commerce: 1998/00/00		



	Electric signal transmitting cable and connectors		
U.S. Registration No.	2724015	Application Date	08/16/2002
Registration Date	06/10/2003	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2002/03/14 First Use In Commerce: 2002/03/14 Electrical cables, connectors and control devices for use with audio and video components		
U.S. Registration No.	2617706	Application Date	07/02/2001
Registration Date	09/10/2002	Foreign Priority Date	NONE
Word Mark	IMONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/06/11 First Use In Commerce: 2001/06/11 PROMOTING THE GOODS AND SERVICES OF OTHERS BY PROVIDING HYPERTEXT LINKS TO WEB SITES OF OTHERS		
U.S. Registration No.	2627042	Application Date	07/10/1997
Registration Date	10/01/2002	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1983/12/20 First Use In Commerce: 1983/12/20 clothing, namely, sweatshirts, T-shirts, pants, jackets, and caps		
U.S. Registration No.	2774858	Application Date	06/17/2002
Registration Date	10/21/2003	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/12/31 First Use In Commerce: 1998/12/31 electrical and optical cables, wires and connectors for use with audio and video components		
U.S. Registration	2623566	Application Date	12/14/2000

No.			
Registration Date	09/24/2002	Foreign Priority Date	NONE
Word Mark	MONSTER BUCKS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1988/12/31 First Use In Commerce: 1988/12/31 marketing and product promotion services for others; namely, by distribution of product reward coupons to sales representatives for redemption and/or redistribution to clients		

U.S. Registration No.	3093850	Application Date	08/28/2003
Registration Date	05/16/2006	Foreign Priority Date	NONE
Word Mark	MONSTER ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2004/02/25 First Use In Commerce: 2004/02/25 Electrical and electromagnetic signal transmitting amplifying, receiving and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic and computer devices; loudspeakers; stereo amplifiers; audio equipment and accessories, namely, electronically amplified musical instruments, amplifiers for musical instruments and control devices for musical instruments		

U.S. Registration No.	3051578	Application Date	10/13/2003
Registration Date	01/24/2006	Foreign Priority Date	NONE
Word Mark	MONSTER PHOTO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/12/31 First Use In Commerce: 2003/12/31 rechargeable and non-rechargeable power cells and power cell re-chargers; [ energy conditioning devices, namely, power conditioning devices, power cell re-chargers, power amplifiers, voltage stabilizers, current stabilizers, electrical surge protectors, circuit chargers, and circuit breakers; ] camera cases; camera canvas bags; [ tripods; monopods; photographic supplies, namely, imaging and photo paper; video and audio storage media for still cameras, video-cameras, cellular phones, mobile phones, personal digital systems (PDAs), MP3 players, computer hard drives, and personal media drives; ] and control devices for use with electrical, electronic, and computer devices, [ telephone accessories, mobile phone equipment and accessories, computer components and accessories, audio equipment and accessories, ] video equipment and accessories [ , electrical power computer components and accessories ]		

U.S. Registration No.	2215211	Application Date	01/28/1997
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Registration Date	12/29/1998	Foreign Priority Date	NONE
Word Mark	MONSTER MICROPHONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1998/04/16 First Use In Commerce: 1998/04/16 microphones, * namely microphone cables *		

U.S. Registration No.	3040944	Application Date	11/01/2004
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	MONSTER ULTRA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2002/07/25 First Use In Commerce: 2002/07/25 Electrical and electromagnetic signal transmitting, amplifying, receiving, and converting devices, namely, cables, wires, connectors, and [ controls ] *control devices* for use with electrical, electronic, and computer devices; [ loudspeakers; stereo amplifiers; recording media, namely, compact discs having prerecorded music; telephone accessories, namely, telephone cables and telephone connectors; mobile phone equipment and accessories, namely, mobile telephone chargers, mobile telephone cables and mobile telephone connectors; computer components and accessories, namely, computer cables and computer connectors; audio equipment and accessories, namely, audio cables and audio connectors; TV displays, namely, CRT, LCD and plasma TV displays; video displays, namely, CRT, LCD and plasma video displays; LCD and DLP projectors; video equipment and accessories, namely, video cables and video connectors; data storage, archival, and retrieval devices, namely, fixed disk data storage and removable disk data storage; electronic game equipment and accessories, namely, electronic game cables and game connectors; electrical power control components and accessories, namely, voltage stabilizing devices, energy conditioning devices, namely power noise reduction devices; ] rechargeable and non-rechargeable power cells, and power cell re-chargers		

U.S. Registration No.	3034642	Application Date	05/28/2004
Registration Date	12/27/2005	Foreign Priority Date	NONE
Word Mark	MONSTER BASS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1991/07/00 First Use In Commerce: 1991/07/00 *Electrical and electronic control devices, namely* electrical and electromagnetic signal transmitting, amplifying, receiving and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic and computer devices [ ; loudspeakers; stereo amplifiers; recording media, namely, compact discs having prerecorded music; telephone accessories, namely, telephone cases, batteries for telephones, and telephone chargers;		

	mobile phone equipment and accessories, namely, mobile phone cases, batteries for mobile phone, and mobile phone chargers; computer components and accessories, namely, computer peripherals, CD-ROM, and connectors, data processors, and electrical and electronic control components and accessories, namely, electrical power conditioners, power amplifiers, voltage stabilizers, current stabilizers, electrical surge protectors, circuit chargers, and circuit breakers; audio equipment and accessories, namely, stereos, speakers, sub-woofers, power amplifiers, audio signal equalizers, digital media recorders, and digital media players; video equipment and accessories, namely, digital media recorders and digital media players; data storage, archival, and retrieval devices, namely, computer hardware, computer software used for data storage, archival, and retrieval, computer peripherals, electrical cables, and electrical connectors for use in connection with televisions, television remote controls, communication devices, namely, transmitters for television, radio, wireless telephones, receivers for telephone, audio, video devices, and personalized interactive television programming, including programming, searching, recording, playing, and downloading entertainment media; electronic game equipment and accessories, namely, video game machines for use with televisions, electrical cables, electrical connectors, and video game interactive remote controls units; electrical and electronic control components and accessories, namely, energy conditioners, electrical power conditioners, power amplifiers, voltage stabilizers, current stabilizers, electrical surge protectors, circuit chargers, and circuit breakers; rechargeable and non-rechargeable power cells, and power cell rechargers ]
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U.S. Registration No.	2197793	Application Date	07/07/1997
Registration Date	10/20/1998	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1989/06/01 First Use In Commerce: 1989/06/01 newsletters [, magazines, ] * and * catalogs [ and newspapers ] providing entertainment industry and cable industry news		

U.S. Registration No.	3076122	Application Date	12/30/2004
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	MONSTER POWER		
Design Mark			
Description of Mark	The mark consists of The word MONSTER above the word POWER with a tilted ellipse subimposed behind the letters TER of MONSTER and ER of POWER.		
Goods/Services	Class 009. First use: First Use: 1999/01/01 First Use In Commerce: 1999/01/01 Electrical and electronic control devices, namely electrical and electromagnetic signal transmitting, amplifying, receiving, and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic, and computer devices, namely electrical and electronic signal switches, electrical and electronic signal splitters, electrical and electronic signal multiplexers, electrical and electronic signal wireless remote controllers and electrical and electronic signal controllers; computer components and accessories, namely computer peripherals; [ blank CD-ROM for sound or video recording, CD-ROM drives, CD-ROM writers and connectors; ] audio equipment		

	and accessories, namely [ stereos, speakers, subwoofers, ] power amplifiers, audio signal equalizers; [ digital audio media recorders and digital audio media players; video equipment and accessories, namely television monitors, digital media recorders and digital media players; ] electrical control components and accessories, namely power conditioners, power cell re-chargers, power amplifiers, voltage stabilizers, current stabilizers, electrical surge protectors, circuit chargers and circuit breakers
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U.S. Registration No.	1665277	Application Date	02/12/1990
Registration Date	11/19/1991	Foreign Priority Date	NONE
Word Mark	MONSTER MUSIC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1988/01/01 First Use In Commerce: 1988/01/01 production of compact discs [ , audio tapes and phonographic records ] Class 042. First use: First Use: 1988/01/01 First Use In Commerce: 1988/01/01 distributorship services in the field of prerecorded compact discs [ , audio tapes and phonographic records ] of various artists		

U.S. Registration No.	2575745	Application Date	01/18/2001
Registration Date	06/04/2002	Foreign Priority Date	NONE
Word Mark	MONSTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2000/10/26 First Use In Commerce: 2000/10/26 [ VIDEO GAME MACHINES FOR USE WITH TELEVISIONS; AND ] ELECTRONIC GAME ACCESSORIES, NAMELY, ELECTRICAL CABLES, ELECTRICAL CONNECTORS AND VIDEO GAME INTERACTIVE REMOTE CONTROL UNITS		

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Signature	/Nicole A. Smith/
Name	Nicole A. Smith
Date	06/04/2007

Date of Filing: June 4, 2007

I hereby certify that this paper or fee is being electronically filed with the United States Patent and Trademark Office on the date indicated above.

Typed or Printed Name of Person Electronically Filing Paper or Fee: Tabatha Morgan

Signature: Tabatha Morgan

**TRADEMARK: MONSTER DADDY**

**IN THE**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration Application Serial No. 78/827,001 published in the Official Gazette (Trademarks) on May 8, 2007:

MONSTER CABLE PRODUCTS, INC.	)	
	)	
	)	
v.	)	Opposition No.: _____
	)	
MONSTER DADDY, LLC	)	
	)	
Applicant.	)	
_____	)	

**NOTICE OF OPPOSITION**

MONSTER CABLE PRODUCTS, INC., a California corporation ("Opposer"), whose address is 455 Valley Drive, Brisbane, CA 94005-1209 believes that they will be damaged by the registration of the mark "MONSTER DADDY," in International Class 45 for *licensing of intellectual property* on the Principal Register, as shown in the above-referenced application made by Monster Daddy, LLC ("Applicant"), and hereby opposes same.

Monster Cable Products, Inc. v. Monster Daddy, LLC  
Notice of Opposition

As grounds of opposition, it is alleged that:

1. Opposer has prior rights to the trademark MONSTER, as it first used said mark at least as early as May 18, 1978, and caused said mark to be placed in commerce at least as early as August 18, 1978 in connection with other goods, such as electrical and musical items.

2. Since long prior to March 2, 2006, the filing date of the subject ITU application of the MONSTER DADDY mark by Applicant, Opposer has used continuously the MONSTER mark and an extensive "MONSTER" family of marks using the "Monster" stem word (hereinafter "MONSTER Family of Marks"), on or in connection with various goods and services in the United States. Among those goods and services sold and provided for by Opposer and its licensees in the United States under the MONSTER Family of Marks are a variety of goods and services, including but not limited to, electrical, audio, video, clothing, musical items and thereafter on related items, including products and services in connection with computers, the Internet and electronic commerce, professional sports events, community events, and related goods.

3. By reason of the adoption and continuous use of the MONSTER Family of Marks, these marks have a distinctive quality and have acquired special and particular significance and very valuable goodwill as identifying Opposer and its goods and services. Opposer's MONSTER Family of Marks has become famous and distinctive through, *inter alia*, Opposer's extensive use, advertising and promotion of those marks throughout the United States for a variety of goods and services over a substantial period of time.



4. Consequently, through such usage and recognition, Opposer has acquired common-law rights in the MONSTER Family of Marks as proprietary trademarks, which rights extend without limitation, to the exclusive right to use such designation nationwide in conjunction with Opposer's goods and services.

5. Moreover, since prior to either the filing date of the subject application or the actual date of first use of the MONSTER DADDY mark by Applicant, Opposer has used the designation MONSTER, either alone or in connection with other terms, as a trademark on or in conjunction with a variety of goods and services and, as such, has acquired nationwide common law rights in the MONSTER designation as a proprietary trademark for its goods and services.

6. Opposer is also the licensor of additional marks employing the term "Monster".

7. Opposer is also the owner of many U.S. registrations for its MONSTER Family of Marks, including, without limitation, the following registrations:

a. Federal Trademark Registration No. 2,184,002, for the mark MONSTER in Class 9, for electrical and musical signal transmitting cable and connectors;

b. Federal Trademark Registration No. 1,342,164, for the mark MONSTER CABLE in Class 9, for electrical signal transmitting cable and connectors therefor;

c. Federal Trademark Registration No. 1,340,229, for the mark MONSTER CABLE in Class 9, for musical and voice signal transmitting cable and connectors therefor;

d. Federal Trademark Registration No. 1,384,076, for the mark MONSTER CABLE (STYLIZED) in Class 9, for computer cables;

e. Federal Trademark Registration No. 2,998,513, for the mark "MONSTER" in Class 28, for bowling balls;

f. Federal Trademark Registration No. 3,103,291, for the mark "MONSTER GARAGE" in Class 9, for motion picture films; pre-recorded video disks and audio-visual recordings; pre-recorded videotapes; pre-recorded compact discs; DVDs and CD-ROMs; all of the above goods featuring subject matter related to the television series of the same name that features the reconstruction of automobiles into unique motor vehicle devices;

g. Federal Trademark Registration No. 3,103,290, for the mark "MONSTER GARAGE" in Class 41, for entertainment services in the nature of a television series regarding the reconstruction of automobiles into unique motor vehicle devices;

h. Federal Trademark Registration No. 3,097,551, for the mark "MONSTER GARAGE" in Class 41, for entertainment services in the nature of a television series regarding the reconstruction of automobiles into unique motor vehicle devices; provision of information related to television program of the same name via the internet;

i. Federal Trademark Registration No. 3,055,801, for the mark "MONSTER GEAR" in Class 18, for luggage;

j. Federal Trademark Registration No. 2,972,563, for the mark "MONSTER MINTS" in Class 30, for mint candy;

k. Federal Trademark Registration No. 3,057,145, for the mark "MONSTER UNIVERSITY" in Class 41, for educational and training services, namely, conducting online training

with respect to electronic products, key word and key phrase information relating to electronic products, and hookup information relating to electronic products.

l. Federal Trademark Registration No. 1,844,244, for the trademark MONSTER HOME THEATRE for Class 9, for audio cables.

m. Federal Trademark Registration No. 1,738,114, for the trademark MONSTER DESIGN for Class 9, for cable connectors for use with audio equipment.

n. Federal Trademark Registration No. 2,809,051, for the trademark MONSTER MOBILE for Class 9, for electrical equipment for recharging batteries.

o. Federal Trademark Registration No. 1,759,527, for the trademark MONSTER SOUND for Class 9, for audio equipment, namely electrical cables and connectors and parts thereof.

p. Federal Trademark Registration No. 1,428,215, for the trademark MONSTER VIDEO for Class 9, for video cables.

q. Federal Trademark Registration No. 1,351,414, for the trademark MONSTER TIPS for Class 9, for electrical audio connectors for connecting home stereo and video components.

r. Federal Trademark Registration No. 1,812,892, for the trademark MONSTER CONNECTION for Class 16, for newsletters about consumer electronics.

s. Federal Trademark Registration No. 1,414,284, for the trademark I AM A MONSTER for Class 25, for t-shirts and jackets.

- t. Federal Trademark Registration No. 2,220,851, for the trademark MONSTER CENTRAL for Class 9, for electrical signals distribution panels.
- u. Federal Trademark Registration No. 2,185,607, for the trademark MONSTER COMPUTER for Class 9, for computer cables.
- v. Federal Trademark Registration No. 2,211,670, for the trademark MONSTER MOUNTS for Class 9, for loudspeaker mounting units.
- w. Federal Trademark Registration No. 2,153,562, for the trademark MONSTER MULTIMEDIA for Class 9, for audio and video products, namely, cables, switch boxes, and junction boxes.
- x. Federal Trademark Registration No. 2,227,322, for the trademark MONSTER NETWORKING for Class 9, for connectors and cables for the transmission of data signals.
- y. Federal Trademark Registration No. 2,330,194, for the trademark MONSTER LOCK for Class 9, for electrical connectors.
- z. Federal Trademark Registration No. 2,728,729, for the trademark MONSTER POWER for Class 9, for electrical power control products, namely batteries, power strip type electrical outlets, power line conditioners and electrical power extension cords.
- aa. Federal Trademark Registration No. 2,639,223, for the trademark MONSTER USB for Class 9, for USB cables and connector devices for computers and components.

bb. Federal Trademark Registration No. 2,213,346, for the trademark MONSTER POWER for Class 9, for batteries, power strips, power line conditioners, and electrical power extension cords.

cc. Federal Trademark Registration No. 2,083,506, for the trademark MONSTER SATELLITE for Class 9, for satellite disk-to-receiver interconnect, electrical cables, electrical connectors and amplifiers, satellite receiver connection kit comprised of electrical cables and electrical connectors, amplifier, and satellite finder.

dd. Federal Trademark Registration No. 2,381,247, for the trademark MONSTER DIGITAL for Class 9, for electrical signal transmitting cable and connectors.

ee. Federal Trademark Registration No. 2,381,246, for the trademark MONSTER STANDARD for Class 9, for electrical signal transmitting cable and connectors.

ff. Federal Trademark Registration No. 2,724,015, for the trademark MONSTER (and design) for Class 9, for electrical cables, connectors and control devices for use with audio and video components.

gg. Federal Trademark Registration No. 2,617,706, for the trademark IMONSTER for Class 35, for promoting the goods and services of others by providing hypertext links to web sites of others.

hh. Federal Trademark Registration No. 2,627,042, for the trademark MONSTER for Class 25, for clothing, namely sweatshirts, T-shirts, pants, jackets, and caps.

ii. Federal Trademark Registration No. 2,774,858, for the trademark MONSTER for Class 9, for electrical and optical cables, wires and connectors for use with audio and video components.

jj. Federal Trademark Registration No. 2,623,566, for the trademark MONSTER BUCKS for Class 35, for marketing and product promotion services for others; namely by distribution of product reward coupons to sales representatives for redemption and/or redistribution to clients.

kk. Federal Trademark Registration No. 3,093,850, for the trademark MONSTER ROCK for Class 09, for electrical and electromagnetic signal transmitting amplifying, receiving and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic and computer devices; loudspeakers; stereo amplifiers; audio equipment and accessories, namely, electronically amplified musical instruments, amplifiers for musical instruments and control devices for musical instruments.

ll. Federal Trademark Registration No. 3,051,578, for the trademark MONSTER PHOTO for Class 09, for rechargeable and non-chargeable power cells and power cell re-chargers; camera cases; camera canvas bags; control devices for use with electrical, electronic, and computer devices; video equipment and accessories.

mm. Federal Trademark Registration No. 2,215,211 MONSTER MICROPHONE for Class 09, for microphones, namely microphone cables.

nn. Federal Trademark Registration No. 3,040,944 for MONSTER ULTRA for

Class 09, for electrical and electromagnetic signal transmitting, amplifying, receiving, and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic, and computer devices.

oo. Federal Trademark Registration No. 3,034,642 MONSTER BASS for Class 09, for electrical and electronic control devices, namely, electrical and electromagnetic signal transmitting, amplifying, receiving and converting devices, cables, wires, connectors, and control devices for use with electrical, electronic and computer devices.

pp. Federal Trademark Registration No. 2,197,793 MONSTER for Class 16, for newsletters catalogs providing entertainment industry and cable industry news.

qq. Federal Trademark Registration No. 3,076,122 MONSTER POWER & DESIGN for class 09, for electrical and electronic control devices, namely, electrical and electromagnetic signal transmitting, amplifying, receiving, and converting devices, namely, cables, wires, connectors, and control devices for use with electrical, electronic, and computer devices, namely, electrical and electronic signal splitters, electrical and electronic signal multiplexers, electrical and electronic signal wireless remote controllers an electrical and electronic signal controllers; computer component and accessories, namely, computer peripherals; audio equipments and accessories, namely power amplifiers, audio signal equalizers; electrical control components and accessories, namely, power conditioners, power cell rechargers, power amplifiers, voltage stabilizers, current stabilizers, electrical surge protectors, circuit chargers and circuit breakers.

rr. Federal Trademark Registration No. 1,665,277 MONSTER MUSIC for Class 41, for the productions of compact discs.

qq. Federal Trademark Registration No. 1,665,277 MONSTER MUSIC for Class 42, the distributorship services in the field of prerecorded compact discs.

ss. Federal Trademark Registration No. 2,575,745 MONSTER for Class 09, for electronic game accessories namely, electrical cables, electrical connectors and video game interactive remote control units.

8. Opposer's Federal Trademark Registrations related to its MONSTER Family of Marks are valid, subsisting, and in full force and effect.

9. On March 2, 2006, Applicant filed the ITU application at issue to register in Class 45, the mark "MONSTER DADDY" ("Applicant's Mark") for use with licensing of intellectual property.

10. The intended trademark MONSTER DADDY is confusingly similar to Opposer's above-stated individual trademarks and the MONSTER Family of Marks, and registration of Applicant's proposed mark and continued use by Applicant on its services is likely to cause confusion, deception, and mistake. Applicant's use of said intended trademark interferes with Opposer's use of its above-stated trademarks and family of marks, and use or registration of its mark by Applicant will seriously damage Opposer. Furthermore, Opposer's MONSTER and family of MONSTER marks are famous and became famous before Applicant's date of application for



Application Serial No.78/827,001, and Applicant's use is likely to dilute the distinctive quality of Opposer's famous MONSTER and family of MONSTER marks.

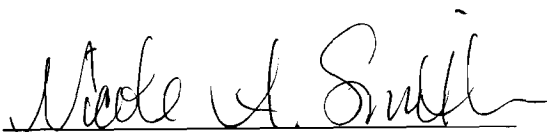
WHEREFORE, Opposer MONSTER CABLE PRODUCTS, INC. prays that Application Serial No. 78/827,001 be rejected, and that the registration of the mark therein shown for the services therein specified be refused and denied.

Respectfully submitted,

LARIVIERE, GRUBMAN & PAYNE, LLP

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By:



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