

ESTTA Tracking number: **ESTTA167376**

Filing date: **10/08/2007**

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	Formula4Media
Granted to Date of previous extension	10/06/2007
Address	299 East Shore Road Great Neck, NY 11023 UNITED STATES

Correspondence information	Philip Weiss Weiss & Weiss 300 Old Country Road Suite 251 Mineola, NY 11501 UNITED STATES dbroderick@covad.net Phone:5167391500
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Applicant Information

Application No	77026496	Publication date	08/07/2007
Opposition Filing Date	10/08/2007	Opposition Period Ends	10/06/2007
Applicant	Sporting Goods Intelligence, Inc. 442 Featherbed Lane Glen Mills, PA 19342 UNITED STATES		

Goods/Services Affected by Opposition

Class 016. First Use: 2005/10/01 First Use In Commerce: 2005/10/01 All goods and services in the class are opposed, namely: weekly newsletters; namely, trade publications directed to businesses which manufacture sporting goods

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	SGI THE MAGAZINE		
Goods/Services	MAGAZINES		

U.S. Application/	NONE	Application Date	NONE
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Registration No.			
Registration Date	NONE		
Word Mark	SGI TEXTILE INTELLIGENCE		
Goods/Services	MAGAZINES		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	SGI FOOTWEAR INTELLIGENCE		
Goods/Services	MAGAZINES		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	SGI TEAM INTELLIGENCE		
Goods/Services	MAGAZINES		

Related Proceedings	AAA File No. 181330117206
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Attachments	205-20.notopp.txt (2 pages)(3176 bytes)
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Signature	/PHILIPWEISS/
Name	Philip Weiss
Date	10/08/2007

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

In the matter of Application Serial No. 77/026,496 SGI
FORMULA4MEDIA, LLC.)

Opposer,)

)
Oppositi

on No.

v.)

SPORTING GOODS INTELLIGENCE, INC.)

Applicant.)

NOTICE OF OPPOSITION

FORMULA4MEDIA, LLC., a New York corporation having a principal place of business at P.O. Box 231318, Great Neck, NY 11023, believes it will be damaged by registration of the mark shown in App. Serial No. 77/026,496 and opposes same. The grounds for this opposition are as follows:

1. FORMULA4MEDIA started using the names SGI the Magazine, SGI Textile Intelligence, SGI Footwear Intelligence, and SGI Team Intelligence in October, 2005.
2. Neither Opposer nor Applicant is currently using any marks with SGI.
3. SPORTING GOODS INTELLIGENCE has never used the name SGI in association with weekly newsletters; namely trade publications directed to businesses which manufacture sporting goods.
4. SPORTING GOODS INTELLIGENCE is not currently nor has it used in the past the name SGI in association with the goods listed in its trademark application.
5. Applicant applied to register the mark SGI without FORMULA4MEDIA's consent.
6. Applicant's use and registration of the SGI mark is likely to cause confusion, mistake, or deception with FORMULA4MEDIA and its marks and is likely to cause purchasers and others erroneously to believe that Applicant's goods are FORMULA4MEDIA'S goods, or that Applicant or its goods are in some way legitimately connected with, sponsored, or approved by FORMULA4MEDIA.
7. SPORTING GOODS INTELLIGENCE is well aware of their non-use of the mark, as it was testified by their president John Horan under oath in an arbitration proceeding.

WHEREFORE, Opposer prays that its opposition be sustained and registration of Application Serial No. 77/026,496 be refused.

Opposer submits the requisite filing fee of \$300.00. Please address

all correspondence to Philip Weiss, Weiss & Weiss, 300 Old Country

Road, Suite 251, Mineola, NY 11501.

Dated: October 8, 2007
submitted,

Respectfully

Philip M. Weiss
Reg. No. 34,751

Attorney for Applicant

Weiss & Weiss
300 Old

Country Rd., Ste. 251
Mineola, NY 11501

(516) 739-1500

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SPORTING GOODS INTELLIGENCE, INC.)

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing Notice of

Opposition, this 8th day of October, 2007, to be served, via first
class, postage prepaid, upon:

Robert S. Lipton
Lipton Weinberger & Husick
201 North Jackson Street, P.O. Box 934
Media, PA 19063-0934

Philip M. Weiss