

ESTTA Tracking number: **ESTTA171699**

Filing date: **10/30/2007**

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	ECONOMIC DEVELOPMENT GROWTH ENTERPRISES
Granted to Date of previous extension	11/16/2007
Address	153 Brooks Road Rome, NY 13441 UNITED STATES
Party who filed Extension of time to oppose	ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION ECONOMIC DEVELOPMENT GROWTH ENTERPRISES CORPORATION
Relationship to party who filed Extension of time to oppose	TTAB electronic system deleted the word "CORPORATION". Opposer's name has not changed.

Attorney information	Daniel T. Earle Shlesinger, Arkwright & Garvey LLP 1420 King Street Suite 600 Alexandria, VA 22314 UNITED STATES danearle@sagllp.com Phone:703-684-5600
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Applicant Information

Application No	77063288	Publication date	07/03/2007
Opposition Filing Date	10/30/2007	Opposition Period Ends	11/16/2007
Applicant	Edge Group LLC Suite 360 3930 Howard Hughes Parkway Las Vegas, NV 89169 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. All goods and services in the class are opposed, namely: Real estate investment

Grounds for Opposition

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

U.S. Application	77289167	Application Date	09/26/2007
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	EDGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/12/18 First Use In Commerce: 1997/12/18 Promoting the economic development in Oneida and Herkimer counties, New York Class 037. First use: First Use: 1997/12/18 First Use In Commerce: 1997/12/18 Land development, namely, planning and laying out commercial businesses; real estate development		

Attachments	77289167#TMSN.jpeg (1 page)(bytes) Ser.77063288.Not of Opp.PDF (3 pages)(63262 bytes)
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Signature	/dte/
Name	Daniel T. Earle
Date	10/30/2007

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

In the matter of Trademark Application Serial No. 77/063,288 published in the Official Gazette on July 3, 2007.

Economic Development Growth	:	
Enterprises Corporation,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No.
	:	
Edge Group LLC,	:	
	:	
Applicant.	:	

NOTICE OF OPPOSITION FOR CLASS 36 ONLY

Opposer, Economic Development Growth Enterprises Corporation, a corporation organized under the laws of the State of New York, and having a place of business at 153 Brooks Road, Rome, New York 13441, believes that it will be damaged by a registration for the mark shown in Application Serial No. 77/063,288, for the services in Class 36 only, and hereby opposes the same.

The grounds for the opposition are as follows:

1. Since long prior to the filing date of Application Serial No. 77/063,288, Opposer has adopted and has used the mark, EDGE, alone and in combination with other words and designs, for promoting the economic development in the Oneida

and Herkimer counties, New York; land development, namely, planning and laying out commercial businesses; and real estate development, as well as other related services.

2. Opposer's mark is favorably known and is a valuable asset of Opposer. The mark is a symbol of considerable goodwill and recognition built up by Opposer through substantial amounts of time and effort.

3. Notwithstanding Opposer's prior rights in the mark, Applicant, Edge Group LLC, a limited liability company organized under the laws of Nevada, located and doing business at 3930 Howard Hughes Parkway, Suite 360, Las Vegas, Nevada 89169, filed an application for registration of the mark, EDGE MARKETING GROUP, for various services, including real estate investment in International Class 36, based on applicant's intent to use the mark.

4. Upon information and belief, Applicant, Edge Group LLC, has not used the mark, EDGE MARKETING GROUP, for the services listed in Application Serial No. 77/063,288, prior to the filing date for the application, or any priority date which Applicant may claim in connection with said application. Applicant's filing date is long after Opposer's first use of its mark for the services described herein.

5. In view of the similarity between Applicant's mark and Opposer's mark, and the related nature of the respective

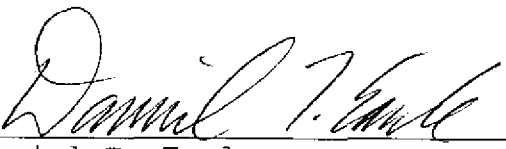
services of the parties, Applicant's mark so resembles Opposer's mark, previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive, to the irreparable damage of Opposer.

WHEREFORE, Opposer prays that the services in Class 36 of said Application Serial No. 77/063,288, be rejected, that no registration be issued in connection with the Class 36 services to Applicant for its mark, and that this Notice of Opposition be sustained in favor of Opposer.

Respectfully submitted,

Economic Development Growth
Enterprises Corporation

Date: Oct. 30, 2007

By: 
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