

ESTTA Tracking number: **ESTTA239288**

Filing date: **09/26/2008**

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	Redline Solutions, Inc.		
Entity	Corporation	Citizenship	Nevada
Address	1700 Wyatt Drive, Suite 15 Santa Clara, CA 95054 UNITED STATES		

Attorney information	DAVID H. JAFFER PILLSBURY WINTHROP SHAW PITTMAN LLP P.O. BOX 10500-IP GROUP McLEAN, VA 22102 UNITED STATES david.jaffer@pillsburylaw.com, judy.keeley@pillsburylaw.com Phone:650.233.4510
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**Applicant Information**

Application No	77327479	Publication date	09/16/2008
Opposition Filing Date	09/26/2008	Opposition Period Ends	10/16/2008
Applicants	Koury, John J 232 Delaware Ave, Suite 20 Buffalo, NY 14202 UNITED STATES  Corsaro, Anthony F 232 Delaware Ave., Suite 20 Buffalo, NY 14202 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 009. All goods and services in the class are opposed, namely: Bar code scanners
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**Grounds for Opposition**

Other	The following grounds for opposition are alleged: 1. Applicant filed an intent to use trademark application for registration of the REDLINESCANNERS trademark for #bar code scanners# in International Class 009 on November 12, 2007. The mark was published for opposition on September 16, 2008. 2. On information and belief, Applicant made no use of the mark prior to the filing date of the application.
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	<p>3. Opposer filed actual use applications to register REDLINE SOLUTIONS (U.S. Serial No. 77/427,866) and REDLINEMOBILE (U.S. Serial No. 77/427,889) (hereinafter #Opposer#s REDLINE marks#) on March 20, 2008. The services in the application for REDLINE SOLUTIONS are #software development and systems integration services for wireless and mobile devices# in International Class 042, and the goods in the application for REDLINEMOBILE are #mobility software applications for supply chain management# in International Class 009. 4. Opposer has used the REDLINE marks in interstate commerce for many years: At least as early as April 1997 for the REDLINE SOLUTIONS mark and at least as early as January 2005 for the REDLINEMOBILE mark. 5. Upon information and belief, Opposer#s goods and services have been offered in interstate commerce using the REDLINE marks since before Applicant#s filing date. 6. Opposer#s goods and services are used in conjunction with bar code scanners, and Applicant#s use of REDLINESCANNERS for bar code scanners will cause confusion with Opposer#s goods and services. 7. For the foregoing reasons, Opposer requests that this opposition be sustained in favor of Opposer, that U.S. Trademark Application Serial Number 77/327,479 be rejected, and that no registration be issued thereon to Applicant.</p>
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Attachments	Statement for Notice of Opposition Against 77-327-479 9-26-08.pdf ( 2 pages ) (9191 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by USPS Express Mail Post Office to Addressee on this date.

Signature	/David H. Jaffer/
Name	DAVID H. JAFFER
Date	09/26/2008

The following grounds for opposition are alleged:

1. Applicant filed an intent to use trademark application for registration of the **REDLINE SCANNERS** trademark for “bar code scanners” in International Class 009 on November 12, 2007. The mark was published for opposition on September 16, 2008.

2. On information and belief, Applicant made no use of the mark prior to the filing date of the application.

3. Opposer filed actual use applications to register **REDLINE SOLUTIONS** (U.S. Serial No. 77/427,866) and **REDLINE MOBILE** (U.S. Serial No. 77/427,889) (hereinafter “Opposer’s **REDLINE** marks”) on March 20, 2008. The services in the application for **REDLINE SOLUTIONS** are “software development and systems integration services for wireless and mobile devices” in International Class 042, and the goods in the application for **REDLINE MOBILE** are “mobility software applications for supply chain management” in International Class 009.

4. Opposer has used the **REDLINE** marks in interstate commerce for many years: At least as early as April 1997 for the **REDLINE SOLUTIONS** mark and at least as early as January 2005 for the **REDLINE MOBILE** mark.

5. Upon information and belief, Opposer’s goods and services have been offered in interstate commerce using the **REDLINE** marks since before Applicant’s filing date.

6. Opposer’s goods and services are used in conjunction with bar code scanners, and Applicant’s use of **REDLINE SCANNERS** for bar code scanners will cause confusion with Opposer’s goods and services.

7. For the foregoing reasons, Opposer requests that this opposition be sustained in favor of Opposer, that U.S. Trademark Application Serial Number 77/327,479 be rejected, and that no registration be issued thereon to Applicant.