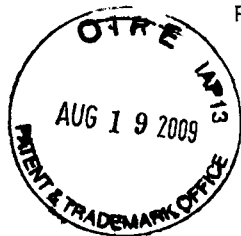


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OUR REF. No.

R-5963

August 19, 2009

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Attention: Trademark Trial and Appeal Board

Re: Opposition to Trademark Application
Serial No. 77/630,792, published in the
Official Gazette on December 10, 2009

Dear Sir:

Enclosed is a Notice of Opposition on behalf of Bollman Hat Company, to the registration of the above-identified trademark application.

A check in the amount of \$300.00 to cover the filing fee in the Opposition is also enclosed.

All communications concerning the Opposition should be directed to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Shlesinger".

James E. Shlesinger
Attorney for Opposer

SHLESINGER, ARKWRIGHT & GARVEY LLP
1420 King Street, Suite 600
Alexandria, Virginia 22314
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JES/ds
Enclosure

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

In the matter of trademark application Serial No. 77/640,792,
published in the Official Gazette on April 21, 2009.

BOLLMAN HAT COMPANY	:	
	:	
Opposer	:	
v.	:	Opposition No.
	:	
AHMED LAGO	:	
	:	
Applicant.	:	

NOTICE OF OPPOSITION

Opposer, BOLLMAN HAT COMPANY, a Pennsylvania corporation, located and doing business at P.O. Box 517, 110 East Main Street, Adamstown, Pennsylvania 19501, believes that it will be damaged by the registration of the mark, shown in application Serial No. 77/630,792, and hereby opposes the same.

The grounds for the opposition are as follows;

1. Bollman Hat Company (hereinafter "Opposer" or "Bollman") since at least as early as 1987, has advertised, marketed, sold, sells, and continues to sell, clothing, specifically headwear, under the trademark, LITE FELT.

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2. Subsequent to Opposer's adoption and use of the mark, LITE FELT, to identify headwear, but prior to any use date that Applicant can claim for its marks, Opposer's product line has expanded to include other brands for headwear incorporating the term "LITE" as a feature thereof.

3. Since long prior to the filing date of the application for registration, and any use date claimed therein, BOLLMAN has marketed and sold headwear throughout the United States under various marks which feature the term "LITE" as a part thereof, including, among others, the trademarks, LITE FELT, LITE STRAW, LITE CLOTH, and ULTRA LITE.

4. Opposer is the owner of the following U.S. Trademark Registrations:

<u>Registration No.</u>	<u>Mark</u>	<u>Goods</u>
1,733,234	LITE FELT	headwear
1,923,736	LITE STRAW	hats
3,464,401	LITE CLOTH	headwear
2,462,210	ULTRA LITE	headwear

5. Each of the above-registrations are in full force and effect on the Principal Register of the United States Patent and Trademark Office, and operate as prima facie evidence of Opposer's ownership of said marks, and its exclusive right to use the same in commerce throughout the United States.

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Registration Nos. 1,733,234; 1,923,736; and 2,462,210 are incontestable, and thereby act as conclusive evidence of Opposer's ownership in its marks and its exclusive right to use its marks in commerce throughout the United States.

6. By virtue of the long, continued and widespread sale of goods identified by Bollman's marks, LITE FELT, LITE STRAW, LITE CLOTH, and ULTRA LITE, as well as other marks containing the term "LITE" as a feature thereof, all in connection with headwear, the relevant trade and public has come to associate said goods provided under marks which contain the term "LITE", with Bollman, thereby creating a valuable reputation for such goods.

7. Bollman continues to expand its product line under the LITE series of trademarks. Since long prior to the filing date of the Applicant's mark, Bollman has extensively advertised and promoted its series of "LITE" marks, alone and with other elements, in connection with clothing, specifically headwear.

8. Applicant filed, on December 10, 2008, an application for a similar mark to Petitioner's marks, GET LITE, for A-shirts; After ski boots; Ankle boots; Ankle garters; Ankle socks; Anklets; Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic

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footwear; Athletic shoes; Athletic uniforms; Baseball caps; Baseball shoes; Baselayer bottoms; Baselayer tops; Basketball sneakers; Beachwear; Beanies; Bed jackets; Belts; Belts made of leather; Belts of textile; Berets; Bermuda shorts; Bicycle gloves; Bicycling gloves; Bikinis; Blazers; Board shorts; Bomber jackets; Boots; Bottoms; Boxer briefs; Boxer shorts; Boxing shoes; Briefs; Briefs; Camp shirts; Canvas shoes; Cap visors; Capes; Capri pants; Capris; Caps; Caps with visors; Cardigans; Cargo pants; Chaps; Chef's hats; Children's and infants' cloth bibs; Children's cloth eating bibs; Children's headwear; Climbing boots; Clothing, namely, arm warmers; Clothing, namely, hand-warmers; Clothing, namely, khakis; Clothing, namely, knee warmers; Clothing, namely, neck tubes; Clothing, namely, wrap-arounds; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Collar protectors; Collars; Coveralls; Coverups; Crew neck sweaters; Crew necks; Crop tops; Cycling shoes; Dance costumes; Dance shoes; Dance slippers; Deck-shoes; Denim jackets; Denims; Dickies; Do rags; Down jackets; Drawers; Dress shirts; Dresses; Dresses made from skins; Dresses that may also be used as towels; Embossed soles and heels of rubber or of plastic materials; Evening dresses; Evening gowns; Fishermen's jackets; Fleece pullovers; Fleece shorts; Fleece vests; Flight

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suits; Flip flops; Football boots and studs therefore; Footies;
Footwear; Footwear for men; Footwear for men and women; Footwear
for track and field athletics; Footwear not for sports;
Footwear, namely, pumps; Footwear, namely, rubbers; Gym shorts;
Gym suits; Gymnastic shoes; Hat bands; Hats; Head scarves; Head
sweatbands; Head wear; Headbands; Headbands against sweating;
Headgear, namely, hats, caps and berets; Headwear; Heavy coats;
Heavy jackets; Hooded pullovers; Hooded sweat shirts; Hoods;
Hoods; Jackets; Jackets and socks; Jeans; Jerseys; Jogging
outfits; Jogging pants; Jogging suits; Judo suits; Jumpers;
Jumpsuits; Knit shirts; Knitted caps; Knitted gloves; Knitted
underwear; Lab coats; Lace boots; Ladies' boots; Ladies' suits;
Ladies' underwear; Leather belts; Leather coats; Leather
headwear; Leather jackets; Leather pants; Leather shoes; Leather
slippers; Leg shapers; Leg Warmers; Leg-warmers; Leggings;
Leisure shoes; Light-reflecting coats; Light-reflecting jackets;
Long jackets; Long sleeved vests; Long underwear; Long sleeved
shirts; Lounge pants; Loungewear; Martial arts uniforms;
Masquerade costumes; Masquerade costumes and masks sold in
connection therewith; Men's and women's jackets, coats,
trousers, vests; Men's socks; Men's suits; Men's suits, women's
suits; Miniskirts; Mock turtle-neck sweaters; Mocknecks; Money

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belts; Morning coats; Motorcycle gloves; Motorcyclist boots; Mountaineering boots; Mountaineering shoes; Mufflers; Muscle tops; Neck bands; Neckwear; Night shirts; Nightcaps; Nightdresses; Nightgowns; Nighties; Nightwear; Over coats; Overtrousers; Overalls; Overcoats; Overshoes; Padded jackets; Padding jackets; Pajama bottoms; Pantaloons; Panties; Panties, shorts and briefs; Pants; Parkas; Parts of clothing, namely, gussets for tights, gussets for stockings, gussets for bathing suits, gussets for underwear, gussets for leotards and gussets for footlets; Parts of clothing, namely, underarm gussets; Pedicure sandals; Pedicure slippers; Pique shirts; Plastic aprons; Play suits; Pocket kerchiefs; Pocket squares; Polo shirts; Ponchos; Pullovers; Rain boots; Rain coats; Rain jackets; Rain slickers; Rain suits; Rain trousers; Raincoats; Rainproof jackets; Reversible jackets; Riding boots; Riding coats; Riding gloves; Rompers; Rubber shoes; Rubber soles for jikatabi; Rubbers; Rugby shirts; Rugby shoes; Rugby shorts; Rugby tops; Running shoes; Scarves; School uniforms; Scrubs not for medical purposes; Sedge hats (suge-gasa); Shawls; Shawls; Shawls and headscarves; Shawls and stoles; Shell jackets; Shifts; Shirt fronts; Shirt yokes; Shirts; Shirts for suits; Shoes; Short sets; Shorts; Skating outfits; Ski wear; Skirts;

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Skirts and dresses; Skiwear; Skullies; Smoking jackets;
Sneakers; Snow boarding suits; Snow boots; Snow pants; Snow
suits; Snowboard boots; Snowboard gloves; Snowboard mittens;
Snowboard pants; Soccer shoes; Socks; Sport coats; Sport shirts;
Sports bras; Sports jackets; Sports jerseys; Sports jerseys and
breeches for sports; Sports overuniforms; Sports pants; Sports
shirts; Stuff jackets; Suede jackets; Suit coats; Suits; Suits
of leather; Sun sleeves; Sun visors; Surf wear; Sweat bands;
Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat
suits; Sweatbands; Sweaters; Socks; T-shirts; Tee shirts;
Thermal underwear; Top coats; Topcoats; Tops; Track and field
shoes; Track jackets; Track pants; Track suits; Tracksuits;
Training shoes; Training suits; Under garments; Underclothes;
Undergarments; Vests; Waistbands; Walking shorts; Warm up
outfits; Warm up suits; Wedding gowns; Wet suit gloves; Wet
suits; Wetsuits; Wind coats; Wind pants; Wind resistant jackets;
Wind shirts; Wind vests; Wind-jackets; Windcheaters;
Windjammers; Windshirts; Winter boots; Women's shoes; Women's
underwear; Woolly hats; Work shoes and boots; Working overalls;
Woven or knitted underwear; Wraps; Wrist bands; Wristbands, in
International Class 025. This application was filed on the
basis of an intent to use the mark in commerce. Upon

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information and belief, Applicant has not used its mark in commerce or has not used its mark prior to the filing date of its application.

9. In view of the similarities between the respective marks, their intended uses, and the related nature of the goods of the respective parties, Applicant's mark so resembles Opposer's trademarks, 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 to Opposer.

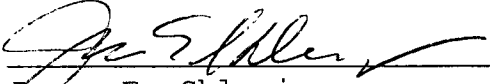
10. If Applicant is granted a registration for the mark herein opposed it would thereby, at least, provide a prima facie exclusive right to use the mark. Such registration would be a source of damage and injury to Opposer and Opposer's business.

Serial No. 77630792

WHEREFORE, Opposer prays that application Serial No. 77/630,792, be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposer.

Respectfully submitted,

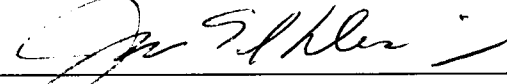
BOLLMAN HAT COMPANY

Date: Aug 19, 2009 By: 
James E. Shlesinger,
Daniel T. Earle
Attorneys for Opposer
SHLESINGER, ARKWRIGHT &
GARVEY LLP
1420 King Street, Suite 600
Alexandria, Virginia 22314
(703) 684-5600

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CERTIFICATE OF SERVICE

It is hereby certified that this NOTICE OF OPPOSITION has been served upon Applicant, by mailing a copy thereof by prepaid first class mail to Ahmed Lago, 195 Willoughby Ave., Apt. 111, Brooklyn, New York 11205, this 19th day of August, 2009.


James E. Shlesinger