

ESTTA Tracking number: **ESTTA364116**

Filing date: **08/19/2010**

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	New Wave Group AB		
Entity	Corporation	Citizenship	Sweden
Address	Orrekulla Industrigata 61 425 36 Hisings K��rta, SWEDEN		

Attorney information	Parna A. Mehrbani Lane Powell PC 601 SW 2nd Avenue, Suite 2100 Portland, OR 97204 UNITED STATES trademarks@lanepowell.com Phone:(503) 778-2127		
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### Applicant Information

Application No	77829191	Publication date	07/20/2010
Opposition Filing Date	08/19/2010	Opposition Period Ends	08/19/2010
Applicant	Fortune Fashions Industries LLC c/o Koenig & Associates 920 Garden Street, Suite A Santa Barbara, CA 93101 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. First Use: 2010/04/15 First Use In Commerce: 2010/04/15  
All goods and services in the class are opposed, namely: Clothing, namely, Shirts, Short-sleeved shirts; Sports shirts; T-shirts; Tee shirts; and Tops

### 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. Registration No.	1765940	Application Date	05/18/1988
Registration Date	04/20/1993	Foreign Priority Date	02/12/1988
Word Mark	CRAFT		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: SOCKS, UNDERWEAR, TROUSERS, JACKETS, ANORAKS, SWEATSUITS, SWEATPANTS, SWEATSHIRTS, SWEATERS, MITTENS, CAPS, MUFFLERS, SHORTS, VESTS, T-SHIRTS, TENNIS SHIRTS, AND WARMUP SUITS
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U.S. Registration No.	2963566	Application Date	03/02/1999
Registration Date	06/28/2005	Foreign Priority Date	09/03/1998
Word Mark	CRAFT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: Spectacles and spectacle frames; lifesaving and safety equipment, namely, life jackets, life vests, sailing vests, life lines, flotation jackets, and buoyancy aid jackets and rings		

Attachments	Notice of Opposition - CRAFT SCHOOL.PDF ( 4 pages )(135131 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 First Class Mail on this date.

Signature	/Parna Mehrbani/
Name	Parna A. Mehrbani
Date	08/19/2010

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

In the Matter of Trademark Application Serial No. 77/829,191  
Filed September 17, 2009  
For the Mark CRAFT SCHOOL  
Published in the Official Gazette (Trademarks) on July 20, 2010

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New Wave Group AB,	)	
a Sweden corporation,	)	
	)	Opposition No. _____
Opposer,	)	
	)	
v.	)	<b>NOTICE OF OPPOSITION</b>
	)	
Fortune Fashions Industries LLC,	)	
a California limited liability company,	)	
	)	
Applicant.	)	
<hr/>	)	

New Wave Group AB, a Sweden corporation (“Opposer”), having a principal place of business at Orrekulla Industrigata 61, 425 36 Hisings Kärä, Sweden, believes that it will be damaged by the registration of the mark CRAFT SCHOOL, which is the subject of Application Serial No. 77/829,191, published in the Official Gazette on July 20, 2010. Opposer hereby opposes the registration of said mark and requests that registration to Applicant be refused. As grounds in support of its opposition, Opposer states as follows:

1. Opposer is a leading, worldwide supplier of corporate clothing, promotional goods, gifts, and home furnishings.
2. Opposer has continuously and regularly used the mark CRAFT in connection with clothing in interstate commerce and nationwide since at least as early as 1999. Opposer currently uses the CRAFT mark for a variety of clothing products.

3. As a result of Opposer's promotion and sale of its products under the CRAFT mark, the CRAFT mark has gained significant recognition and goodwill among the purchasing public.

4. Opposer owns U.S. Trademark Registration No. 1,765,940, issued on April 20, 1993, for the mark CRAFT for use with "socks, underwear, trousers, jackets, anoraks, sweatsuits, sweatpants, sweatshirts, sweaters, mittens, caps, mufflers, shorts, vests, t-shirts, tennis shirts, and warmup suits" in International Class 25.

5. Opposer also owns U.S. Trademark Registration No. 2,963,566, issued on March 2, 1999, for the mark CRAFT for use with "spectacles and spectacle frames; lifesaving and safety equipment, namely, life jackets, life vests, sailing vests, life lines, flotation jackets, and buoyancy aid jackets and rings" in International Class 9.

6. On September 17, 2009, Fortune Fashions Industries LLC, a California limited liability company ("Applicant"), filed an application to register the mark CRAFT SCHOOL for "clothing, namely, shirts, short-sleeved shirts; sports shirts; t-shirts; tee shirts; and tops" in International Class 25 and was assigned Serial No. 77/829,191. The mark was published in the Official Gazette on July 20, 2010.

7. Prior to Applicant's date of filing of September 17, 2009, and date of first use in commerce of April 15, 2010, Opposer had been using its CRAFT mark for clothing in interstate commerce for many years.

8. Opposer's registrations for its CRAFT mark have earlier filing dates than Applicant's application for CRAFT SCHOOL; hence, Opposer's registrations have priority over Applicant's application.

9. The goods on which Applicant uses its mark CRAFT SCHOOL, as evidenced by Applicant's application, are identical or highly similar to the goods on which Opposer uses its CRAFT mark, as evidenced by Opposer's Registrations.

10. Applicant's mark CRAFT SCHOOL is nearly identical in sight, sound, and meaning to Opposer's CRAFT mark.

11. Applicant's mark CRAFT SCHOOL so resembles Opposer's CRAFT mark as to be likely to cause confusion, mistake, or deception, when used in connection with identical or highly similar goods, within the meaning of Section 2(d) of the Lanham Trademark Act.

12. Accordingly, Opposer will be damaged by the registration Applicant seeks because the registration will assist and support Applicant in the confusing and misleading use of the mark CRAFT SCHOOL and will give color of exclusive statutory rights to Applicant in violation and derogation of Opposer's prior rights.

WHEREFORE, Opposer prays that the opposition be sustained and that registration to Applicant be refused.

DATED: August 19, 2010

Respectfully Submitted,

LANE POWELL PC

By 

Parna A. Mehrbani, OSB No. 05323

Steven B. Winters, WSB No. 22393

Attorneys for Opposer New Wave Group AB

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing NOTICE OF OPPOSITION was served upon Applicant's attorney:

Kurt Koenig  
Koenig & Associates  
P.O. Box 1140  
Summerland, CA 93067-1140

by mailing the same via first class mail on the 19<sup>th</sup> day of August, 2010.

  
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Parva A. Mehrbani