

ESTTA Tracking number: **ESTTA372512**

Filing date: **10/11/2010**

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	Limor R Senker		
Entity	Individual	Citizenship	UNITED STATES
Address	201 East 77th Street Suite 3F New York, NY 10075 UNITED STATES		

Correspondence information	Limor R Senker Owner Love Rocks NY LLC 201 East 77th Street Suite 3F New York, NY 10075 UNITED STATES limor@loverocksny.com Phone:646-415-8770
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Applicant Information

Application No	85020103	Publication date	09/21/2010
Opposition Filing Date	10/11/2010	Opposition Period Ends	10/21/2010
Applicant	Loree Rodkin Management Corp. 9615 Brighton Way, Suite 425 Los Angeles, CA 90210 UNITED STATES		

Goods/Services Affected by Opposition

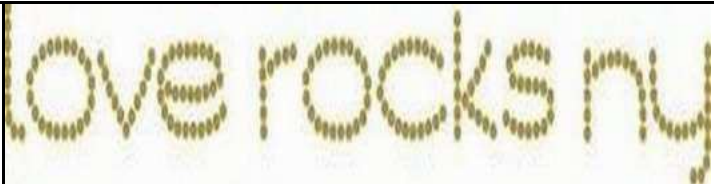
Class 014. All goods and services in the class are opposed, namely: Jewelry
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Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Other	This mark conflicts with the following marks serial #'s 77542016 77594891 77594937

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3691272	Application Date	08/07/2008
Registration Date	10/06/2009	Foreign Priority Date	NONE
Word Mark	LOVE ROCKS NY		

Design Mark	
Description of Mark	The mark consists of a series of gold dots that form the letters of the words "love rocks ny".
Goods/Services	Class 014. First use: First Use: 2007/02/01 First Use In Commerce: 2007/03/01 Jewelry Class 035. First use: First Use: 2007/09/01 First Use In Commerce: 2007/09/01 Online retail store services featuring jewelry

U.S. Registration No.	3691541	Application Date	10/17/2008
Registration Date	10/06/2009	Foreign Priority Date	NONE
Word Mark	LOVE ROCKS NY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 2007/02/01 First Use In Commerce: 2007/03/01 Jewelry		

U.S. Registration No.	3691542	Application Date	10/17/2008
Registration Date	10/06/2009	Foreign Priority Date	NONE
Word Mark	LOVE ROCKS NY		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 035. First use: First Use: 2007/09/01 First Use In Commerce: 2007/09/01 Online retail store services featuring jewelry
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Attachments	77542016#TMSN.jpeg (1 page)(bytes) 77594891#TMSN.jpeg (1 page)(bytes) 77594937#TMSN.jpeg (1 page)(bytes) TM Oppostion.pdf (2 pages)(56066 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	/lrs/
Name	Limor R Senker
Date	10/11/2010



Love Diamonds LLC 201 East 77th Street, Suite 3F NY NY 10075 646-415-8770

Limor Ratzabi Senker
Love Diamonds LLC
201 East 77th Street, Suite 3F
New York, NY 10075

October 11, 2010

Love Diamonds LLC is the owner of all right, title and interest in U.S. Trademark serial numbers: 77542016, 77594891, 77594937 and all common-law rights associated with those marks. In addition, Love Diamonds LLC has used the mark "Love Rocks (NY)" in connection with its jewelry wholesale and ecommerce services through an extensive PR campaign. By virtue of its extensive and ongoing use of the mark, Love Diamonds LLC has developed and owns considerable goodwill associated with the "Love Rocks" mark.

It has come to our attention that a business entitled "Lorree Rodkin Management Corp." which operates a jewelry wholesale business in Beverly Hills, CA has applied for the mark "Love and Rock" in advertising it's jewelry products. The use of the "Love Rocks" mark constitutes a violation of Love Diamonds' rights under section 32 of the Lanham Act, 15 U.S.C. § 1114, in that is a use of a reproduction, copy or colorable imitation of Love Diamonds' registered mark(s) in connection with the sale, offering for sale, or advertising of goods and services, in a manner that is likely to cause confusion or to deceive.

Further, the use of the "Love Rocks" mark violates section 43(a) on the Lanham Act, 15 U.S.C. § 1125(a) in that it constitutes a false designation of origin. Indeed, use of this mark is likely to cause confusion that the goods and services are sponsored or endorsed by Love Diamonds and/or that their business is affiliated with Love Diamonds.

Sincerely

Limor R. Senker

love rocks ny

Love Diamonds LLC 201 East 77th Street, Suite 3F NY NY 10075 646-415-8770