

ESTTA Tracking number: **ESTTA405848**

Filing date: **04/27/2011**

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	Hudson Clothing, LLC		
Entity	Limited Liability Company	Citizenship	California
Address	6409 Gayhart Street Commerce, CA 90040 UNITED STATES		

Attorney information	Rita Weeks McDermott Will & Emery LLP 600 13th Street, NW Washington, DC 20005 UNITED STATES rweeks@mwe.com, jdabney@mwe.com, dciplit@mwe.com, ksandacz@mwe.com, pmast@mwe.com Phone:2027568000		
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Applicant Information

Application No	85119450	Publication date	03/29/2011
Opposition Filing Date	04/27/2011	Opposition Period Ends	04/28/2011
Applicant	Christina Goerner 196 Acton Road Annapolis, MD 21403 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Sports and ready wear, namely, suits, slacks, trousers, shorts, jackets, blazers, dress shirts, knit shirts, sweater, blouses, skirts, coats and dresses, belts, gloves, hats, scarves, evening wear, namely, gowns, short dresses, pants and tunics, caps, undergarments, sleepwear, loungewear, and swimwear and all purpose footwear excluding orthopedic footwear
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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.	3273129	Application Date	04/19/2002
Registration Date	08/07/2007	Foreign Priority Date	NONE
Word Mark	HUDSON		

Design Mark	HUDSON
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2002/07/00 First Use In Commerce: 2002/07/00 Women's jeans

U.S. Registration No.	3385499	Application Date	05/01/2006
Registration Date	02/19/2008	Foreign Priority Date	NONE
Word Mark	HUDSON		
Design Mark	HUDSON		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2002/05/00 First Use In Commerce: 2002/07/00 Clothing not made of leather, namely, jeans, pants, shirts, jackets, and skirts		

Attachments	76397437#TMSN.gif (1 page)(bytes) 78873343#TMSN.jpeg (1 page)(bytes) 2011.4.27 - Notice of Opposition to CATHERINE HUDSON.pdf (4 pages) (210037 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	/s/ Rita Weeks
Name	Rita Weeks

Date	04/27/2011
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

HUDSON CLOTHING, LLC,

Opposer,

v.

CHRISTINA GOERNER,

Applicant.

Opposition No. _____

Application Serial No: 85/119,450

Mark: CATHERINE HUDSON

NOTICE OF OPPOSITION

Hudson Clothing, LLC (“Opposer”) will be damaged by registration of the mark in U.S. Application Serial No. 85/119,450, and requests that registration be denied.

1. Opposer is a California limited liability company located in Commerce, California.
2. Applicant Christina Goerner (“Applicant”) is an individual located in Annapolis, Maryland.
3. Opposer, through its predecessors, itself and/or licensees, has continuously used, advertised and promoted in commerce the HUDSON mark in connection with Opposer’s clothing products.
4. Opposer owns two United States trademark registrations for HUDSON in International Class 25 for clothing, U.S. Reg. No. 3,273,129 and U.S. Reg. No. 3,385,499.
5. Opposer has expended substantial resources to advertise and promote its products under Opposer’s HUDSON marks and has developed substantial goodwill in its HUDSON marks and had done so long before Applicant’s filing of its intent-to-use application.

6. On August 31, 2010, Applicant filed an intent-to-use application to register the mark “CATHERINE HUDSON” in International Class 25 for:

“Sports and ready wear, namely, suits, slacks, trousers, shorts, jackets, blazers, dress shirts, knit shirts, sweater, blouses, skirts, coats and dresses, belts, gloves, hats, scarves, evening wear, namely, gowns, short dresses, pants and tunics, caps, undergarments, sleepwear, loungewear, and swimwear and all purpose footwear excluding orthopedic footwear.”

7. Applicant’s intent-to-use application to register CATHERINE HUDSON, Serial No. 85/119,450, was published for opposition on March 29, 2011 in the Official Gazette (Trademarks) of the United States Patent and Trademark Office.

8. Applicant’s mark “CATHERINE HUDSON,” for the clothing items identified in International Class 25 of its application, is confusingly similar to Opposer’s HUDSON marks.

10. The goods identified under International Class 25 in Applicant’s application for the mark “CATHERINE HUDSON” are related to goods with which Opposer uses its HUDSON marks.

11. Applicant’s registration of the mark “CATHERINE HUDSON” for the goods identified in Applicant’s application under International Class 25 is likely to cause confusion, deception, and/or mistake among the relevant public.

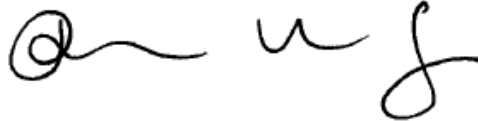
12. Applicant’s registration of the mark “CATHERINE HUDSON” interferes with Opposer’s HUDSON marks and damages Opposer, its business, and its goodwill.

WHEREFORE, Opposer requests that Applicant’s application be denied.

The requisite filing fee prescribed by 37 C.F.R. § 2.6(a)(17), in the amount of \$300.00, should be charged to Deposit Account No. 500417. If there are any additional fees due in connection with this Notice of Opposition, they should also be charged to Deposit Account No. 500417, and any excess fees should be credited to same.

Respectfully submitted,

HUDSON CLOTHING, LLC



Dated: April 27, 2011

By: _____

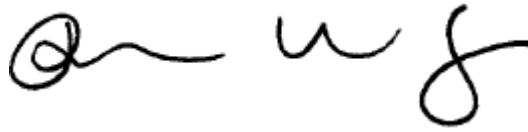
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Attorneys for Opposer Hudson Clothing, LLC

CERTIFICATE OF SERVICE

Opposer HUDSON CLOTHING, LLC hereby certifies that a copy of this NOTICE OF OPPOSITION has been served upon Applicant Christina Goerner on this 27th day of April, 2010, by First Class U.S. Mail, postage prepaid, at the following address:

**Christina Goerner
Hodafel Building, 196 Acton Road
Annapolis, MD 21403**

A handwritten signature in black ink, appearing to read 'Rita Weeks', is written above a horizontal line.

Rita Weeks
Attorney for Opposer