

ESTTA Tracking number: **ESTTA438148**

Filing date: **10/27/2011**

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	DIRECTV, Inc.
Granted to Date of previous extension	10/30/2011
Address	2230 E. Imperial Highway El Segundo, CA 90245 UNITED STATES

Correspondence information	DIRECTV, Inc. 2230 E. Imperial Highway El Segundo, CA 90245 UNITED STATES latm2@gtlaw.com
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Applicant Information

Application No	85221784	Publication date	05/03/2011
Opposition Filing Date	10/27/2011	Opposition Period Ends	10/30/2011
Applicant	Radware Ltd. 22 Raoul Wallenberg St. Tel Aviv, 69719 ISRAEL		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: computer software for the management of application delivery controllers through computer network provisioning systems

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2503432	Application Date	02/15/1999
Registration Date	11/06/2001	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			


Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 1998/10/01 First Use In Commerce: 1998/10/01 Telecommunications products, namely, receivers, receiver modules, decoder boxes, satellite dishes, remote controllers, video display devices, namely, television sets and video monitors, antennas, computer controlling hardware and software for use in the aforementioned goods, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, and accessories, namely, telephone jacks, chimney mounts, surge protectors, all for use in the direct-to-home satellite broadcasting industry</p> <p>Class 016. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Cardboard floor display units for merchandising products, instruction manuals for use in connection with direct-to-home satellite equipment and services, magazines, brochures, books, and printed programming guides in the field of direct-to-home satellite services, writing paper, binders, posters, note pads, pens, pencils, address books, appointment books, book marks, stationery boxes, calendars, gift cards, decals, desk sets, diaries, stationery-type portfolios, bumper stickers</p> <p>Class 025. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, and hats</p>

U.S. Registration No.	2698197	Application Date	12/04/1998
Registration Date	03/18/2003	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 TELECOMMUNICATIONS PRODUCTS, NAMELY, RECEIVERS, RECEIVER MODULE, MODULATORS, TRANSMITTERS, MULTIPLEXERS, DECODER BOXES, [DATA PROCESSORS, INTEGRATED CIRCUITS,] SET-TOP BOXES PRIMARILY COMPRISED OF A RECEIVER AND CIRCUITRY, COMPUTER CONTROLLING HARDWARE AND SOFTWARE FOR USE IN THE AFOREMENTIONED GOODS, SATELLITE DISHES, REMOTE CONTROLLERS, VIDEO DISPLAY DEVICES, NAMELY, TELEVISION SETS, [VIDEO PROJECTORS, AND VIDEO MONITORS,] ANTENNAS, INSTALLATION KITS PRIMARILY COMPRISING CABLES, PHONE CORDS, CABLE TIES, CABLE CLIPS, GROUND WIRE, PHONE ADAPTERS, AND PARTS FOR THE AFORESAID GOODS, VIDEO DISTRIBUTION EQUIPMENT, NAMELY, [AMPLIFIERS, PRE-AMPLIFIERS, BLOCK SIGNAL CONVERTERS,] ROUTERS, [ELECTRICAL SWITCHES,] ENCODERS, DECODERS, AND ACCESSORIES, NAMELY, TELEPHONE JACKS, CHIMNEY MOUNTS, SURGE PROTECTORS, CABLES, CONNECTORS AND FITTINGS ALL FOR USE IN THE DIRECT-TO-HOME SATELLITE BROADCASTING INDUSTRY</p> <p>Class 025. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 CLOTHING, NAMELY, SHIRTS, GOLF SHIRTS, JACKETS, WIND-RESISTANT JACKETS, SWEATSHIRTS, T-SHIRTS, CAPS, HATS, SWEATERS, SWEAT PANTS, SLEEPWEAR, SHORTS, RAINWEAR [, WRIST BANDS]</p> <p>Class 038. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 SATELLITE TELEVISION BROADCASTING SERVICES, BROADCASTING PROGRAMS VIA A GLOBAL COMPUTER NETWORK, PROVIDING AND</p>		


	<p>PROCESSING INTERACTIVE ACCESS TO INFORMATION VIA AN ELECTRONIC COMMUNICATION NETWORK, [ELECTRONIC MAIL SERVICES,] ELECTRONIC TRANSMISSION OF MESSAGES AND DATA, PAY-PER-VIEW TRANSMISSION SERVICES, DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION; [VIDEO BROADCASTING AND MESSAGING SERVICES,] VIDEO-ON-DEMAND TRANSMISSION SERVICES, PROVIDING MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK</p> <p>Class 041. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 TELEVISION PROGRAMMING AND PRODUCTION SERVICES, PROGRAMMING ON A GLOBAL COMPUTER NETWORK, DISTRIBUTION OF TELEVISION PROGRAMS FOR OTHERS, PROVIDING ON-LINE INTERACTIVE COMPUTER DATABASES OF INFORMATION IN THE FIELDS OF ENTERTAINMENT NEWS, FINANCIAL NEWS, CURRENT EVENTS, SPORTS, AND PROVIDING ON-LINE INTERACTIVE COMPUTER DATABASES OF INFORMATION ON SATELLITE TELEVISION PROGRAMMING LISTS AND SCHEDULES OF OTHERS</p>
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U.S. Registration No.	3085552	Application Date	07/06/2005
Registration Date	04/25/2006	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1990/10/31 First Use In Commerce: 1994/06/17 Satellite television broadcasting services provided directly to the consumer		

U.S. Registration No.	2939061	Application Date	11/21/2001
Registration Date	04/12/2005	Foreign Priority Date	NONE
Word Mark	DIRECTV		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1998/10/01 First Use In Commerce: 1998/10/01 Telecommunications products, namely, receivers, receiver modules, decoder boxes, satellite dishes; remote controllers; video display devices, namely, television sets and video monitors, antennas, computer controlling hardware and software for use in the aforementioned goods, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, and accessories, namely, telephone jacks, chimney mounts, surge protectors, all for use in the direct-to-home satellite broadcasting industry, decorative refrigerator magnets, calculators

U.S. Registration No.	3051285	Application Date	11/28/2001
Registration Date	01/24/2006	Foreign Priority Date	NONE


Word Mark	DIRECTV
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1998/10/01 First Use In Commerce: 1998/10/01 Telecommunications products, namely, receivers, receiver modules, modulators, transmitters, multiplexers, decoder boxes, data processors, integrated circuits, set-top boxes primarily comprised of a receiver and circuitry, computer controlling hardware and software for use in the aforementioned goods, satellite dishes, remote controllers, video display devices, namely, television sets, video projectors, and video monitors, antennas, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, video distribution equipment, namely, amplifiers, pre-amplifiers, block signal converters, routers, electrical switches, encoders, decoders, and accessories, namely, telephone jacks, chimney mounts, surge protectors, cables, connectors and fittings all for use in the direct-to-home satellite broadcasting industry

U.S. Registration No.	2618103	Application Date	11/21/2001
Registration Date	09/10/2002	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Cardboard floor display units for merchandising products, instruction manuals for use in connection with direct-to-home satellite equipment and services, magazines, brochures, [books,] and printed programming guides in the field of direct-to-home satellite services, writing paper, [binders,] posters, note pads, pens, pencils, address books, [appointment books,] book marks, [stationery boxes,] calendars, [gift cards,] decals, desk sets, diaries, stationery-type portfolios [, bumper stickers, paper napkins]</p>		

U.S. Registration No.	2738513	Application Date	11/28/2001
Registration Date	07/15/2003	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 2000/10/00 First Use In Commerce: 2000/10/00 Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, hats, sweaters, sweat pants, sleepwear, shorts, rainwear [, wrist bands]</p>		

U.S. Registration No.	2628178	Application Date	11/21/2001
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Registration Date	10/01/2002	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, and hats		


U.S. Registration No.	2639279	Application Date	11/21/2001
Registration Date	10/22/2002	Foreign Priority Date	NONE
Word Mark	DIRECTV		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Satellite television transmission and broadcasting services; pay-per-view television transmission services		

U.S. Registration No.	3051286	Application Date	11/28/2001
Registration Date	01/24/2006	Foreign Priority Date	NONE
Word Mark	DIRECTV		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 038. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Satellite television broadcasting services, broadcasting programs via a global computer network, electronic mail services, electronic transmission of messages and data, pay-per-view transmission services, delivery of messages by electronic transmission; video broadcasting and messaging services, video-on-demand transmission services, providing multiple user access to a global computer information network, rental of satellite broadcasting equipment


U.S. Registration No.	2618102	Application Date	11/21/2001
Registration Date	09/10/2002	Foreign Priority Date	NONE

Word Mark	DIRECTV
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Television programming and production services; distribution of television programs for others

U.S. Registration No.	2740757	Application Date	11/28/2001
Registration Date	07/22/2003	Foreign Priority Date	NONE


Word Mark	DIRECTV
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1994/06/17 First Use In Commerce: 1994/06/17 Television programming and production services, programming on a global computer network, distribution of television programs for others, providing on-line interactive computer databases of information in the fields of entertainment news, current events, sports, and providing on-line interactive computer databases of information on satellite television programming lists and schedules of others

U.S. Registration No.	2820253	Application Date	11/28/2001
Registration Date	03/02/2004	Foreign Priority Date	NONE

Word Mark	DIRECTV
Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2000/10/00 First Use In Commerce: 2000/10/00 Computer data information services, namely, providing online databases featuring general and local news and information to specific geographic areas

U.S. Registration No.	3382802	Application Date	02/09/2005
Registration Date	02/12/2008	Foreign Priority Date	NONE
Word Mark	DIRECTV		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 038. First use: First Use: 2005/01/01 First Use In Commerce: 2005/01/01 Satellite television broadcasting services, broadcasting programs via a global computer network, providing access to telecommunication networks, telematic sending of information, electronic mail services, electronic transmission of messages and data, pay-per-view television transmission services, delivery of messages by electronic transmission; video broadcasting and instant messaging services, video-on-demand transmission services, providing multiple-user access to a global computer information network</p> <p>Class 041. First use: First Use: 2005/01/01 First Use In Commerce: 2005/01/01 Television programming and production services, programming on a global computer network, distribution of television programs for others, providing on-line interactive computer databases of information in the fields of entertainment, current events, sports, and television programming lists and schedules of others</p>

Attachments	78664780#TMSN.jpeg (1 page)(bytes) 76340810#TMSN.gif (1 page)(bytes) 76342834#TMSN.gif (1 page)(bytes) 76341183#TMSN.gif (1 page)(bytes) 76342848#TMSN.gif (1 page)(bytes) 76341195#TMSN.gif (1 page)(bytes) 76341049#TMSN.gif (1 page)(bytes) 76342841#TMSN.gif (1 page)(bytes) 76341175#TMSN.gif (1 page)(bytes) 76342844#TMSN.gif (1 page)(bytes) 76342804#TMSN.gif (1 page)(bytes) 78564081#TMSN.jpeg (1 page)(bytes) vdirect.pdf (9 pages)(445001 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	/Susan Heller/
Name	DIRECTV, Inc.
Date	10/27/2011

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

In the matter of Application Serial No. 85221784
For the mark VDIRECT
Published in the *Official Gazette* on May 3, 2011

DIRECTV, Inc., a California corporation,

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Opposition No. _____

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Opposer,

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vs.

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Radware Ltd., an Israeli limited liability company,

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Applicant

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United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

1. Opposer DIRECTV, Inc. (“DIRECTV” or “Opposer”) is a California corporation located at 2230 East Imperial Highway, El Segundo, CA 90245.

2. DIRECTV believes that it will be damaged if the above-referenced mark is registered, and hereby opposes the registration.

3. Upon information and belief, Applicant Radware Ltd. (“Applicant”) is an Israeli limited liability company located at 22 Raoul Wallenberg St., Tel Aviv 69719, Israel.

4. DIRECTV is the nation’s leading satellite television service provider, and provides goods and services to over 19 million customers in the United States alone. Since at least as early as 1994, DIRECTV has continuously used and is using in commerce the trade name

and mark DIRECTV and variations thereof in connection with digital television broadcasting, distribution, and programming services, and a wide variety of related telecommunications goods and services. DIRECTV also offers a broad range of interactive television related goods and services, which include interactive digital television broadcasting and programming, searchable on-screen television program guides, digital video recording (DVR) hardware and software platforms, mobile phone software for remotely interacting with DVR hardware, on-demand and pay-per-view video services, media sharing software for synchronizing television with home computer networks, and interactive television channels and applications for user-specific weather reports, instant sports scores and custom aggregation of content, among many others. In addition to its many interactive television goods and services, DIRECTV also provides a national interactive television advertising platform for third party advertisers and itself utilizes a wide range of advertising channels to market its goods and services, including broadcast, cable and satellite television, traditional and internet radio, periodicals, newspapers and other print media, direct mail, email campaigns, text message updates, and other types of interactive and social media platforms. As such, the DIRECTV brand moves through both established and emergent channels of trade. Since launching its services over 17 years ago, DIRECTV has become an industry leader in the field of television by continuously developing and promoting innovative, advanced products and services. Based on this extensive and prominent use, the DIRECTV marks have achieved fame and represent enormous value and goodwill.

5. DIRECTV owns both common law rights and Federal registrations for the well-known DIRECTV word mark and DIRECTV design marks (collectively, the “DIRECTV Marks”), and has been using the DIRECTV Marks in connection with satellite television broadcasting, distribution and programming services, and a wide variety of related television and telecommunications goods and services, for many years. A list of Opposer’s U.S. registrations

for the DIRECTV Marks is attached hereto as Exhibit A. DIRECTV also owns common law rights and Federal registrations and applications for many other marks incorporating the name “DIRECTV” in connection with a wide variety of television and telecommunications related goods and services.

6. As a result of DIRECTV’s extensive use, promotion, and advertising, the DIRECTV Marks have become strong, distinctive, and famous in the United States within the meaning of the Lanham Act.

7. Applicant filed for registration of the VDIRECT mark on January 20, 2011 for “Computer software for the management of application delivery controllers through computer network provisioning systems” in International Class 9, based on an intention to use the mark in commerce. The application was published for opposition on May 3, 2011, and DIRECTV was granted extensions of time to oppose totaling 150 days, which expires October 30, 2011. Accordingly, DIRECTV has timely filed and served this Notice of Opposition before the expiration of the opposition period.

8. Applicant’s application for VDIRECT was filed without DIRECTV’s authorization, consent, or prior knowledge.

9. DIRECTV’s first use of its DIRECTV Marks predates the filing date of Applicant’s application for its VDIRECT mark, and also predates Applicant’s first use of its VDIRECT mark.

10. The goods identified in Applicant’s VDIRECT application are commercially related to and overlap with the goods and services that DIRECTV offers in connection with its DIRECTV Marks. To the extent the goods are not identical, they are a natural expansion of the goods and services offered by DIRECTV. Furthermore, the parties utilize overlapping channels of trade.

11. Applicant's VDIRECT mark is confusingly similar to DIRECTV's well-known DIRECTV Marks. Notably, Applicant's mark is comprised of the same 7 letters that are in the DIRECTV Marks, merely moving the letter "V" from the end to the beginning. Furthermore, Applicant's mark plays off the fame of the distinctive DIRECTV Marks. Given the similarities, as well as the fame of the DIRECTV Marks, consumers viewing Applicant's VDIRECT mark are likely to be confused as to source and to perceive an association with DIRECTV.

12. It is likely that consumers will view Applicant's mark as a mere extension of the famous DIRECTV brand. As such, it is likely that consumers will mistakenly believe that Applicant's mark is connected to or associated with DIRECTV, or that DIRECTV has, to some degree, sponsored or endorsed Applicant's goods. Accordingly, the VDIRECT mark is likely to cause confusion, mistake and/or deception among the consuming public regarding the source, affiliation and/or sponsorship between DIRECTV and its goods and services, and Applicant and its goods.

13. In addition, because of the fame acquired by the DIRECTV Marks, registration of Applicant's VDIRECT mark will dilute the value and distinctive quality of the DIRECTV Marks.

14. The registration of Applicant's mark for the goods identified in the instant application would be inconsistent with DIRECTV's rights in its DIRECTV Marks, and will cause damage to DIRECTV and DIRECTV's rights in the same.

15. By virtue of the foregoing, Applicant's application should be rejected, and registration of VDIRECT as a trademark in Applicant's name should be denied and refused.

Submitted herewith is the amount of \$300.00 representing the required filing fee paid by deposit account. Authorization is hereby provided to charge any deficiency to Deposit Account 50-2638.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Dated: October 27, 2011

By:  _____





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Attorneys for DIRECTV, Inc.

EXHIBIT A

TRADEMARK	CLASS: GOODS / SERVICES	APP NO. APP DATE	REG NO. REG DATE	STATUS
DIRECTV	<p>9: Telecommunications products, namely, receivers, receiver modules, decoder boxes, satellite dishes, remote controllers, video display devices, namely, television sets and video monitors, antennas, computer controlling hardware and software for use in the aforementioned goods, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, and accessories, namely, telephone jacks, chimney mounts, surge protectors, all for use in the direct-to-home satellite broadcasting industry.</p> <p>16: Cardboard floor display units for merchandising products, instruction manuals for use in connection with direct-to-home satellite equipment and services, magazines, brochures, books, and printed programming guides in the field of direct-to-home satellite services, writing paper, binders, posters, note pads, pens, pencils, address books, appointment books, book marks, stationery boxes, calendars, gift cards, decals, desk sets, diaries, stationery-type portfolios, bumper stickers.</p> <p>25: Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, and hats.</p>	<p>75638970 February 15, 1999</p>	<p>2503432 November 6, 2001</p>	REGISTERED
DIRECTV	<p>9: Telecommunications products, namely, receivers, receiver module, modulators, transmitters, multiplexers, decoder boxes, set-top boxes primarily comprised of a receiver and circuitry, computer controlling hardware and software for use in the aforementioned goods, satellite dishes, remote controllers, video display devices, namely, television sets, antennas, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, video distribution equipment, namely, routers, encoders, decoders, and accessories, namely, telephone jacks, chimney mounts, surge protectors, cables, connectors and fittings all for use in the direct-to-home satellite broadcasting industry.</p> <p>25: Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, hats, sweaters, sweat pants, sleepwear, shorts, rainwear.</p> <p>38: Satellite television broadcasting services, broadcasting programs via a global computer network, providing and processing interactive access to information via an electronic communication network, electronic transmission of messages and data, pay-per-view transmission services, delivery of messages by electronic transmission; video-on-demand transmission services, providing multiple-user access to a global computer information network.</p> <p>41: Television programming and production services, programming on a global computer network, distribution of television programs for others, providing on-line interactive computer databases of information in the fields of entertainment news, financial news, current events, sports, and providing on-line interactive computer databases of information on satellite television programming lists and schedules of others.</p>	<p>75982248 December 4, 1998</p>	<p>2698197 March 18, 2003</p>	REGISTERED
DIRECTV	<p>38: Satellite television broadcasting services provided directly to the consumer.</p>	<p>78664780 July 6, 2005</p>	<p>3085552 April 25, 2006</p>	REGISTERED


TRADEMARK	CLASS: GOODS / SERVICES	APP NO. APP DATE	REG NO. REG DATE	STATUS
	<p>9: Telecommunications products, namely, receivers, receiver modules, decoder boxes, satellite dishes; remote controllers; video display devices, namely, television sets and video monitors, antennas, computer controlling hardware and software for use in the aforementioned goods, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, and accessories, namely, telephone jacks, chimney mounts, surge protectors, all for use in the direct-to-home satellite broadcasting industry, decorative refrigerator magnets, calculators.</p>	<p>76340810 November 21, 2001</p>	<p>2939061 April 12, 2005</p>	<p>REGISTERED</p>
	<p>9: Telecommunications products, namely, receivers, receiver modules, modulators, transmitters, multiplexers, decoder boxes, data processors, integrated circuits, set-top boxes primarily comprised of a receiver and circuitry, computer controlling hardware and software for use in the aforementioned goods, satellite dishes, remote controllers, video display devices, namely, television sets, video projectors, and video monitors, antennas, installation kits primarily comprising cables, phone cords, cable ties, cable clips, ground wire, phone adapters, and parts for the aforesaid goods, video distribution equipment, namely, amplifiers, pre-amplifiers, block signal converters, routers, electrical switches, encoders, decoders, and accessories, namely, telephone jacks, chimney mounts, surge protectors, cables, connectors and fittings all for use in the direct-to-home satellite broadcasting industry.</p>	<p>76342834 November 28, 2001</p>	<p>3051285 January 24, 2006</p>	<p>REGISTERED</p>
	<p>16: Cardboard floor display units for merchandising products, instruction manuals for use in connection with direct-to-home satellite equipment and services, magazines, brochures, [books,] and printed programming guides in the field of direct-to-home satellite services, writing paper, [binders,] posters, note pads, pens, pencils, address books, [appointment books,] book marks, [stationery boxes,] calendars, [gift cards,] decals, desk sets, diaries, stationery-type portfolios [, bumper stickers, paper napkins].</p>	<p>76341183 November 21, 2001</p>	<p>2618103 September 10, 2002</p>	<p>REGISTERED</p>
	<p>25: Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, hats, sweaters, sweat pants, sleepwear, shorts, rainwear [, wrist bands].</p>	<p>76342848 November 28, 2001</p>	<p>2738513 July 15, 2003</p>	<p>REGISTERED</p>
	<p>25: Clothing, namely, shirts, golf shirts, jackets, wind-resistant jackets, sweatshirts, t-shirts, caps, and hats.</p>	<p>76341195 November 21, 2001</p>	<p>2628178 October 1, 2002</p>	<p>REGISTERED</p>
	<p>38: Satellite television transmission and broadcasting services; pay-per-view television transmission services.</p>	<p>76341049 November 21, 2001</p>	<p>2639279 October 22, 2002</p>	<p>REGISTERED</p>
	<p>38: Satellite television broadcasting services, broadcasting programs via a global computer network, electronic mail services, electronic transmission of messages and data, pay-per-view transmission services, delivery of messages by electronic transmission; video broadcasting and messaging services, video-on-demand transmission services, providing multiple user access to a global computer information network, rental of satellite broadcasting equipment.</p>	<p>76342841 November 28, 2001</p>	<p>3051286 January 24, 2006</p>	<p>REGISTERED</p>

TRADEMARK	CLASS: GOODS / SERVICES	APP NO. APP DATE	REG NO. REG DATE	STATUS
	41: Television programming and production services; distribution of television programs for others.	76341175 November 21, 2001	2618102 September 10, 2002	REGISTERED
	41: Television programming and production services, programming on a global computer network, distribution of television programs for others, providing on-line interactive computer databases of information in the fields of entertainment news, current events, sports, and providing on-line interactive computer databases of information on satellite television programming lists and schedules of others.	76342844 November 28, 2001	2740757 July 22, 2003	REGISTERED
	42: Computer data information services, namely, providing online databases featuring general and local news and information to specific geographic areas.	76342804 November 28, 2001	2820253 March 2, 2004	REGISTERED
	<p>38: Satellite television broadcasting services, broadcasting programs via a global computer network, providing access to telecommunication networks, telematic sending of information, electronic mail services, electronic transmission of messages and data, pay-per-view television transmission services, delivery of messages by electronic transmission; video broadcasting and instant messaging services, video-on-demand transmission services, providing multiple-user access to a global computer information network.</p> <p>41: Television programming and production services, programming on a global computer network, distribution of television programs for others, providing on-line interactive computer databases of information in the fields of entertainment, current events, sports, and television programming lists and schedules of others.</p>	78564081 February 9, 2005	3382802 February 12, 2008	REGISTERED

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **NOTICE OF OPPOSITION** upon Applicant by depositing one copy thereof in the United States Mail, first-class postage prepaid, on October 24, 2011, addressed as follows:

Mr. Kevin D. McCarthy
Roach, Brown, McCarthy & Gruber, P.C.
1920 Liberty Building
424 Main Street
Buffalo, New York 14202



Grace Linker
Sr. Trademark Paralegal