

ESTTA Tracking number: **ESTTA440862**

Filing date: **11/14/2011**

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	Game Show Network, LLC
Granted to Date of previous extension	11/12/2011
Address	Suite 100, 2150 Colorado Avenue Santa Monica, CA 90404 UNITED STATES
Attorney information	Kristin Achterhof & Breighanne Eggert c/o Katten Muchin Rosenman LLP 525 West Monroe Street Chicago, IL 60661 UNITED STATES kristin.achterhof@kattenlaw.com, breighanne.eggert@kattenlaw.com, deborah.wing@kattenlaw.com,cbutzeripdocket@jw.com Phone:312-902-5200

**Applicant Information**

Application No	85139946	Publication date	09/13/2011
Opposition Filing Date	11/14/2011	Opposition Period Ends	11/12/2011
Applicant	Bingo Blitz LLC 21619 Pacific Coast Highway Malibu, CA 90265 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 041. First Use: 2010/01/01 First Use In Commerce: 2010/01/01  
All goods and services in the class are opposed, namely: providing online video games

**Grounds for Opposition**

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

**Mark Cited by Opposer as Basis for Opposition**

U.S. Application No.	85413478	Application Date	09/01/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BINGO BLITZ		

Design Mark	<b>BINGO BLITZ</b>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2009/11/16 First Use In Commerce: 2009/11/16 Entertainment in the nature of on-going television game shows with interactive features allowing viewers to play game via computers and mobile phones; online, interactive computer games; and non-downloadable software for playing games

Attachments	85413478#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition - Bingo Blitz _3_.pdf ( 4 pages )(15649 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 Overnight Courier on this date.

Signature	/bae/
Name	Kristin Achterhof & Breighanne Eggert
Date	11/14/2011

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

Applicant: Bingo Blitz LLC  
Serial No.: 85/139,946  
Filing Date: September 28, 2010  
Mark: BINGO BLITZ B7

Published in the Official Gazette on September 13, 2011

GAME SHOW NETWORK, LLC,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. _____
	)	
BINGO BLITZ LLC,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Game Show Network, LLC (“Opposer”), a Delaware limited liability company with its principal place of business located at 2150 Colorado Avenue, Santa Monica, California 90404, believes that it would be damaged by the registration of the design and word mark BINGO BLITZ B7 (“Applicant’s Mark”) shown in U.S. Application Serial No. 85/139,946 (the “Application”) and owned by Bingo Blitz LLC (“Applicant”), and hereby opposes registration of said mark.

As grounds for opposition, it is alleged that:

1. Opposer owns and operates a multimedia entertainment company, Game Show Network, that offers original and classic game programming via its 75-million subscriber television network and a variety of online games sites. Opposer’s cross-platform content puts winning within reach for viewers and participants, whether through its popular television game shows, online games, competitive cash tournaments or a combination of these offerings.

2. One of Opposer's most popular interactive games is Bingo Blitz—a modified version of the classic bingo game. Bingo Blitz players select and submit their number picks online via Opposer's website located at <http://www.gsn.com/bingoblitz/> (“GSN.com”), and are notified of the winning numbers via a nightly drawing on Opposer's television network or subsequent posting of the winning numbers on GSN.com.

3. Opposer has used its Bingo Blitz mark in commerce since at least as early as November 16, 2009, and Opposer continues to use its Bingo Blitz mark in commerce. Opposer also is the owner of Application Serial No. 85/413,478 for BINGO BLITZ in International Class 41 for “[e]ntertainment in the nature of on-going television game shows with interactive features allowing viewers to play game via computers and mobile phones; online, interactive computer games; and non-downloadable software for playing games,” and Opposer's Application is valid and subsisting. Opposer's BINGO BLITZ Mark is referred to herein as “Opposer's Mark.”

4. Applicant seeks to register Applicant's Mark in connection with “providing online video games.” Applicant alleges a date of first use in commerce of January 1, 2010. Accordingly, Opposer's rights in Opposer's Mark predate, and are superior to, any rights of Applicant in Applicant's Mark.

5. Applicant's Mark is confusingly similar to Opposer's Mark in that the parties' respective marks share the dominant components of “BINGO BLITZ.” The confusing similarity is heightened by the fact that the services with which the parties use their respective marks are related and within the same field.

6. For the above reasons, among others, Applicant's Mark falsely suggests a connection with Opposer within the meaning of 15 U.S.C. § 1052(a), and/or so resembles Opposer's Mark as to be likely, when used on or in connection with the services identified in the

Application, to cause confusion, mistake and/or deception within the meaning of 15 U.S.C. § 1052(d) as to the affiliation, connection, or association of Applicant with Opposer, or as to the origin, sponsorship, or approval of Applicant's goods, services, or commercial activities by Opposer, causing damage to Opposer within the meaning of 15 U.S.C. § 1063(a).

WHEREFORE, Opposer respectfully prays that this Opposition be sustained and that registration of Applicant's Mark be refused in all respects.

Respectfully submitted,

/Breighanne A. Eggert/

Kristin J. Achterhof  
Breighanne A. Eggert  
KATTEN MUCHIN ROSENMAN LLP  
525 West Monroe Street  
Chicago, Illinois 60661  
(312) 902-5200

Date: November 14, 2011

**PROOF OF SERVICE**

I, Deborah A. Wing, a paralegal, hereby certify that on today's date I caused a copy of the foregoing Notice of Opposition to be served upon counsel for Applicant via Federal Express Delivery and e-mail, at the following address:

Carl C. Butzer  
Jackson Walker LLP  
901 Main Street, Suite 6000  
Dallas, Texas 75202  
cbutzer@docket@jw.com

Dated: November 14, 2011

/Deborah A. Wing/\_\_\_\_\_