

ESTTA Tracking number: **ESTTA461203**

Filing date: **03/12/2012**

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	Valhalla Motion Pictures, Inc.
Granted to Date of previous extension	03/14/2012
Address	3201 W. Cahuenga Blvd. Los Angeles, CA 90068 UNITED STATES

Attorney information	Michael K. Grace Grace+Grace LLP 444 S. Flower Street, Suite 1650 Los Angeles, CA 90071-2955 UNITED STATES mgrace@gracelaw.com Phone:213-452-1220
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Applicant Information

Application No	77948333	Publication date	11/15/2011
Opposition Filing Date	03/12/2012	Opposition Period Ends	03/14/2012
Applicant	Valhalla Game Studios Co. Ltd. 1-3-2 Tsukishima Chuo-Ku Tsukugon Building 2F, Tokyo, 104-0052 JAPAN		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: Computer game programs; Computer game software; Computer software, namely, game engine software for video game development and operation; Video game software
Class 016. All goods and services in the class are opposed, namely: Printed materials, namely, novels and series of fiction books and short stories featuring scenes and characters based on video games; Series of computer game hint books
Class 028. All goods and services in the class are opposed, namely: Positionable toy figures; Toy action figures
Class 042. All goods and services in the class are opposed, namely: Design and development of computer game software and virtual reality software

Applicant Information

Application No	77948895	Publication date	12/13/2011
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Opposition Filing Date	03/12/2012	Opposition Period Ends	
Applicant	Valhalla Game Studios Co., Ltd. 1-3-2 Tsukishima Chuo-Ku Tsukugon Building 2-F Tokyo, 104-0052 JAPAN		

Goods/Services Affected by Opposition


Class 009. All goods and services in the class are opposed, namely: Computer game programs; Computer game software; Computer software, namely, game engine software for video game development and operation; Video game software
Class 016. All goods and services in the class are opposed, namely: Series of computer game hint books and strategy guides; printed materials, namely, novels and series of fiction books, comic books and short stories featuring scenes and characters based on video games
Class 028. All goods and services in the class are opposed, namely: Positionable toy figures; Toy action figures
Class 042. All goods and services in the class are opposed, namely: Design and development of computer game software and virtual reality software


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. Application No.	85310089	Application Date	05/02/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VALHALLA ENTERTAINMENT		
Design Mark	 <p>VALHALLA ENTERTAINMENT</p>		
Description of Mark	The mark consists of the wording "VALHALLA ENTERTAINMENT" below a ship on open water in front of a crescent moon on a shaded background.		
Goods/Services	Class 041. First use: First Use: 2010/10/31 First Use In Commerce: 2010/10/31 motion picture film production and television show production (in use - 1A); writing and editing scripts, teleplays and screenplays for others (intent to use - 1B)		
U.S. Application No.	85310106	Application Date	05/02/2011

Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VALHALLA MOTION PICTURES		
Design Mark	 VALHALLA MOTION PICTURES		
Description of Mark	The mark consists of the wording "VALHALLA MOTION PICTURES" below a ship on open water in front of a crescent moon on a shaded background.		
Goods/Services	Class 041. First use: First Use: 1997/07/25 First Use In Commerce: 1997/07/25 Motion picture film production		

U.S. Application No.	85310085	Application Date	05/02/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VALHALLA TELEVISION		
Design Mark	 VALHALLA TELEVISION		
Description of Mark	The mark consists of the wording "VALHALLA TELEVISION" below a ship on open water in front of a crescent moon on a shaded background.		
Goods/Services	Class 041. First use: Television show production		

Attachments	85310089#TMSN.jpeg (1 page)(bytes) 85310106#TMSN.jpeg (1 page)(bytes) 85310085#TMSN.jpeg (1 page)(bytes) VGS word mark Not of Opp final 3.12.12.pdf (3 pages)(130740 bytes) VGS design mark Not of Opp final 3.12.12.pdf (3 pages)(138947 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	/ruhikumar/
Name	Ruhi Kumar
Date	03/12/2012

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

In Re: Serial No. 77/948,333

Applicant's Mark: VALHALLA GAME STUDIOS

Published November 15, 2011

VALHALLA MOTION PICTURES, INC.,

Opposer;

v.

VALHALLA GAME STUDIOS CO. LTD.,

Applicant.

NOTICE OF OPPOSITION

Valhalla Motion Pictures, Inc. ("Valhalla"), a California corporation with its principal place of business at 3201 W. Cahuenga Blvd., Los Angeles, CA 90068, would be damaged by issuance of a registration of the mark shown in the above-identified application and on that basis opposes registration.

The grounds for opposition are as follows:

1. Valhalla is a film and television production and entertainment company. It has used VALHALLA MOTION PICTURES as its service mark and trademark continuously since 1997, as well as VALHALLA ENTERTAINMENT and VALHALLA TELEVISION (collectively, the "VALHALLA Marks").

2. Valhalla Game Studios Co. Ltd., allegedly a Japanese corporation with its principal place of business at 1-3-2 Tsukishima Chuo-Ku, Tsukugon Building 2F, Tokyo, JAPAN 104-0052 ("Applicant"), recently filed trademark application Serial No. 77/948,333 (the "Application") for VALHALLA GAME STUDIOS for computer and

video game software, design and development of such software, and comic books and toy figures based on such software (the "Infringing Mark").

3. The VALHALLA Marks and the Infringing Mark are similar in sound and appearance.

4. The VALHALLA Marks are arbitrary and well-known nationally and internationally. Valhalla has used its VALHALLA MOTION PICTURES brand to promote many motion pictures, including, for example, "Armageddon," which grossed over \$550 million, and television shows, such as "The Walking Dead." Valhalla also has used its VALHALLA MOTION PICTURES brand to promote the comic book "The Scourge" and its VALHALLA ENTERTAINMENT brand to promote the comic book "Dead Man's Run."

5. The film and television production services and comic books promoted under the VALHALLA Marks are closely related to the computer and video games, development of such games, and related comic books and toys promoted under the Infringing Mark. Use of the Infringing Mark in connection with computer and video games will cause a likelihood of confusion if registration is granted.

6. Valhalla has no connection with Applicant and has never authorized Applicant to use the Infringing Mark.

7. Valhalla will be damaged if Applicant's Infringing Mark is registered.

WHEREFORE, Valhalla requests that this Opposition to the Application be sustained and that registration of the Infringing Mark be refused.

Respectfully submitted,

GRACE+GRACE LLP

Dated: March 12, 2012

By: 

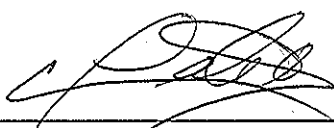
Ruhi Kumar (Cal. SBN 235945)
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Email: rkumar@gracelaw.com

Attorneys for Opposer
Valhalla Motion Pictures, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Applicant, by mailing said copy on March 12, 2012, via First Class Mail, postage prepaid to:

Marvin Gelfand
Weissmann Wolff Bergman Coleman Grodin & Evall LLP
9665 Wilshire Blvd., Ninth Floor
Beverly Hills, CA 90212

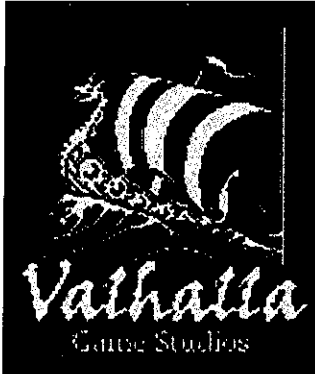


Claudia Garza

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

In Re: Serial No. 77/948,895

Applicant's Mark:



Published December 13, 2011

VALHALLA MOTION PICTURES, INC.,

Opposer;

v.

VALHALLA GAME STUDIOS CO. LTD.,

Applicant.

NOTICE OF OPPOSITION

Valhalla Motion Pictures, Inc. ("Valhalla"), a California corporation with its principal place of business at 3201 W. Cahuenga Blvd., Los Angeles, CA 90068, would be damaged by issuance of a registration of the mark shown in the above-identified application and on that basis opposes registration.

The grounds for opposition are as follows:

1. Valhalla is a film and television production and entertainment company. It has used VALHALLA MOTION PICTURES as its service mark and trademark

continuously since 1997, as well as VALHALLA ENTERTAINMENT and VALHALLA TELEVISION (collectively, the "VALHALLA Marks").

2. Valhalla Game Studios Co. Ltd., allegedly a Japanese corporation with its principal place of business at 1-3-2 Tsukishima Chuo-Ku, Tsukugon Building 2F, Tokyo, JAPAN 104-0052 ("Applicant"), recently filed trademark application Serial No. 77/948,895 (the "Application") for VALHALLA GAME STUDIOS and Design for computer and video game software, design and development of such software, and comic books and toy figures based on such software (the "Infringing Mark").

3. The VALHALLA Marks and the Infringing Mark are similar in sound and appearance. The VALHALLA Marks include a design depicting a ship on a sea that is very similar in appearance to the Infringing Mark's design.

4. The VALHALLA Marks are arbitrary and well-known nationally and internationally. Valhalla has used its VALHALLA MOTION PICTURES brand to promote many motion pictures, including, for example, "Armageddon," which grossed over \$550 million, and television shows, such as "The Walking Dead." Valhalla also has used its VALHALLA MOTION PICTURES brand to promote the comic book "The Scourge" and its VALHALLA ENTERTAINMENT brand to promote the comic book "Dead Man's Run."

5. The film and television production services and comic books promoted under the VALHALLA Marks are closely related to the computer and video games, development of such games, and related comic books and toys promoted under the Infringing Mark. Use of the Infringing Mark in connection with these goods and services will cause a likelihood of confusion if registration is granted.

6. Valhalla has no connection with Applicant and has never authorized Applicant to use the Infringing Mark.

7. Valhalla will be damaged if Applicant's Infringing Mark is registered.

WHEREFORE, Valhalla requests that this Opposition to the Application be sustained and that registration of the Infringing Mark be refused.

Respectfully submitted,

GRACE+GRACE LLP



Dated: March 12, 2012

By: _____


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Facsimile: 213.452.1222
Email: rkumar@gracelaw.com

Attorneys for Opposer
Valhalla Motion Pictures, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Applicant, by mailing said copy on March 12, 2012, via First Class Mail, postage prepaid to:

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Weissmann Wolff Bergman Coleman Grodin & Evall LLP
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Beverly Hills, CA 90212



Claudia Garza