

ESTTA Tracking number: **ESTTA473329**

Filing date: **05/18/2012**

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	Atlanta National League Baseball Club, Inc.
Granted to Date of previous extension	05/20/2012
Address	755 Hank Aaron Drive Atlanta, GA 30315 UNITED STATES

Attorney information	Mary L. Kevlin Cowan, Liebowitz & Latman PC 1133 Avenue of the Americas New York, NY 10036 UNITED STATES trademark@cll.com, jmn@cll.com, sis@cll.com Phone:212-790-9200
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### Applicant Information

Application No	85361205	Publication date	11/22/2011
Opposition Filing Date	05/18/2012	Opposition Period Ends	05/20/2012
Applicant	Arizona Manufacturing & Embroidery, Inc. 606 S Hacienda Dr. Tempe, AZ 85281 UNITED STATES		

### Goods/Services Affected by Opposition

Class 028. All goods and services in the class are opposed, namely: Covers for golf clubs; Fitted head covers for golf clubs; Golf club covers; Head covers for golf clubs
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### Grounds for Opposition

Other	Please see attached filing.
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Attachments	BRAVO Ltr to Commr.pdf ( 1 page )(72689 bytes ) BRAVO NOO.pdf ( 5 pages )(37092 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	/Seth Shaifer/
Name	Seth Shaifer
Date	05/18/2012



Cowan, Liebowitz & Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036  
(212) 790-9200 Tel  
(212) 575-0671 Fax  
www.cll.com

May 18, 2012

**By Electronic Filing**

Commissioner for Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 22313-1451

Re: Atlanta National League Baseball Club, Inc.  
Notice of Opposition Against  
Arizona Manufacturing & Embroidery, Inc.  
Application to register BRAVO  
Ref. No. 21307.010

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Dear Commissioner:

We enclose a Notice of Opposition against Application Serial Number 85/361,205 published in the Official Gazette on November 22, 2011. Contemporaneously with the electronic filing of this Notice of Opposition, we are arranging for an electronic payment in the amount of \$300 to cover the filing fee.

If the amount received is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.

Please address all future correspondence to the attention of Mary L. Kevlin of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

/Seth Shaifer/  
Seth Shaifer

Enclosures

cc: Ms. Diane Kovach (w/encs.)  
Mary L Kevlin, Esq. (w/encs.)  
Richard S. Mandel, Esq. (w/encs.)

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

In re Application Serial No. 85/361,205  
Filed: June 30, 2011  
For Mark: BRAVO  
Published in the Official Gazette: November 22, 2011

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ATLANTA NATIONAL LEAGUE BASEBALL	:	
CLUB, INC.,	:	Opposition No.
	:	
Opposer,	:	
	:	
v.	:	<b><u>NOTICE OF OPPOSITION</u></b>
	:	
ARIZONA MANUFACTURING &	:	
EMBROIDERY, INC.,	:	
	:	
Applicant.	:	
-----X	:	

Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Opposer, Atlanta National League Baseball Club, Inc. (“Opposer”), a Georgia corporation, with offices at 755 Hank Aaron Drive, Atlanta, Georgia 30315, believes that it will be damaged by registration of the standard character word mark BRAVO (“Applicant's Mark”) in International Class 28 for “Covers for golf clubs; Fitted head covers for golf clubs; Golf club covers; Head covers for golf clubs” as shown in Application Serial No. 85/361,205 (the “Application”), and having been granted extensions of time to oppose up to and including May 20, 2012, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is the owner of the renowned ATLANTA BRAVES MAJOR LEAGUE BASEBALL club.

2. Since long prior to June 30, 2011, Applicant's constructive first use date, Opposer, its predecessors, and their affiliated and related entities, licensees and/or sponsors have used the name or mark BRAVES, BRAVOS or BRAVE and/or various images of Native Americans, alone or with other word, letter and/or design elements ("Opposer's BRAVES Marks"), in connection with baseball games and exhibition services and a wide variety of goods and services, including, but not limited to, sporting goods, including, without limitation, golf tees, golf head covers, golf balls, baseballs and baseball bats; apparel; paper goods and printed matter; toys and novelty items.

3. Opposer owns United States Federal registrations for Opposer's BRAVES Marks in International Classes 6, 9, 11, 14, 16, 18, 20, 21, 24, 25, 26, 28, 34, 38 and 41; namely, Registration Nos. 829,308; 829,309; 829,310; 845,032; 1,484,697; 1,561,774; 1,562,115; 1,596,052; 2,671,045; 3,090,297; 3,138,398; 3,327,473; 3,327,474; 3,382,988; 3,382,989; 3,542,468; 3,532,500; 3,656,280; 3,656,281; 3,656,282; 3,656,283; 3,656,284; 3,656,285; 3,656,286; 3,656,287; 3,656,289; 3,659,716; 3,753,494; 3,764,026; 3,785,096; 3,785,097; 3,785,098, 3,785,099 and 4,005,694. Opposer's Registration Nos. 829,308; 829,309; 845,032; 1,484,697; 1,561,774; 1,562,115; 1,596,052 and 2,671,045 are incontestable.

4. Since long prior to June 30, 2011, Applicant's constructive first use date, Opposer, its predecessors, and their affiliated and related entities, licensees and/or sponsors have promoted and advertised the sale and distribution of goods and services bearing or offered in connection with Opposer's BRAVES Marks, including, but not limited to, baseball games and exhibition services and a wide variety of goods and services, including, but not limited to sporting goods, including, without limitation, golf tees, golf head covers, golf balls, baseballs

and baseball bats; apparel; paper goods and printed matter; toys and novelty items, and have offered such goods and rendered such services in commerce.

5. As a result of the sales and promotion of its goods and services bearing or offered in connection with Opposer's BRAVES Marks, Opposer has built up highly valuable goodwill in Opposer's BRAVES Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

6. On June 30, 2011, Applicant filed the Application for the standard character word mark BRAVO for "Covers for golf clubs; Fitted head covers for golf clubs; Golf club covers; Head covers for golf clubs" in International Class 28, based on an intent to use.

7. Upon information and belief, Applicant did not use Applicant's mark BRAVO for the goods covered in the Application in United States commerce prior to its constructive first use date of June 30, 2011.

8. The goods covered by the Application are identical and/or closely related to the goods offered and services rendered in connection with Opposer's BRAVES Marks.

9. Applicant's BRAVO mark, which in English means BRAVE, so resembles Opposer's BRAVES Marks as to be likely, when used in connection with Applicant's goods, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods have their origin with Opposer and/or that such goods are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. Opposer would thereby be injured by the granting to Applicant of a certificate of registration for Applicant's BRAVO mark.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's BRAVO Mark and requests that the opposition be sustained and said registration be denied.

Please recognize as attorneys for Opposer in this proceeding Mary L. Kevlin, Richard S. Mandel and Seth Shaifer (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036.

Please address all communications to Mary L. Kevlin, Esq. at the address listed below.

Dated: New York, New York  
May 18, 2012

Respectfully submitted,

COWAN LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

By: /Seth Shaifer/

Mary L. Kevlin  
Richard S. Mandel  
Seth Shaifer  
1133 Avenue of the Americas  
New York, New York 10036  
(212)790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on May 18, 2012, I caused a true and correct copy of the foregoing *Notice of Opposition* to be sent via First Class Mail, postage prepaid, to Applicant's Attorney and Correspondent of Record, Adam R. Stephenson, Adam R. Stephenson, Ltd., 401 W. Baseline Rd., Ste. 207, Tempe, AZ 85283-5350.

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/Seth Shaifer/  
Seth Shaifer