

ESTTA Tracking number: **ESTTA576612**

Filing date: **12/14/2013**

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	Reebok International Limited
Granted to Date of previous extension	12/15/2013
Address	11/12 Pall Mall London, SW1Y 5LU UNITED KINGDOM
Attorney information	Angelo Notaro Notaro, Michalos & Zaccaria P.C. 100 Dutch Hill Road, Suite 240 Orangeburg, NY 10962 UNITED STATES anotaro@notaromichalos.com Phone:(845) 359-7700

**Applicant Information**

Application No	85481027	Publication date	06/18/2013
Opposition Filing Date	12/14/2013	Opposition Period Ends	12/15/2013
Applicant	Ingrisano, Paul R 1933 73rd street Brooklyn, NY 11204 USX		

**Goods/Services Affected by Opposition**

<p>Class 025. First Use: 2011/09/22 First Use In Commerce: 2011/11/20 All goods and services in the class are opposed, namely: ATHLETIC APPAREL, NAMELY, SHIRTS, PANTS, JACKETS, FOOTWEAR, HATS AND CAPS, ATHLETIC UNIFORMS; HEADGEAR, NAMELY, HATS, CAPS, BANDANAS; MEN'S, WOMEN'S AND CHILDREN'S APPAREL OF ALL TYPES, NAMELY, SHIRTS, T-SHIRTS, POLO SHIRTS, TANK TOPS, SPORT SHIRTS, THERMAL SHIRTS, DRESS SHIRTS,UNDERSHIRTS, SWEAT SHIRTS, HOODED SWEATSHIRTS, SWEATERS, PANTS, TROUSERS, SLACKS, JEANS, SHORTS, UNDERWEAR, BOXERS, BOXER BRIEFS, BRIEFS, BOY SHORTS, G-STRINGS,THONGS, HEADWEAR, NAMELY, HATS, BEANIES, FITTED HATS, FLEXIBLE HATS, SKULL CAPS, BANDANAS, FOOTWEAR, SHOES, SNEAKERS, BOOTS, BEACHWEAR, BOARD SHORTS, ONE-PIECESWIMWEAR, TWO-PIECE SWIMWEAR, RASH GUARDS, BELTS, HEADBANDS AND WRISTBANDS</p>
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Mark Cited by Opposer as Basis for Opposition**

U.S. Registration No.	2512630	Application Date	03/15/2001
Registration Date	11/27/2001	Foreign Priority Date	NONE
Word Mark	I3		
Design Mark	<b>I3</b>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1997/11/00 First Use In Commerce: 1997/11/00 Footwear [and clothing, namely, T-shirts, shorts, and sweatshirts]		

Attachments	76224735#TMSN.gif( bytes ) J914-413-Notice-Opposition.pdf(390919 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	/J914-413-AN/
Name	Angelo Notaro
Date	12/14/2013

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

In the Matter of Application Serial No. 85/481,027  
Filed November 30, 2011  
For the mark I<3  
Published in the Official Gazette on June 18, 2013

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Reebok International Limited,		:	
	Opposer,	:	Opposition No.
		:	
v.		:	<b><u>NOTICE OF OPPOSITION</u></b>
		:	
Paul R Ingrisano,		:	
	Applicant.	:	
-----X		:	

Opposer Reebok International Limited ("Reebok") believes that it will be damaged by registration of the mark

I<3

(the "Applicant's Mark") as shown in Application Serial No. 85/481,027 (the "Application"), and, having been granted an extension of time to oppose up to and including December 15, 2013, hereby opposes same.

As grounds for opposition, it is alleged that:

1. Reebok owns U.S. Trademark Registration No. 2,512,630 (the "Reebok Registration"), which was registered on November 27, 2001 for the trademark

I3

(the "Reebok I3 Mark") for goods in Class 25 identified as footwear ("Reebok's Goods").

2. Pursuant to 37 C.F.R. 2.122(d)(1), a printout from the electronic database records of the United States Patent and Trademark Office, namely the TDSR and the Assignment Records, is annexed hereto as Exhibit A and show that the current status and title of the Reebok Registration, registration no. 2,512,630, as currently owned by Reebok.

3. The Reebok Registration was based on an application filed in the U.S. Patent and Trademark Office on May 15, 2001, prior to the filing date of the Application 85/481,027.

4. The Reebok Registration is valid and subsisting.

5. The Reebok Registration is incontestable under the provisions of 15 U.S.C. § 1065.

6. The Reebok Registration of Reebok's I3 Mark is conclusive evidence of Reebok's exclusive right to use said trademark in commerce on the goods specified in said registration.

7. Since long prior to the filing date of application 85/481,027, Reebok has continuously used, advertised and promoted, in the United States, the Reebok I3 Mark on or in connection with Reebok's Goods.

8. Reebok's Goods and the goods identified in the Application are the same and/or related goods.

9. Applicant's Mark so resembles the registered Reebok I3 Mark as to be likely, when used on or in connection with the goods of the Applicant, to cause confusion, or to cause mistake, or deceive.

WHEREFORE, Reebok, by its attorney, respectfully request that its opposition be sustained and that the registration of application 85/481,027 be denied.

Dated: December 14, 2013

Respectfully submitted,

/Angelo Notaro/ \_\_\_\_\_  
Angelo Notaro  
John Zaccaria  
Bradley S. Corsello  
NOTARO, MICHALOS & ZACCARIA P.C.  
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E-Mail: [anotaro@notaromichalos.com](mailto:anotaro@notaromichalos.com)  
Attorneys for Opposers

**CERTIFICATE OF SERVICE**

I hereby certify that a complete copy of the foregoing **NOTICE OF OPPOSITION** has been served on Applicant by mailing said notice on December 14, 2013 via First Class Mail, postage prepaid, to:

Paul R. Ingrisano  
1933 73<sup>rd</sup> Street  
Brooklyn, New York 11204

&

Ronald Millet, Esq.  
76 Oak Neck Lane  
West Islip, New York 11795

  
Rhara Miranda

# **EXHIBIT A**

Mark: I3

I3

US Serial Number: 76224735  
US Registration Number: 2512630  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: May 23, 2012  
Publication Date: Sep. 04, 2001

Application Filing Date: Mar. 15, 2001  
Registration Date: Nov. 27, 2001

## Mark Information

Mark Literal Elements: I3  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services

- Brackets [ ] indicate deleted goods/services.
- Double parenthesis ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "\*" identify additional (new) wording in the goods/services

For: Footwear [and clothing, namely, T-shirts, shorts, and sweatshirts]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1997

Use in Commerce: Nov. 1997

## Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: REEBOK INTERNATIONAL LIMITED  
Owner Address: 4TH FLOOR, 11-12 PALL MALL  
LONDON SW1Y 5LU  
UNITED KINGDOM  
Legal Entity Type: COMPANY  
State or Country Where Organized: UNITED KINGDOM

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Angelo Notaro  
Attorney Primary Email: [anotaro@notaromichalos.com](mailto:anotaro@notaromichalos.com)  
Address:  
Docket Number: J914-064  
Attorney Email Authorized: Yes

### Correspondent

Correspondent: Angelo Notaro  
Name/Address: NOTARO, MICHALOS & ZACCARIA P.C.



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ORANGEBURG, NEW YORK 10962  
UNITED STATES

Phone: 8453597700

Fax: 8453597798

Correspondent e-mail: [anotaro@notaromichalos.com](mailto:anotaro@notaromichalos.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 23, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 23, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
May 23, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
May 23, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
May 15, 2012	TEAS SECTION 8 & 9 RECEIVED	
Oct. 26, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 07, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Oct. 29, 2007	ASSIGNED TO PARALEGAL	68973
Oct. 22, 2007	TEAS SECTION 8 & 15 RECEIVED	
Jan. 08, 2007	CASE FILE IN TICRS	
Sep. 20, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 27, 2001	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2001	PUBLISHED FOR OPPOSITION	
Aug. 15, 2001	NOTICE OF PUBLICATION	
Jul. 05, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 05, 2001	ASSIGNED TO EXAMINER	76935

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 27, 2011

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 23, 2012

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: Reebok International Ltd.

### Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5035/0036](#)

Pages: 7

Date Recorded: May 20, 2013

Supporting Documents: [assignment-tm-5035-0036.pdf](#)

### Assignor

Name: [REEBOK INTERNATIONAL LTD.](#)

Execution Date: May 01, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

### Assignee

Name: [REEBOK INTERNATIONAL LIMITED](#)

Legal Entity Type: COMPANY

State or Country Where UNITED KINGDOM  
Organized:

Address: 4TH FLOOR, 11-12 PALL MALL  
LONDON, UNITED KINGDOM SW1Y 5LU

**Correspondent**

Correspondent Name: NOTARO, MICHALOS & ZACCARIA P.C.

Correspondent Address: 100 DUTCH HILL ROAD  
ORANGEBURG, NY 10962

**Domestic Representative - Not Found**



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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

**Serial #:** [76224735](#)

**Filing Dt:** 03/15/2001

**Reg #:** [2512630](#)

**Reg. Dt:** 11/27/2001

**Registrant:** Reebok International Ltd.

**Mark:** I3

**Assignment: 1**

**Reel/Frame:** [5035/0036](#)

**Recorded:** 05/20/2013

**Pages:** 7

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Assignor:** [REEBOK INTERNATIONAL LTD.](#)

**Exec Dt:** 05/01/2011

**Entity Type:** CORPORATION

**Citizenship:** MASSACHUSETTS

**Entity Type:** COMPANY

**Citizenship:** UNITED KINGDOM

**Assignee:** [REEBOK INTERNATIONAL LIMITED](#)

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LONDON, UNITED KINGDOM SW1Y 5LU

**Correspondent:** NOTARO, MICHALOS & ZACCARIA P.C.

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ORANGEBURG, NY 10962

Search Results as of: 12/12/2013 12:11 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.4  
Web interface last modified: Jul 8, 2013 v.2.3.4

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