

ESTTA Tracking number: **ESTTA743880**

Filing date: **05/03/2016**

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

Proceeding	91224949
Party	Defendant William E. Johnson
Correspondence Address	WILLIAM E JOHNSON 4852 CYPRESS WOODS DR APT 136 ORLANDO, FL 32811-3752 UNITED STATES airmanjohnson21@gmail.com
Submission	Withdrawal Of Application
Filer's Name	William E. Johnson
Filer's e-mail	airmanjohnson21@gmail.com
Signature	/William E. Johnson/
Date	05/03/2016
Attachments	86646493.pdf(60413 bytes)

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Mark: EYE AM GEEK CLOTHING CO



US Serial Number: 86646493

Application Filing Date: May 30, 2015

Register: Principal

Mark Type: Trademark

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Nov. 20, 2015

Publication Date: Nov. 03, 2015

Mark Information

Mark Literal Elements: EYE AM GEEK CLOTHING CO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a pair of black hipster glasses, a set of black eyebrows and the words "eye am geek clothing co." in black lettering. The eyebrows are above the glasses and the left eyebrow is raised. The word "eye" appears in the left eye of the glasses, the word "am" appears in the bridge of the glasses, the word "geek" appears in the right eye of the glasses and words "clothing co." appear below the glasses.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "CLOTHING CO."

Design Search Code(s): 02.11.02 - Human eyes; Eyes, human; Iris (eye)

16.03.07 - Glasses, safety; Goggles; Spectacles; Sunglasses; Glasses, eye; Frames, eyeglass; Eyeglasses; Safety goggles

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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Collared shirts; Dress shirts; Graphic T-shirts; Hooded sweat shirts; Long-sleeved shirts; Polo shirts; Shirts and short-sleeved shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

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: Johnson, William E

Owner Address: 4852 Cypress Woods Dr. Apt 136
Orlando, FLORIDA UNITED STATES 32811

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: WILLIAM E JOHNSON
4852 CYPRESS WOODS DR APT 136
ORLANDO, FLORIDA UNITED STATES 32811-3752

Phone: 407-271-7536

Correspondent e-mail: airmanjohnson21@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 20, 2015	OPPOSITION INSTITUTED NO. 999999	224949
Nov. 20, 2015	OPPOSITION PAPERS RECEIVED AT TTAB	
Nov. 03, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2015	PUBLISHED FOR OPPOSITION	
Oct. 14, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 30, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Sep. 30, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 17, 2015	EXAMINER'S AMENDMENT ENTERED	70138
Sep. 17, 2015	ASSIGNED TO LIE	70138
Sep. 17, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 17, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 17, 2015	EXAMINERS AMENDMENT -WRITTEN	67507
Sep. 10, 2015	ASSIGNED TO EXAMINER	67507
Jun. 09, 2015	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK E-MAILED	
Jun. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 03, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: STOIDES, KATHERINE

Law Office Assigned: LAW OFFICE 101

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 30, 2015

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91224949](#)

Filing Date: Nov 20, 2015

Status: Pending

Status Date: Nov 20, 2015

Interlocutory: ELIZABETH A DUNN

Attorney:**Defendant****Name:** William E. Johnson**Correspondent Address:** WILLIAM E JOHNSON
4852 CYPRESS WOODS DR APT 136
ORLANDO FL UNITED STATES , 32811-3752**Correspondent e-mail:** airmanjohnson21@gmail.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
EYE AM GEEK CLOTHING CO	Opposition Pending	86646493	

Plaintiff(s)**Name:** Atlantic Optical Company, Incorporated**Correspondent Address:** MICHAEL J MACDERMOTT
CHRISTIE PARKER & HALE LLP
PO BOX 29001
GLENDALE CA UNITED STATES , 91209-9001**Correspondent e-mail:** pto@cph.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
GEEK EYEWEAR	Section 8 and 15 - Accepted and Acknowledged	77724507	3714939
GEEK	Report Completed Suspension Check - Case Still Suspended	86530833	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 20, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 20, 2015	Dec 30, 2015
3	PENDING, INSTITUTED	Nov 20, 2015	
4	ANSWER	Nov 23, 2015	