

ESTTA Tracking number: **ESTTA743468**

Filing date: **04/29/2016**

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 | World Famous Sports, Inc. | | |
| Entity | Corporation | Citizenship | United States |
| Address | 3625 Dalbergia Street San Diego, CA 92113 UNITED STATES | | |
| Attorney information | Christopher W. Steward, Esq. CHRISTOPHER W. STEWARD, APLC 2204 Garnet Avenue, Suite 301 San Diego, CA 92109 UNITED STATES cstew@att.net Phone:6192978480 | | |

Applicant Information

| | | | |
|------------------------|---|------------------------|------------|
| Application No | 86597514 | Publication date | 04/05/2016 |
| Opposition Filing Date | 04/29/2016 | Opposition Period Ends | 05/05/2016 |
| Applicant | Ghost Camo, Inc. P.O. Box 21177 Lloydminster, CANADA | | |

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: clothing, namely, shirts, pants, coats,caps, hats, foul weather gear, gaiters,base layers, gloves, mittens, jackets, shorts, socks, sweaters, sweat-shirts, tee shirts, vests, belts, blouses, head nets in the nature of veils, coveralls, overalls, and jeans

Grounds for Opposition

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| Priority and likelihood of confusion | Trademark Act Section 2(d) |
|--------------------------------------|----------------------------|

Mark Cited by Opposer as Basis for Opposition

| | | | |
|------------------------------------|--|------------------|------|
| U.S. Application/ Registration No. | NONE | Application Date | NONE |
| Registration Date | NONE | | |
| Word Mark | Ridge Ghost | | |
| Goods/Services | clothing, namely shirts, pants and jackets | | |

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|-------------|---|
| Attachments | Attachment to Notice of Opposition - Serial No. 86597514.pdf(152163 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 | /chrissteward/ |
| Name | Christopher W. Steward, Esq. |
| Date | 04/29/2016 |

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

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|--|---|--------------------------|
| World Famous Sports, Inc., a California corporation, |) | Trademark Applications |
| |) | |
| |) | Mark: Ridge Ghost |
| |) | Serial No.: 86597514 |
| Opposer |) | Filed: April 14, 2015 |
| |) | Published: April 5, 2016 |
| |) | |
| |) | |
| v. |) | |
| |) | |
| |) | |
| |) | |
| Ghost Camo, Inc., a Canada corporation |) | |
| |) | |
| |) | |
| |) | |

NOTICE OF OPPOSITION

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

Madam Commissioner:

World Famous Sports, Inc., a California corporation, located and doing business at 3625 Dalbergia Street, San Diego, California 92113, (“Opposer”), believes that it will be damaged by registration by Ghost Camo, Inc. (“Applicant”) of the mark shown in Application Serial Number 86597514 and hereby opposes the same.

As grounds for opposition, Opposer alleges:

1. Applicant filed a trademark application assigned 86597514 in the United States Patent and Trademark Office on April 14, 2015 to register the mark “Ridge Ghost” for use in connection with clothing in IC Class 025, namely, shirts, pants, coats, caps, hats, foul weather gear, gaiters, base layers, gloves, mittens, jackets, shorts, socks, shoes, slippers, coveralls, overalls and jeans.¹
2. The Application filed by Applicant on April 14, 2015 was based on Applicant’s intent to use the mark.
3. Applicant’s Application was published for opposition in the *Official Gazette* on April 5, 2016.
4. The Opposer is a manufacturer and distributor of camouflage patterned apparel.
5. Beginning as early as 1996 and continuing through 2013, Opposer manufactured and sold camouflage patterned apparel bearing the names and designs known as “Prairie Ghost”, “River Ghost” and “Ridge Ghost” under license from Montana Camo, Inc., a Montana corporation (subsequently dissolved).
6. In May of 2012, First Security Bank of Missoula, Division of Glacier Bancorp, Inc. exercised its rights to recover collateral pledged by Montana Camo, Inc. including the patent for camouflage pattern (U.S. Patent No. Des. 425,709) and also including the copyright registrations for camouflage apparel patterns named and known as Prairie

¹ Applicant concurrently filed trademark applications to register the marks “Prairie Ghost” (Serial No. 86597458) and “River Ghost” (Serial No. 86597506) both of which Opposer is Opposing in Notices of Opposition filed concurrently herewith. Request for consolidated review of the three Oppositions will be requested.

Ghost (Certificate of registration VA-1-260-419), River Ghost (Certificate of Registration VA-1-241-973 and Ridge Ghost (Certificate of Registration VA-1-260-418).

7. On December 9, 2013, Opposer purchased from First Security Bank of Missoula all of its right, title and interest in the patent for camouflage pattern (U.S. Patent No. Des. 425,709) as well as the copyright registrations for camouflage apparel patterns named and known as Prairie Ghost (Certificate of registration VA-1-260-419), River Ghost (Certificate of Registration VA-1-241-973 and Ridge Ghost (Certificate of Registration VA-1-260-418).
8. From December 9, 2013 and continuing to the present, Opposer has attended national trade shows twelve times yearly in the states of Arizona, Minnesota, Nevada and Texas wherein Opposer displayed and offered for sale camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names and designs.
9. From December 9, 2013 and continuing to the present, Opposer has mailed print catalogs showing and offering for sale camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names and designs to customers in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming.
10. From December 9, 2013 and continuing to the present, Opposer has shipped camouflage

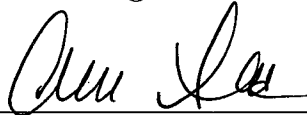
patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names and designs to customers in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

11. From December 9, 2013 and continuing to the present, Opposer has maintained a website at *www.worldfamoussports.com* whereon camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names is offered for sale.
12. From December 9, 2013 and continuing to the present, Opposer has maintained a website at *www.ghostcamobywfs.com* whereon camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names is offered for sale.
13. From as early as 1996 and continuing to the present, Opposer has manufactured and sold camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names in the following styles: short sleeved t-shirts, long sleeved t-shirts, jackets, button-down shirts, and pants.
14. Opposer's prior use of the camouflage patterned apparel bearing the Prairie Ghost, River Ghost and Ridge Ghost names is earlier than Applicant's use of the names. The three subject applications by Applicant all state a Section 1B intent to use as their respective filing bases.

15. The Applicant's use of the marks "Prairie Ghost", "River Ghost" and/or "Ridge Ghost" on the apparel it lists in its International Class 25 application would likely create confusion, mistake, or deception in the minds of prospective purchasers as to the origin or source of the Opposer's goods associated with the same marks on apparel.
16. Purchasers familiar with the Opposers goods are likely to mistakenly believe that Applicant's goods are sponsored by, authorized, endorsed, affiliated with or otherwise approved by Opposer because the three marks sought to be registered are identical to or confusingly similar to Opposer's use of the same three marks.
17. For the foregoing reasons, each of the three registrations sought by Applicant are contrary to the provisions of Section 2 of the Lanham Act, and Opposer believes that it would be damaged thereby.
18. WHEREFORE, Opposer respectfully requests that registration of the marks shown in Application Serial Number 86597458, Application Serial Number 86597506, and Application Serial Number 86597514 each be refused and that this Opposition be sustained in favor of Opposer.

DATED: April 28, 2016

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World Famous Sports, Inc.