

ESTTA Tracking number: **ESTTA783419**

Filing date: **11/16/2016**

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	ESell Solutions Ltd.
Granted to Date of previous extension	11/16/2016
Address	#321 - 770 Fisgard Street Victoria, V8W 0B8 CANADA

Attorney information	Kevin M. Hayes Klarquist Sparkman, LLP 121 SW Salmon Street, Suite 1600 One World Trade Center Portland, OR 97204 UNITED STATES ptotmdocket@klarquist.com, kevin.hayes@klarquist.com Phone:503-595-5300
----------------------	--

### Applicant Information

Application No	86480529	Publication date	07/19/2016
Opposition Filing Date	11/16/2016	Opposition Period Ends	11/16/2016
Applicant	Zhang Fei Limited Room 2912, Tower Two, Times Square Causeway Bay, HONG KONG		

### Goods/Services Affected by Opposition

Class 035. First Use: 2014/12/12 First Use In Commerce: 2014/12/12 All goods and services in the class are opposed, namely: Advertising agencies; Advertising, including on-line advertising on a computer network; Collection and systematisation of information into computer databases; Commercial information and advice for consumers; Compilation and systemization of information into computer databases; Compilation of statistics; Conducting marketing studies; Creating and updating advertising material
--

### Grounds for Opposition

Other	common-law basis for opposition
-------	---------------------------------

Attachments	Notice of Opposition- App. SN 86480529.pdf(186751 bytes )
-------------	---

## 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	/Kevin M. Hayes/
Name	Kevin M. Hayes
Date	11/16/2016

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

_____	)	
ESELL Solutions Ltd.,	)	
	)	
Opposer,	)	NOTICE OF OPPOSITION
	)	
v.	)	Opposition No.: _____
	)	App. No. 86480529
	)	
Zhang Fei Limited,	)	
	)	
Applicant.	)	
_____	)	

In re trademark application of: Zhang Fei Limited

Serial No.: 86480529  
Filed: December 15, 2014  
Mark: MONETIZEMORE  
International Class: 035  
Published in *Official Gazette*: July 19, 2016

**NOTICE OF OPPOSITION**

COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313

ESELL Solutions Ltd. (“Opposer”), a limited liability company organized and existing under the laws of Canada, located and doing business at #321 770 Fisgard Street, Victoria, Canada, believes that it will be damaged by registration of the mark shown in Application Serial No. 86480529 for MONETIZEMORE for: “Advertising agencies; Advertising, including on-line advertising on a computer network; Collection and systematisation of information into computer databases; Commercial information and advice for consumers; Compilation and systemization of information into computer databases; Compilation of statistics; Conducting marketing studies; Creating and updating

advertising material” in International Class 35 (the “Opposed Application”). This Notice of Opposition is being filed within the extension of time granted to Opposer to file an opposition.

The grounds for the opposition are as follows:

1. Opposer uses and has used the mark MONETIZEMORE in the United States for advertising services, advertising network and operation services, and providing and managing online advertising networks services (“Opposer’s Services”).

2. Opposer has used the mark MONETIZEMORE in the United States on its advertising services since at least before the December 15, 2014, filing date of the Opposed Application. Opposer has not abandoned its MONETIZEMORE mark in the United States.

3. Opposer owns the following United States Principal Register Trademark Application for its MONETIZEMORE mark:

<b>App. No.</b>	<b>Application Date</b>	<b>Goods/Services</b>
87031565	May 10, 2016 (claiming priority to an earlier Canadian application)	Advertising services for online publishers, namely, the optimization of advertising processes and inventories for online publishers via online and mobile network for the display of targeted online or mobile advertisements; advertising placement services for online publishers through real-time display, mobile, video and social media advertising exchanges and digital properties; advertising network and operations services for online publishers, namely, providing media planning, placements and distribution and setting up networks and partnerships; providing and managing online advertising networks that connect online advertisers with online publishers for the purpose of online and mobile advertisements in International Class 35

4. The purchasing public has come to know, rely upon, and associate Opposer’s mark MONETIZEMORE with Opposer and to recognize Opposer by Opposer’s MONETIZEMORE mark. Opposer has established valuable goodwill in Opposer’s MONETIZEMORE mark.

5. The Opposed Application identifies services related to those for which Opposer’s MONETIZEMORE mark is used by Opposer.

6. The word MONETIZEMORE in the mark of the Opposed Application is identical to the word MONETIZEMORE of Opposer's mark.

7. Applicant's identified services are identical in some cases to the Opposer's MONETIZEMORE marked services.

8. Applicant's identified services are advertising services and highly related services.

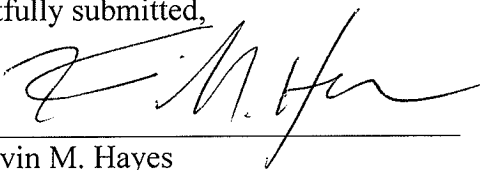
9. The mark of the Opposed Application so resembles Opposer's MONETIZEMORE mark as to be likely to cause confusion, mistake, or to deceive consumers, within the usage and meaning of Section 2(d) of the Trademark Act of 1946, as amended, when used by Applicant on or in connection with Applicants' identified services.

WHEREFORE, Opposer deems that it will be injured and damaged by registration of the mark of application Serial No. 86480529 and Opposer requests that this opposition be sustained, that said application be rejected, and that no registration be issued thereon.

This Notice of Opposition is being filed together with the filing fee stated in 37 C.F.R. § 2.6(a)(17).

Respectfully submitted,

By



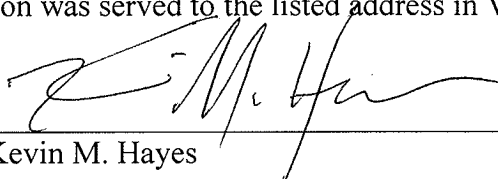
Kevin M. Hayes  
Klarquist Sparkman, LLP  
One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Attorneys for Opposer

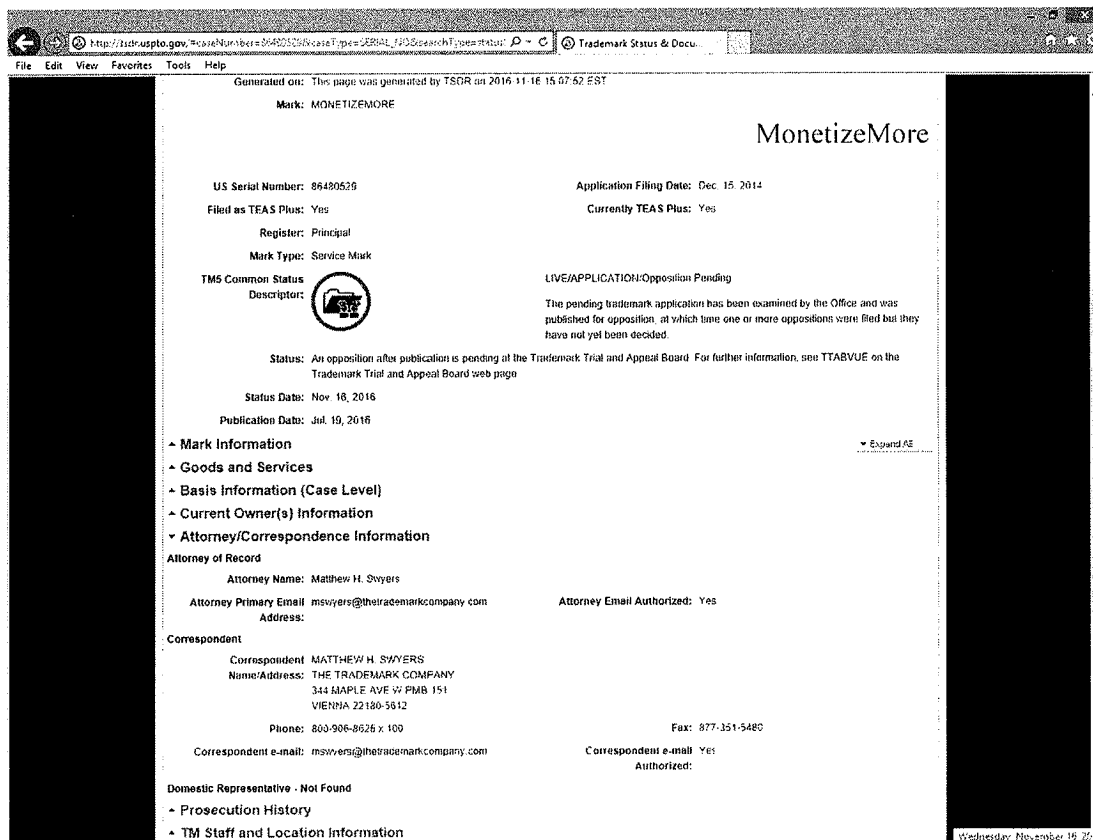
## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 16, 2016, a true copy of the foregoing **Notice of Opposition** was served on Applicant at the Correspondence Address listed for the application by first class mail, postage prepaid, to:

Matthew H. Swyers  
The Trademark Company  
344 Maple Ave W PMB 151  
Vienna, Virginia 22180-5612  
[mswers@thetrademarkcompany.com](mailto:mswers@thetrademarkcompany.com)

\*Although the Correspondence Address lists no state (as shown below), Vienna is believed to be in Virginia and the Notice of Opposition was served to the listed address in Virginia.


  
\_\_\_\_\_  
Kevin M. Hayes



Generated on: This page was generated by TSDR on 2016-11-16 15:07:52 EST

Mark: MONETIZEMORE

MonetizeMore

US Serial Number: 86480529	Application Filing Date: Dec 15, 2014
Filed as TEAS Plus: Yes	Currently TEAS Plus: Yes
Register: Principal	
Mark Type: Service Mark	
TMS Common Status	LIVE/APPLICATION: Opposition Pending
Descriptor: 	The pending trademark application has been examined by the Office and was published for opposition, at which time one or more oppositions were filed but they have not yet been decided.
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 18, 2016	
Publication Date: Jul 19, 2016	

▲ Mark Information ▼ Expand All

▲ Goods and Services

▲ Basis Information (Case Level)

▲ Current Owner(s) Information

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Matthew H. Swyers	
Attorney Primary Email: <a href="mailto:mswers@thetrademarkcompany.com">mswers@thetrademarkcompany.com</a>	Attorney Email Authorized: Yes
Address:	

Correspondent

Correspondent Name/Address: MATTHEW H. SWYERS THE TRADEMARK COMPANY 344 MAPLE AVE W PMB 151 VIENNA 22180-5612	
Phone: 800-906-8626 x 100	Fax: 877-351-5480
Correspondent e-mail: <a href="mailto:mswers@thetrademarkcompany.com">mswers@thetrademarkcompany.com</a>	Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

▲ Prosecution History

▲ TM Staff and Location Information

Wednesday, November 16, 2016