

ESTTA Tracking number: **ESTTA921078**

Filing date: **09/10/2018**

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	We March On Chicago NFP DBA Women's March Chicago NFP
Granted to Date of previous extension	09/09/2018
Address	5326 N LEAVITT ST CHICAGO, IL 60625 UNITED STATES

Attorney information	Thomas L. Holt Perkins Coie LLP 131 South Dearborn St. Suite 1700 Chicago, IL 60603 UNITED STATES tholt@perkinscoie.com, pctrademarks@perkinscoie.com 3123248438
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**Applicant Information**

Application No	87354044	Publication date	03/13/2018
Opposition Filing Date	09/10/2018	Opposition Period Ends	09/09/2018
Applicant	Women's March, Inc. 105 Summit St., #2 Brooklyn, NY 11231 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 025. First Use: 2016/11/00 First Use In Commerce: 2016/11/00 All goods and services in the class are opposed, namely: T-shirts; shirts; sweatshirts; hoodies; one-piece infant wear
Class 035. First Use: 2016/11/12 First Use In Commerce: 2016/11/12 All goods and services in the class are opposed, namely: Promoting public awareness of the need for protecting women's social, economic and political rights; promoting public awareness of the need for racial equality, LGBTQ rights, economic and reproductive rights; public advocacy to promote awareness of the need for protecting women's social, economic and political rights; lobbying services, namely, promoting the interests of women in the fields of legislation and regulation concerning reproductive rights, equal pay, paid family leave, and to the end of violence against women

**Grounds for Opposition**

The mark is merely descriptive	Trademark Act Section 2(e)(1)
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The mark is generic	Trademark Act Sections 1, 2 and 45
The mark is not inherently distinctive and has not acquired distinctiveness	Trademark Act Sections 1, 2 and 45; and Section 2(f)

Attachments	Notice of Opposition - WOMENS MARCH.FInal.pdf(91718 bytes )
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Signature	/Thomas L. Holt/
Name	Thomas L. Holt
Date	09/10/2018

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WE MARCH ON CHICAGO,	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	Serial No. 87/354,044
	)	
WOMEN’S MARCH, INC.,	)	Mark: WOMEN’S MARCH
	)	
Applicant.	)	Filing Date: March 1, 2017
	)	
	)	<b>NOTICE OF OPPOSITION</b>
	)	

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Opposer, We March On Chicago d/b/a Women’s March Chicago, an Illinois non-for-profit organization with its place of business at 5326 N Leavitt St., Chicago, IL 60625 (“WMC”), believes that it will be damaged by registration of the mark WOMEN’S MARCH, Serial No. 87/354,044, filed on March 1, 2017, by Women’s March, Inc., a New York corporation with a place of business at 105 Summit St., #2 Brooklyn, New York, NY 11231 (“Applicant”). WMC hereby opposes registration of the WOMEN’S MARCH mark on the following grounds:

1. WMC is a grassroots organization that was formed in November of 2016 to advocate for women’s rights, promote intersectional feminism, and challenge the political system regarding issues affecting women.
2. WMC brings together women and allies in support of women’s rights, including equal rights, equal pay, reproductive justice, affordable healthcare, affordable childcare, racial justice, voting rights, freedom from violence, LGBTQ+ rights, immigrant rights, fair wages, access for persons with disabilities, environmental protections, and other critical areas of focus.

3. WMC's purpose is to lead and participate in local and national actions, build coalitions to further more effective advocacy, and to create educational and civic engagement opportunities that will lead to the advancement of civil rights and social change in Chicago and beyond.

4. Since November 2016, WMC has used "WOMEN'S MARCH CHICAGO" to identify the organization and its services as well as its related apparel and merchandise.

5. Numerous other independent organizations use the term "WOMEN'S MARCH" as part of their names in the promotion of women's rights, including Women's March DC, Women's March Los Angeles Foundation, Women's March SLO, Women's March Alliance, Women's March Contra Costa, Inc., Santa Cruz Women's March, Women's March San Diego, Inc., and Women's March on Colorado.

6. Applicant filed Application Serial No. 87/354,044 for the mark WOMEN'S MARCH on March 1, 2017 for "T-shirts; shirts; sweatshirts; hoodies; one-piece infant wear" in Class 25 and "Promoting public awareness of the need for protecting women's social, economic and political rights; promoting public awareness of the need for racial equality, LGBTQ rights, economic and reproductive rights; public advocacy to promote awareness of the need for protecting women's social, economic and political rights; lobbying services, namely, promoting the interests of women in the fields of legislation and regulation concerning reproductive rights, equal pay, paid family leave, and to the end of violence against women" in Class 35. Applicant claims a first use anywhere and first use in commerce date of November 2016 for the Class 25 goods and a first use anywhere and first use in commerce date of November 12, 2016 for the Class 35 services.

7. The mark WOMEN’S MARCH alone is incapable of distinguishing Applicant’s goods and services because it is the generic name of, or in the alternative, so highly descriptive of goods and services used to promote women’s rights that it is incapable of acquiring distinctiveness.

8. WMC and other organizations that promote women’s rights have the right to use, and do in fact use, the term “WOMEN’S MARCH” in connection with their organizations.

9. Because allowing registration of Applicant’s WOMEN’S MARCH mark would preclude WMC and other similar organizations from using “WOMEN’S MARCH” in the name of their organizations and the promotion of women’s rights, WMC would be injured by Applicant’s intended registration of the WOMEN’S MARCH mark.

10. By reason of the foregoing, WMC believes that it will be damaged by registration of Applicant’s WOMEN’S MARCH mark in connection with the applied-for goods and services.

WHEREFORE, WMC prays that this Opposition be sustained and that Application Serial No. 87/354,044 be refused registration.

Respectfully submitted,

WE MARCH ON CHICAGO

Dated: September 10, 2018

By: /s/ Thomas L. Holt  
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We March On Chicago