

ESTTA Tracking number: **ESTTA1009237**

Filing date: **10/16/2019**

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	Coast Acceptance Corporation
Granted to Date of previous extension	10/16/2019
Address	1300 BRISTOL STREET NORTH SUITE 260 NEWPORT BEACH, CA 92660 UNITED STATES

Attorney information	Deborah A. Gubernick SNELL & WILMER LLP 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626 UNITED STATES ipocdoCKET@swlaw.com, jteleoglou@swlaw.com, dgubernick@swlaw.com 714-427-7000
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Applicant Information

Application No	88312667	Publication date	06/18/2019
Opposition Filing Date	10/16/2019	Opposition Period Ends	10/16/2019
Applicant	CoastalStates Bank 5 Bow Circle, Suite B Hilton Head Island, SC 29928 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Banking services; Online banking services; Banking services featuring the provision of certificates of deposit; Financial services, namely, deposit services, consumer lending, commercial lending, mortgage lending

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	5215975	Application Date	02/20/2015
Registration Date	06/06/2017	Foreign Priority Date	NONE

Word Mark	COAST
Design Mark	<h1>COAST</h1>
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2002/05/31 First Use In Commerce: 2002/08/31 Arranging of loans; Financing loans for automobiles

U.S. Registration No.	5568352	Application Date	08/04/2017
Registration Date	09/25/2018	Foreign Priority Date	NONE

Word Mark	COAST AUTOMOTIVE FINANCE
Design Mark	<h1>Coast Automotive Finance</h1>
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2002/05/01 First Use In Commerce: 2002/05/01 Arranging of loans; Financing loans for automobiles

Attachments	86541641#TMSN.png(bytes) 87556836#TMSN.png(bytes) Coast Acceptance - Notice of Opposition 4851-8594-2185 v.1.pdf(42029 bytes)
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Signature	/dag/
Name	Deborah A. Gubernick
Date	10/16/2019

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

In the matter of:

COAST ACCEPTANCE

CORPORATION,

Opposer,

v.

COASTALSTATES BANK,

Applicant.

NOTICE OF OPPOSITION

Opposition No.: _____

Application No.: 88/312667

Published: June 8, 2019

NOTICE OF OPPOSITION


Coast Acceptance Corporation (“Opposer”), a California corporation, having a principal place of business at 1300 North Bristol Street, #260, Newport Beach, California 92660, believes that it is being and will continue to be damaged by CoastalStates Bank’s (“Applicant”) registration of the mark shown in U.S. Application No. 88/312667 (the “Application”). Opposer hereby files this Notice of Opposition pursuant to Section 13 of the Trademark Act (15 U.S.C. § 1063).

As grounds for Opposition, Opposer alleges as follows:

1. Opposer is the owner of the following registered trademarks (the “Registrations”):

Mark	Registration No.	First Use	Services
COAST	5215975	August 31, 2002	Arranging of loans; Financing loans for automobiles in Class 36
COAST AUTOMOTIVE FINANCE	5568352	May 1, 2002	Arranging of loans; Financing loans for automobiles in Class 36

2. Opposer's Registrations are valid, unrevoked, and in full force and effect.
3. Through longstanding use, Opposer also owns common law rights in and to COAST, COAST ACCEPTANCE CORPORATION and COAST AUTOMOTIVE FINANCE.
4. Opposer offers its services online and in manners customary to the trade, including but not limited to offering consumer lending and payment deposit systems to its customers online in the financial services industry.
5. Opposer owns the goodwill and reputation connected with and symbolized by the Registrations.
6. Opposer's Registrations were in use for its services long before Applicant applied to register the mark shown in the Application.
7. Applicant's Application covers the following:

Mark	Application No. and Filing Date	Filing Basis	Services
COASTAL STATES BANK (Stylized) 	88312667 Filing Date: February 22, 2019	Intent to Use	Banking services, Online banking services; Banking services featuring the provision of certificates of deposit; Financial services, namely, deposit services, consumer lending, commercial lending, mortgage lending in Class 36


8. The mark shown in the Application contains Opposer's identical registered term COAST, followed by additional letters, and is used in the financial industry, as indicated in the description of services listed above.
9. Notwithstanding Opposer's rights in and to the Registered Mark, on February 22, 2019, Applicant nevertheless filed its Application for the mark shown above.
10. Opposer's Registrations pre-date Applicant's use and application filing dates, affording Opposer priority of rights.

11. Opposer has received reports of confusion and therefore believes confusion may result from Applicant's mark.
12. Based on the fact that Applicant's mark contains Opposer's registered COAST mark and is similar to Opposer's Registrations and common law marks for highly related services, the purchasing public is likely to falsely associate Applicant's lending services with Opposer, or may erroneously believe the services offered under the marks shown in the Application are sponsored, licensed or otherwise endorsed and/or authorized by Opposer.
13. Opposer, upon information and belief, asserts that it will be damaged by the registration of the mark shown in the Application.

WHEREFORE, Opposer prays that Application No. 88/312667 be denied registration and that this Opposition be granted in favor of Opposer.

Respectfully submitted,

Dated: October 16, 2019

By: 
Deborah A. Gubernick
Attorney of Record for Opposer


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CERTIFICATE OF SERVICE/ELECTRONIC SERVICE

I hereby certify that a true and complete copy of the foregoing NOTICE OF OPPOSITION against Application Number 88/312667 is being served on the Applicant's attorney of record via electronic mail to the correspondent email listed on the records of the United States Patent and Trademark Office:

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Dated: October 16, 2019

By: 
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Attorney of Record for Opposer

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