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

Proceeding	91252071
Party	Plaintiff TGMJM Intellectual Holdings, LLC
Correspondence Address	GREGORY J. WINSKY, ESQUIRE ARCHER & GREINER, P.C. 33 EAST EUCLID AVENUE ONE CENTENNIAL SQUARE HADDONFIELD, NJ 08033 UNITED STATES patents@archerlaw.com 856-616-2610
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Gregory J. Winsky, Esquire
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Date	01/09/2020
Attachments	GuaropapiCorrectedNotice.pdf(13973 bytes )

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

In the matter of Application Ser. No. 88530671  
Mark: GUAROPAPI

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TGMJM Intellectual Holdings, LLC	:	Opposition No. 91252071
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	:	
	:	
Opposer,	:	
	:	
v.	:	
	:	
M & C of Orlando, LLC,	:	
	:	
	:	
	:	
Applicant	:	

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**CORRECTED NOTICE OF OPPOSITION**

TGMJM Intellectual Holdings, LLC (“Opposer” or “TGMJM”), a New Jersey limited liability company having its principal place of business at 136 Willow Drive, Old Tappan, New Jersey 07675, believes it is and will be damaged by the registration of the mark GUAROPAPI shown in Application Serial No. 88530671 (the “Opposed Mark”), by M & C of Orlando, LLC, a Florida limited liability company located at 2166 Orinoco Dr., Suite 448, Orlando, Florida 32877 (“Applicant”), and files this notice of opposition pursuant to 37 C.F.R. 2.101(b). The grounds for opposition are stated below.

1. Opposer is the owner of the registered trademark PAPI (Reg. No. 3,446,992) for wines.

2. As early as September 2006 and before the filing date of the application for the Opposed Mark, Opposer has used its PAPI mark to market and sell wines.

3. PAPI branded products have been sold in the United States, and internationally, as early as September 2006.

4. Opposer has marketed its PAPI products to a variety of audiences in a variety of ways, including hiring PAPI sales representatives, sponsoring promotional events, purchasing advertising signage, and utilizing giveaway items and premium wearable items to promote the brand.

5. Since conceiving the idea for its PAPI brand, Opposer has invested approximately \$2,000,000.00 dollars in research, development and commercialization to build its PAPI brand throughout the United States.

6. By virtue of its sales, advertising, and promotions, Opposer owns valuable goodwill symbolized in its PAPI mark.

On July 23, 2019, Applicant filed Application Serial No. 88530671 to register GUAROPAPI for the following goods:

Class	Description
33	Spirits and Liqueurs

7. Applicant filed its '671 application pursuant to Section 1(b) of the Lanham Act.

8. Applicant's application to register the Opposed Mark is without Opposer's consent.

9. Applicant's application to register the Opposed Mark is likely to result in confusion, mistake, or deception with Opposer's PAPI mark, or in the belief that Applicant's goods are in some way connected with, licensed, or approved by Opposer, or that Opposer is a sponsor, business partner of, or otherwise affiliated with Applicant.

10. Accordingly, registration by Applicant of the Opposed Mark would be damaging to Opposer.

WHEREFORE, Opposer prays that its opposition be sustained and registration of the Opposed Mark be refused in its entirety.

Opposer submits the requisite filing fee of \$300 for the opposition.

Respectfully submitted,

By: /s/ Gregory J. Winsky  
Gregory J. Winsky  
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*Attorneys for Opposer*  
*TGMJM Intellectual Holdings, LLC*

Dated: January 9, 2020

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 9th day of January, 2020 a true copy of the foregoing NOTICE OF OPPOSITION was served on counsel for the Applicant by sending the same via U.S. First Class mail, postage prepaid, and emailed to:

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**CERTIFICATE OF ELECTRONIC FILING**

The undersigned certifies that this submission (along with any paper referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals (ESTTA) on this 9th day of January, 2020.

By: /s/ Gregory J. Winsky  
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