

ESTTA Tracking number: **ESTTA1030600**

Filing date: **01/22/2020**

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	The Net-A-Porter Group Limited
Granted to Date of previous extension	01/22/2020
Address	1 THE VILLAGE OFFICES WESTFIELD, ARIEL WAY LONDON, W12 7GF UNITED KINGDOM
Attorney information	John P. Margiotta FROSS ZELNICK LEHRMAN & ZISSU, P.C. 151 WEST 42ND STREET, 17TH FLOOR NEW YORK, NY 10036 UNITED STATES jmargiotta@fzlz.com, jvosgerchian@fzlz.com, ttabfiling@fzlz.com 212-813-5900

Applicant Information

Application No	88268158	Publication date	09/24/2019
Opposition Filing Date	01/22/2020	Opposition Period Ends	01/22/2020
Applicant	Trvl Porter, LLC 375 Redondo Ave Unit #620 Long Beach, CA 90814 UNITED STATES		

Goods/Services Affected by Opposition

Class 045. First Use: 2017/10/00 First Use In Commerce: 2017/10/00 All goods and services in the class are opposed, namely: Rental of clothing and fashion accessories namely, clothing, accessories, jewelry, handbags, headwear, belts, sunglasses; Online rental of clothing and fashion accessories, namely, clothing, accessories, jewelry, handbags, headwear, belts, sunglasses

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.	2661220	Application Date	02/16/2000
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Registration Date	12/17/2002	Foreign Priority Date	NONE
Word Mark	NET-A-PORTER		
Design Mark	NET-A-PORTER		
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0 [Toiletries, namely, bubble bath, bathsalts, beauty masks; cosmetics; soaps, namely, deodorant soap, body soap, skin soap, moisturizing soap; essential oils for personal use; hair care preparations; skin care products, namely, moisturizers, cleansers, toners, face masks, exfoliators, make-up removing preparations, skin clarifiers, skin lotion; nail polish]</p> <p>Class 014. First use: First Use: 0 First Use In Commerce: 0 [Horological and/or chronometric instruments; namely, watches and clocks, jewelry; costume jewelry; statues or statuettes of precious metal; articles made of or coated with precious metal or their alloys, namely, trinket boxes, decorative-boxes, cigarette holders, vaporizers for perfume sold empty, cosmetics cases sold empty, tie pins, cuff links, key rings, candlesticks and napkin ring; precious gemstones, articles with precious gemstones, namely, trinket boxes, decorative-boxes, cigarette holders, vaporizers for perfume sold empty, cosmetics cases sold empty, tie pins, cuff links, key rings]</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 [Paper, namely, business paper, namely, letterhead paper and business note-paper, writing paper; gift wrapping paper; books, namely, autograph books, address book, telephone books; cards, namely, business cards, announcement cards; postcards; greeting cards; poster; photographicprints; stationery; writing or drawing implements, namely, pen and pen sets; diaries; calendars; plastic and paper shopping bags]</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0 [Leather sold in bulk; imitation leather sold in bulk; goods made from leather or imitation leather, namely, briefcases, handbags, purses, wallets, suitcases, travel bags, vanity cases, trunks, rucksacks; bags, namely, beach bags, mesh, textile and leather shopping bags, all purpose sports bags; briefcases, handbags, suitcases, trunks, rucksacks; leather boxes for storage sold empty; walking sticks; umbrellas; purses; wallets; satchels]</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0 [Hair combs; hair brushes; powder puffs; cosmetic brushes; household utensils, namely, pans, frying pans, stockpots, colanders, crockery, namely, plates, bowls, cups, saucers, serving plates and bowls, mugs; containers for food; bowls; bread boards; beverage glassware; candlesticks and napkin rings, not of precious metal; coasters; cocktail stirrers; clothes brushes; shoe brushes; vases; porcelains, namely, ornaments and figurines, mugs; perfume burners]</p> <p>Class 024. First use: First Use: 0 First Use In Commerce: 0 [Textile and textile goods, namely, bedspreads, table linen, curtains, household linen; fabric place mats; bed linen; handkerchiefs]</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0 [Clothing, namely, trousers, dresses, skirts, jumpers, knitwear, namely, jumpers, pullovers, cardigans, shawls; sweatshirts, t-shirts, shorts, jackets, coats, blouses, shirts, pullovers, sweaters; evening wear, namely, dresses, suits, tuxedos, waistcoats, coats, shawls; waistcoats suits; ties; scarves; shawls; swim</p>		

	<p>wear; lingerie, hosiery; bathrobes; belts; footwear; head wear]</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Retail store services featuring clothing, shoes, handbags, fashion goods namely, hats, jewelry, accessories, [gloves,] scarves and purses, fashion accessories, [cosmetics and skincare, home furnishings and gifts;] computerized on line retail services featuring clothing, shoes, handbags, fashion goods, namely, hats, jewelry, accessories, [gloves,] scarves and purses, fashion accessories, [cosmetics and skincare, home furnishings and gifts; and mail order catalog services featuring clothing, shoes, handbags, fashion goods namely, hats, jewelry, accessories, gloves, scarves and purses, fashion accessories, cosmetics and skincare, home furnishings and gifts]</p>
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U.S. Registration No.	4554960	Application Date	09/12/2013
Registration Date	06/24/2014	Foreign Priority Date	NONE

Word Mark	NET-A-PORTER
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 2000/00/00 First Use In Commerce: 2006/00/00</p> <p>Retail store services featuring personal care products in the nature of creams for the face, body and hands, body lotion, face and body oil, bath oil, shower oil, body balm, hand balm, lip balms, body moisturizer, body butter, foot file, foot lotion, foot mousse, foot oil, toothpaste, body cleanser, body scrub, body gel, hand wash, body brush, body and beauty care preparations, body pack consisting of exfoliating cream, body oil, bodylotion, body mist, hand and nail treatment consisting of oil serum, cream and gloves, sun tanning products and preparations, tanning cream, liquid tan, tanningoil, tanning gel, sun moisturizer, mistsunscreen, tanning mitts, fragrances for personal use, perfumes, eau du toilette, eau de parfum, hair care products andpreparations, hair serum, hair moisturemasque, hair moisturizing cream, hair conditioner, hair shampoo, hair styling preparations, hair and styling gel, thickening spray, anti-humidity spray, texturizing spray, anti-frizz, detangling and styling cream, hairbrush, cosmetics and non-medicated cosmetics, non-medicated toilet preparations, lipstick, lip crÃme, lip balm, lip exfoliator, lip conditioner, lip protector, moisturizer, foundation, gel foundation, concealer, loose powder, face powder, blusher, bronzing powder, eyeliner, eye pencil, mascara, eye shadow, eye cream and concealer, eye primer, brow gel, powder brush, eye shadow brush, sculpting brush, foundation brush,tweezers, eyebrow stencils, brow scissors, face peel, face mask, exfoliating cream, toning lotion, sculpting serum and cream, rose water, cream for spots, bodymist, cuticle oil, cuticle pusher, cuticle nipper, cuticle remover, nail buffer, nail polish; the bringing together forthe benefit of others in the field of personal care products in the nature of creams for the face, body and hands, bodylotion, face and body oil, bath oil, shower oil, body balm, hand balm, lip balms, body moisturizer, body butter, foot file, foot lotion, foot mousse, foot</p>
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	<p>oil, tooth paste, body cleanser, body scrub, body gel, hand wash, body brush, body and beauty care preparations, body pack consisting of exfoliating cream, body oil, body lotion, body mist, hand and nail treatment consisting of oil serum, cream and gloves, sun tanning products and preparations, tanning cream, liquid tan, tanning oil, tanning gel, sun moisturizer, mist sunscreen, tanning mitts, fragrances for personal use, perfumes, eau du toilette, eau de parfum, hair care products and preparations, hair serum, hair moisture masque, hair moisturizing cream, hair conditioner, hair shampoo, hair styling preparations, hair and styling gel, thickening spray, anti-humidity spray, texturizing spray, anti-frizz, detangling and styling cream, hairbrush, cosmetics and non-medicated cosmetics, non-medicated toilet preparations, lipstick, lip cream, lip balm, lip exfoliator, lip conditioner, lip protector, moisturizer, foundation, gel foundation, concealer, loose powder, face powder, blusher, bronzing powder, eyeliner, eye pencil, mascara, eye shadow, eye cream and concealer, eye primer, brow gel, powder brush, eye shadow brush, sculpting brush, foundation brush, tweezers, eyebrow stencils, brow scissors, face peel, face mask, exfoliating cream, toning lotion, sculpting serum and cream, rose water, cream for spots, body mist, cuticle oil, cuticle pusher, cuticle nipper, cuticle remover, nail buffer, and nail polish enabling customers to conveniently view and purchase those goods; the provision of on-line retail store services from an internet website featuring personal care products in the nature of creams for the face, body and hands, body lotion, face and body oil, bath oil, shower oil, body balm, hand balm, lip balms, body moisturizer, body butter, foot file, foot lotion, foot mousse, foot oil, tooth paste, body cleanser, body scrub, body gel, hand wash, body brush, body and beauty care preparations, body pack consisting of exfoliating cream, body oil, body lotion, body mist, hand and nail treatment consisting of oil serum, cream and gloves, sun tanning products and preparations, tanning cream, liquid tan, tanning oil, tanning gel, sun moisturizer, mist sunscreen, tanning mitts, fragrances for personal use, perfumes, eau du toilette, eau de parfum, hair care products and preparations, hair serum, hair moisture masque, hair moisturizing cream, hair conditioner, hair shampoo, hair styling preparations, hair and styling gel, thickening spray, anti-humidity spray, texturizing spray, anti-frizz, detangling and styling cream, hairbrush, cosmetics and non-medicated cosmetics, non-medicated toilet preparations, lipstick, lip cream, lip balm, lip exfoliator, lip conditioner, lip protector, moisturizer, foundation, gel foundation, concealer, loose powder, face powder, blusher, bronzing powder, eyeliner, eye pencil, mascara, eye shadow, eye cream and concealer, eye primer, brow gel, powder brush, eye shadow brush, sculpting brush, foundation brush, tweezers, eyebrow stencils, brow scissors, face peel, face mask, exfoliating cream, toning lotion, sculpting serum and cream, rose water, cream for spots, body mist, cuticle oil, cuticle pusher, cuticle nipper, cuticle remover, nail buffer, and nail polish; the provision of retail store services via mobile phone, portable Internet-enabled device, or other telecommunications devices featuring personal care products in the nature of body and beauty care preparations, sun tanning products and preparations, fragrances for personal use, hair care products and preparations, cosmetic and non-medicated cosmetics, and non-medicated toilet preparations; provision of information and advice to consumers regarding the selection of products and items to be purchased</p> <p>Class 045. First use: First Use: 2000/00/00 First Use In Commerce: 2006/00/00 Fashion information; providing information about fashion; providing fashion information about fashion designers</p>
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U.S. Registration No.	4661381	Application Date	11/24/2010
Registration Date	12/30/2014	Foreign Priority Date	05/26/2010
Word Mark	MR PORTER		

Design Mark	MR PORTER
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>On-line retail store services featuring clothing, headwear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear all from an internet website; retail store services featuring clothing, headwear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear all via a television channel; retail store services featuring clothing, headwear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear all accessible via a telephone or mobile phone or other communications devices; retail store services featuring clothing, headwear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear, all by way of direct marketing; the provision of information and advice in relation to performing retail store services; business management consultancy; provision of advice and assistance in the selection of goods in the nature of style advice on the types of clothes, headwear, footwear, jewelry, eyewear and accessories to wear and use for different occasions or in varying environments, and styling advice on how to wear and present clothing, headwear, footwear, jewelry, eyewear and accessories; advertising for others; * all of the foregoing excluding retail sale of goods through brick and mortar stores; * all the foregoing excluding operation of an airline, and air transportation services of passengers, baggage and other freight</p>

U.S. Registration No.	4669102	Application Date	02/11/2013
Registration Date	01/13/2015	Foreign Priority Date	08/24/2012
Word Mark	JET-A-PORTER		
Design Mark	JET-A-PORTER		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Electronic downloadable publications in the nature of newspapers, magazines, articles, brochures, books, and periodicals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; electronic applications for electronic telecommunications equipment, namely, software for uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications networks; all of the foregoing goods in this class excluding operation of an airline, and air transportation services of passengers, baggage and other freight.</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0</p> <p>Printed publications, namely, articles and newsletters in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; printed matter, namely, magazines and publications being magazines, newspapers, brochures, books, and periodicals regarding fashion and lifestyle; books in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; address books; pamphlets in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; manuals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; magazines in the fields of fashion, news,</p>		

lifestyle, culture, entertainment, travel, social networking; printed periodical publications in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; newspapers; newsletters in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; decalcomanias; pressure sensitive stickers; photographs; cards, namely, greeting cards and note cards; paper gift tags; calendars; diaries, postcards, posters, stationery; writing implements; drawing implements, namely, pencils; paper tissues; all of the foregoing goods in this class excluding operation of an airline, and air transportation services of passengers, baggage and other freight.

Class 035. First use: First Use: 0 First Use In Commerce: 0

Retail store services featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the bringing together for the benefit of others of clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags enabling customers to conveniently view and purchase those goods; the provision of retail services via a mail order catalogue, namely, mail order catalog services featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of on-line retail store services from an Internet website featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail store services via a television channel featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail store services via a telephone or mobile phone, portable Internet-enabled device, or other telecommunications device featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail store services by way of direct marketing and featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of business information and advice in relation to retail services; business management consultancy; provision of consumer advice and assistance in the selection of goods; advertising for others; online promotional marketing services in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; all of the foregoing services in this class excluding operation of an airline, and air transportation services of passengers, baggage and other freight * ; all of the foregoing excluding retail sale of goods through brick and mortar stores *

Class 041. First use: First Use: 0 First Use In Commerce: 0

Entertainment and educational services in the nature of providing online non-downloadable electronic media in the nature of images, sound, and images with sound, multimedia content in the nature of images, sound, and images with sound, videos, movies, pictures, images, text, photos, games, user-generated content, audio content, and related entertainment information via the Internet and computer and communications networks, all in the fields of fashion shows, news, culture, entertainment; publishing services; electronic desktop publishing; magazine publishing; on-line electronic publishing of books, periodicals and magazines; providing on-line electronic publishing in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; providing online non-downloadable electronic publications in the nature of newspapers, magazines, articles, brochures, books, and periodicals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking from a global computer network or the Internet which may be browsed; online electronic digital publishing

	of books and periodicals; all of the foregoing services in this class excluding operation of an airline, and air transportation services of passengers, baggage and other freight.
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U.S. Registration No.	4673389	Application Date	02/11/2013
Registration Date	01/20/2015	Foreign Priority Date	08/24/2012
Word Mark	TV-A-PORTER		
Design Mark	TV-A-PORTER		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Electronic downloadable publications in the nature of newspapers, magazines, articles, brochures, books, and periodicals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; electronic applications for electronic telecommunications equipment, namely, software for uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications networks; software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications networks</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Printed publications, namely, articles and newsletters in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; printed matter, namely, magazines and publications being magazines, newspapers, brochures, books, and periodicals regarding fashion and lifestyle; books in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; address books; pamphlets in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; manuals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; magazines in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; printed periodical publications in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; newspapers; newsletters in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; decalcomanias; pressure sensitive stickers; photographs; cards, namely, greeting cards and note cards; paper gift tags; calendars; diaries, postcards, posters, stationery; writing implements; drawing implements, namely, pencils; paper issues</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Retail store services featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the bringing together for the benefit of others of clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags enabling customers to conveniently view and purchase those goods; the provision of retail services via a mail order catalogue, namely, mail order catalog services featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of on-line retail store services from an Internet website featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail</p>		

store services via a television channel featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail store services via a telephone or mobile phone, portable Internet-enabled device, or other telecommunications device featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of retail store services by way of direct marketing and featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eye wear, carrying cases, leather goods, handbags and all manner of bags; the provision of business information and advice in relation to retail services; business management consultancy; provision of consumer advice and assistance in the selection of goods; advertising for others; online promotional marketing services in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking * ;all of the foregoing excluding retail sale of goods through brick and mortar stores *

Class 038. First use: First Use: 0 First Use In Commerce: 0

Telecommunication services, namely, local and long distance transmission of voice, data, graphics by means of telephone, telegraphic, cable, and satellite transmissions, transmission of voice, data, graphics, sound and video by means of broadband power line or wireless networks; telecommunication routing of Internet queries from end users to website hosting providers; data transmission, broadcast and reception services via telecommunication means; broadcast of cable television programs; broadcasting programs via a global computer network; broadcasting services, namely, uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network, namely, providing on-line chat rooms and electronic bulletin boards; broadcasting services, namely, broadcasting of online television programs, radio programs, and films, and internet protocol television transmission services; electronic communication services, namely, communication by electronic computer terminals, mobile phones, and tablets; cable radio broadcasting and transmission; cable, network and satellite television broadcasting and transmission services; transmitting streamed sound and audio-visual recordings via the Internet; streaming of audio and video material on the Internet; digital and electronic transmission of voice, data, sound, images, audio and video content, and messages; video-on-demand transmission services; providing on-line chat rooms and forums and electronic bulletin boards for transmission of messages, journals, blogs, listservers among users concerning entertainment and education; providing wireless transmission of voice, music, MP3 files, graphics, games, images, videos, information and news via a global computer network to wireless mobile communication devices; transmission of electronic media, multimedia content, videos, movies, pictures, images, text, photos, games, user-generated content, audio content, and information via the Internet and other computer and communications networks; providing online community forums for users to post, search, watch, share, critique, rate and comment on videos, and other multimedia content; providing digital program distribution of audio and video broadcasts over a global computer network; sending and receiving voice and text messages between wireless communication devices; providing multiple-user access to a global computer information network; * providing temporary use of non-downloadable software to enable uploading, downloading, capturing, posting, showing, editing, playing, streaming, viewing, previewing, displaying, tagging, blogging, sharing, manipulating, distributing, publishing, reproducing, and otherwise providing electronic media, multimedia content, videos, movies, pictures, images, text, photos, games, user-generated content, audio content, and information via the Internet and other computer and communications networks; providing temporary use of non-downloadable software to enable sharing of multimedia content and comments among users; providing temporary use of non-downloadable software to enable

	<p>content providers to track multimedia content *</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Entertainment and educational services in the nature of providing online non-downloadable electronic media in the nature of images, sound, and images with sound, multimedia content in the nature of images, sound, and images with sound, videos, movies, pictures, images, text, photos, games, user-generated content, audio content, and related entertainment information via the Internet and computer and communications networks, all in the fields of fashion shows, news, culture, entertainment; publishing services; electronic desktop publishing; magazine publishing; on-line electronic publishing of books, periodicals and magazines; providing on-line electronic publishing in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; providing online non-downloadable electronic publications in the nature of newspapers, magazines, articles, brochures, books, and periodicals in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking from a global computer network or the Internet which may be browsed; online electronic digital publishing of books and periodicals</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Application provider services (ASP), namely, hosting computer software applications for others; providing temporary use of non-downloadable software, namely, software for mobile devices for the distribution of multimedia content containing text, graphics, images, audio and video in the fields of fashion, news, lifestyle, culture, entertainment, travel, social networking; [providing temporary use of non-downloadable software to enable uploading, downloading, capturing, posting, showing, editing, playing, streaming, viewing, previewing, displaying, tagging, blogging, sharing, manipulating, distributing, publishing, reproducing, and otherwise providing electronic media, multimedia content, videos, movies, pictures, images, text, photos, games, user-generated content, audio content, and information via the Internet and other computer and communications networks; providing temporary use of non-downloadable software to enable sharing of multimedia content and comments among users; providing temporary use of non-downloadable software to enable content providers to track multimedia content;] hosting digital multimedia content on the internet for others; hosting multimedia entertainment and educational digital content on the internet for others</p>
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Attachments	<p>75921161#TMSN.png(bytes) 86062831#TMSN.png(bytes) 79092232#TMSN.png(bytes) 79131361#TMSN.png(bytes) 79131360#TMSN.png(bytes) F3367504.PDF(212548 bytes)</p>
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Signature	/John Margiotta/
Name	John P. Margiotta
Date	01/22/2020

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

THE NET-A-PORTER GROUP LIMITED,

Opposer,

v.

TRVL PORTER, LLC,

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

The Net-A-Porter Group Limited (“Opposer”), a limited company organized and existing under the laws of the United Kingdom, having a place of business at 1 The Village Offices, Westfield, Ariel Way, London W12 7GF, United Kingdom, believes that it will be damaged by the issuance of a registration for the mark TRVL PORTER, as applied for in Application Serial No. 88/268,158, and therefore opposes the same. As grounds for the opposition, Opposer, by its attorneys Fross Zelnick Lehrman & Zissu, P.C., alleges as follows:

1. Opposer is a premier online fashion luxury retailer.
2. Since at least as early as June 2000, Opposer has used the mark NET-A-PORTER in connection with its business and ancillary products and services. Since that time, Opposer has started using and/or registered various PORTER-inclusive marks in connection with its business, including MR PORTER, JET-A-PORTER, and TV-A-PORTER.
3. Opposer owns numerous federal registrations for NET-A-PORTER and other PORTER-inclusive marks, including:

Reg. No.	Mark	Int’l Cl.	Reg. Date
2,661,220	NET-A-PORTER	35	December 17, 2002
4,554,960	NET-A-PORTER	35, 45	June 24, 2014

Reg. No.	Mark	Int'l Cl.	Reg. Date
4,661,381	MR PORTER	35	December 30, 2014
4,669,102	JET-A-PORTER	9, 16, 35, 41	January 13, 2015
4,673,389	TV-A-PORTER	9, 16, 35, 38, 41, 42	January 20, 2015

The foregoing registrations of Opposer are valid, subsisting, and in full force and effect (hereinafter, collectively referred to as the “PORTER Marks”).

4. The above-listed registrations constitute evidence of the validity of the registered marks and of the registrations thereof, of Opposer’s ownership of the marks, and of Opposer’s exclusive right to use the marks in commerce in connection with the identified goods and services pursuant to Section 7(b) of the Lanham Act, 15 U.S.C. § 1057(b).

5. Opposer has made a substantial investment in its goods and services bearing the PORTER Marks, and through sales, advertising, and promotional efforts, the PORTER Marks have come to identify Opposer’s goods and services exclusively and uniquely, have become well-known, and represent enormous goodwill of Opposer.

6. On information and belief, Trvl Porter, LLC (“Applicant”) is a limited liability company organized and existing under the laws of California with an address of 375 Redondo Ave., Unit #620, Long Beach, California 90814.

7. On January 18, 2019, Applicant filed Application Serial No. 88/268,158 (the “Application”) to register the mark TRVL PORTER (“Applicant’s Mark”) for use in connection with “Rental of clothing and fashion accessories namely, clothing, accessories, jewelry, handbags, headwear, belts, sunglasses; Online rental of clothing and fashion accessories, namely, clothing, accessories, jewelry, handbags, headwear, belts, sunglasses” in International Class 45 based on claimed first use of the mark in commerce as of October 2017 pursuant to Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a).

8. The Application was filed on a date that is after Opposer began using or registered the PORTER Marks.

9. Upon information and belief, Applicant had actual knowledge of Opposer's prior rights to and interest in the PORTER Marks before adopting, using, or seeking to register Applicant's Mark for closely related services. At a minimum, as a matter of law, Applicant was on constructive notice of Opposer's rights in its PORTER Marks based on Opposer's registrations therefor.

10. The registration of Applicant's Mark in connection with the services herein opposed would be inconsistent with Opposer's prior rights in its PORTER Marks, as well as inconsistent with Opposer's statutory grant of exclusivity of use of its registered marks, and would destroy Opposer's investment and goodwill in its marks.

CLAIM FOR RELIEF UNDER SECTION 2(d)

11. Opposer repeats and re-alleges each and every allegation contained in paragraphs 1 through 10 as if fully set forth herein.

12. The PORTER Marks are exclusively associated with Opposer and have been used continuously by Opposer since a date prior to any date on which Applicant can rely.

13. Applicant's Mark is confusingly similar to Opposer's PORTER Marks in sound, sight, and commercial impression.

14. The services herein opposed are closely related to the goods and services in connection with which Opposer has long used its PORTER Marks.

15. By virtue of Opposer's longstanding use of the PORTER Marks, the goodwill associated with the marks, and Opposer's registrations therefor, the registration by Applicant of a mark confusingly similar to the PORTER Marks for services closely related is likely to cause

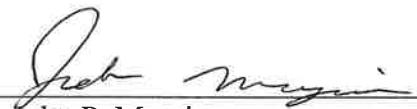
confusion or cause mistake or to deceive the purchasing public into mistakenly believing that Applicant's services offered under Applicant's Mark originate from, come from, or are otherwise associated with Opposer, or that Applicant's services offered in connection with Applicant's Mark are endorsed, sponsored, or in some way connected with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

16. By reason of the foregoing, Opposer is likely to be harmed by the registration of Application Serial No. 88/268,158 for Applicant's Mark.

WHEREFORE, it is respectfully requested that this opposition be sustained and that the registration sought by Applicant in Application Serial No. 88/268,158 be denied.

Dated: New York, New York
January 22, 2020

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