

ESTTA Tracking number: **ESTTA1033236**

Filing date: **02/03/2020**

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	World Trade Centers Association, Inc,
Granted to Date of previous extension	02/05/2020
Address	115 BROADWAY, SUITE 1202 NEW YORK, NY 10006 UNITED STATES

Attorney information	Daniel P. Goldberger Dorsey & Whitney LLP 51 West 52nd Street NEW YORK, NY 10019-6119 UNITED STATES ny.trademark@dorsey.com, edelman.sandra@dorsey.com, sanderji.fara@dorsey.com, goldberger.dan@dorsey.com 212.415.9200
----------------------	--

Applicant Information

Application No	88451819	Publication date	10/08/2019
Opposition Filing Date	02/03/2020	Opposition Period Ends	02/05/2020
Applicants	Lee, David H. WTB 6606 Schurtz St ALEXANDRIA, VA 22310 UNITED STATES International Trade Organization, Inc. WTB 6606 Schurtz St ALEXANDRIA, VA 22310 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2010/01/01 First Use In Commerce: 2010/01/01


All goods and services in the class are opposed, namely: Barter exchange services, namely, providing commercial barter and trade exchange of products and services via a global computer information network

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1749086	Application Date	05/21/1992
Registration Date	01/26/1993	Foreign Priority Date	NONE
Word Mark	WTC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1968/04/17 First Use In Commerce: 1968/04/17 association services; namely, fostering and promoting world trade and international business relationships		

U.S. Registration No.	4857631	Application Date	07/14/2014
Registration Date	11/24/2015	Foreign Priority Date	NONE
Word Mark	WTCA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1970/01/25 First Use In Commerce: 1970/01/25 ASSOCIATION SERVICES, NAMELY, FOSTERING AND PROMOTING INTERNATIONAL BUSINESS AND TRADE RELATIONSHIPS		

U.S. Registration No.	1469489	Application Date	09/26/1986
Registration Date	12/15/1987	Foreign Priority Date	NONE
Word Mark	WORLD TRADE CENTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1961/03/00 First Use In Commerce: 1961/03/00 ASSOCIATION SERVICES -- NAMELY, FOSTERING AND PROMOTING		

	WORLD TRADE AND INTERNATIONAL BUSINESS RELATIONSHIPS
--	--

Related Proceedings	Opposer World Trade Centers Association, Inc. has pending oppositions against applicants' marks WORLD TRADE UNIVERSITY (Proceeding No. 91243135), WTX (Proceeding No. 91246876), WTZ (Proceeding No. 91247624) and WORLD TRADE CLUB (Proceeding No. 91248408).
---------------------	--

Attachments	86336589#TMSN.png(bytes) Notice of Opposition - WTB - Serial No 88451819.pdf(93093 bytes)
-------------	---

Signature	/Daniel P. Goldberger/
-----------	------------------------

Name	Daniel P. Goldberger
------	----------------------

Date	02/03/2020
------	------------

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

In the Matter of Application Serial No.:
88/451,819 WTB, published October 8, 2019

-----X	
WORLD TRADE CENTERS	:
ASSOCIATION, INC.,	:
	:
Opposer,	:
	:
v.	:
	:
INTERNATIONAL TRADE	:
ORGANIZATION, INC. and DAVID H. LEE,	:
	:
Applicants.	:
-----X	

Opposition No.
NOTICE OF OPPOSITION

Opposer World Trade Centers Association, Inc. (“WTCA” or “Opposer”), a non-profit trade association incorporated in Delaware and located in New York, New York, believes it will be damaged by registration of the mark WTB, sought to be registered by Application Serial No. 88/451,819, published in the Official Gazette on October 8, 2019, in International Class 35, and having been granted an extension of time to oppose until February 5, 2020, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. WTCA is a non-profit trade association located in New York, New York, formed in 1969 to promote international business relationships and encourage participation in world trade.
2. For many years, and prior to the filing date of the application herein opposed, the trademarks WTC, WTCA and WORLD TRADE CENTER have been exclusively used by Opposer and/or its licensee members in connection with a wide variety of services,

including association services, services related to trade shows and special events, providing business information via a website and education services in the areas of business and international trade.

3. WTCA currently has more than 300 members organizations worldwide. WTCA's members are licensed by WTCA, among other things, to operate WTC and/or WORLD TRADE CENTER-branded facilities to promote international business and trade.

4. Ever since its adoption and use of the WTC, WTCA and WORLD TRADE CENTER marks (collectively, "Opposer's WTC Marks"), Opposer and/or its licensees have widely used and extensively sold, advertised and promoted services in interstate commerce bearing Opposer's WTC Marks. As a consequence of same, the consuming public and trade have come to recognize and do recognize Opposer's WTC Marks as being used by Opposer and its licensees, and to identify and associate Opposer's WTC Marks with Opposer, and Opposer derives substantial goodwill and value from the aforesaid recognition, association and identification by the consuming public and trade.

5. In addition to its common law rights, Opposer is the owner of Registration No. 1,749,086 for the mark WTC, Registration No. 4,857,631 for the mark WTCA and Registration No. 1,469,489 for the mark WORLD TRADE CENTER, all in connection with association services, namely, fostering and promoting world trade and international business relationships. These registrations are valid and subsisting, unrevoked and uncancelled, and Opposer is the owner of these registrations and all of the goodwill represented thereby. Moreover, these registrations are incontestable pursuant to 15 U.S.C. § 1065.

6. By the application herein opposed, Applicants seeks to register the mark WTB for “Barter exchange services, namely, providing commercial barter and trade exchange of products and services via a global computer information network” in International Class 35.

COUNT I

Likelihood of Confusion

7. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 6 hereof as if fully set forth herein.

8. Applicants’ mark so resembles Opposer’s WTC Marks, as to be likely, when used in connection with Applicants’ services, to cause confusion, to cause mistake, or to deceive, with consequent injury to Opposer, the consuming public and the trade.

9. Specifically, and without limitation, the marketing and sale of Applicants’ aforementioned services under the applied-for mark is likely to cause consumers to believe that Applicants’ services are those of Opposer, that Applicants’ services are associated with the services of Opposer and/or that Applicants are somehow related to or licensed by Opposer. Accordingly, Applicants’ mark is not entitled to registration pursuant to 15 U.S.C. §1052(d).

COUNT II

False Suggestion of a Connection

10. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 9 hereof as if fully set forth herein.

11. Applicants’ mark is a close approximation of Opposer’s WTC Marks and because of the extensive use of Opposer’s WTC Marks by Opposer and its more than 300 licensees, Applicants’ mark would be recognized by consumers and the trade as pointing uniquely and unmistakably to Opposer.

12. Opposer is not connected with the services to be sold by Applicants as identified in the application herein opposed. Yet, because of the renown and reputation of Opposer's WTC Marks and Opposer's identity, the public and the trade will presume a connection between Opposer and Applicants when Applicants' mark is used in connection with such services. Accordingly, Applicants' mark is not entitled to registration pursuant to 15 U.S.C. §1052(a).

WHEREFORE Opposer believes that it will be damaged by registration of Applicants' mark and prays that this opposition be sustained, and that Application Serial No. 88/451,819 be denied.

Please recognize as attorneys for Opposer in this proceeding Daniel P. Goldberger, Sandra Edelman and Fara S. Sunderji, members of the Bar of the State of New York, whose address is Dorsey & Whitney LLP, 51 West 52nd Street, New York, New York, 10019, telephone number (212) 415-9200.

Please address all correspondence to Daniel P. Goldberger at the below address.

Dated: New York, New York

DORSEY & WHITNEY LLP

February 3, 2020

By: /s/ Daniel P. Goldberger

Daniel P. Goldberger, Esq.

Sandra Edelman, Esq.

Fara S. Sunderji, Esq.

51 West 52nd Street

New York, New York 10019

(212) 415-9200

Attorneys for Opposer

World Trade Centers Association, Inc.