

ESTTA Tracking number: **ESTTA1116321**

Filing date: **02/24/2021**

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	Quaestor Global Holdings Inc
Granted to Date of previous extension	02/24/2021
Address	1521 CONCORD PIKE SUITE 301 WILMINGTON, DE 19803 UNITED STATES
Attorney information	ANNE E. KEENAN-YATES FISHERBROYLES LLP 1029 PEACHTREE PARKWAY NORTH, SUITE 195 PEACHTREE CITY, GA 30269 UNITED STATES Primary Email: docketing@fisherbroyles.com Secondary Email(s): anne.keenan-yates@fisherbroyles.com 678-632-6933
Docket Number	16271.0001

Applicant Information

Application No.	88461170	Publication date	10/27/2020
Opposition Filing Date	02/24/2021	Opposition Period Ends	02/24/2021
Applicant	Arena Management Co., LLC 405 LEXINGTON AVENUE, 59TH FLOOR NEW YORK, NY 10174 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 036. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Financial services, namely, financial advice and consultancy services, financial due diligence, investment risk assessment services, financial risk assessment services, monitoring financial markets for investment purposes, financial valuations, fiscal valuation, asset and investment acquisition services, financial asset management, corporate workout, debt restructuring, receivership, and loan resolution for secured and unsecured commercial and consumer loans, and wealth management services; hedge fund investment services; investment advice, investment consultancy, investment management, and investment of funds</p>
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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. Application No.	90075997	Application Date	07/27/2020
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	QUAESTOR		
Design Mark			
Description of Mark	The mark consists of the word Quaestor with a piece of a pie chart, a very common tool used in market analysis and financial services, replacing the traditional tail of the letter Q.		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software related to investment, namely, electronic trading software, investment portfolio management software, financial analytical software, electronic trading order management software, financial risk modeling software, and software for providing electronic connectivity to financial exchanges and markets; Downloadable software for use in accessing information about investment products, namely, Securities, ETF, and Futures; Downloadable software for use in trading investment products, namely, Securities, ETF, and Futures</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0 Financial services, namely, providing information, analysis, news, and commentary about investment products, namely, Securities, ETF, and Futures; Securities, ETF, and Futures trading for others</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 Broadcasting educational discussions in the fields of investing and investment products, namely, Securities, ETF, and Futures, via a global computer network</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Educational services in the nature of conferences, non-downloadable webinars, webcasts, workshops delivered by means of live-chat broadcasts, and seminars all in the fields of investing and investment products, namely, Securities, ETF, and Futures; Providing online non-downloadable publications in the nature of newsletters and reports in the fields of investing and investment products, namely, Securities, ETF, Futures, and computer software</p>		

U.S. Application No.	90075741	Application Date	07/27/2020
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	QUAESTOR INVEST		
Design Mark			
Description of Mark	The mark consists of the word Quaestor with a piece of a pie chart, a very common tool used in market analysis and financial services, replacing the traditional tail of the letter Q. The word Invest, in smaller font, follows underneath Quaestor nestling between the letters u and a.		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software related to investment, namely, electronic trading software, investment portfolio management software, financial analytical software, electronic trading order management software, financial risk modeling software, and software for providing electronic connectivity to financial exchanges and markets; Downloadable software for use in accessing information about investment products, namely, Securities, ETF, and Futures; Downloadable software for use in trading investment products, namely, Securities, ETF, and Futures</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0</p>		

	<p>Financial services, namely, providing information, analysis, news, and commentary about investment products, namely, Securities, ETF, Futures; Securities; ETF, and Futures trading for others</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Broadcasting educational discussions in the fields of investing and investment products, namely, Securities, ETF, and Futures via a global computer network</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Educational services in the nature of conferences, non-downloadable webinars, webcasts, workshops delivered by means of live-chat broadcasts and seminars all in the fields of investing and investment products, namely, Securities, ETF, Futures; providing online non-downloadable publications in the nature of newsletters and reports in the fields of investing and investment products, namely, Securities, ETF, Futures, and computer software</p>
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U.S. Application No.	90076023	Application Date	07/27/2020
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	QUAESTOR TRADE
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Design Mark	
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Description of Mark	The mark consists of the word Quaestor with a piece of a pie chart, a very common tool used in market analysis and financial services, replacing the traditional tail of the letter Q. The word Trade, in smaller font, follows underneath Quaestor nestling between the letters u and a.
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Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Computer software related to investment, namely, electronic trading software, investment portfolio management software, financial analytical software, electronic trading order management software, financial risk modeling software, and software for providing electronic connectivity to financial exchanges and markets; Downloadable software for use in accessing information about investment products, namely, Securities, ETF, and Futures; Downloadable software for use in trading investment products, namely, Securities, ETF, and Futures</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0</p> <p>Financial services, namely, providing information, analysis, news, and commentary about investment products, namely, Securities, ETF, and Futures; Securities, ETF, and Futures trading for others</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Broadcasting educational discussions in the fields of investing and investment products, namely, Securities, ETF, and Futures via a global computer network</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Educational services in the nature of conferences, non-downloadable webinars, webcasts, workshops delivered by means of live-chat broadcasts, and seminars all in the fields of investing and investment products, namely, Securities, ETF, and Futures; Providing online non-downloadable publications in the nature of newsletters and reports in the fields of investing and investment products, namely, Securities, ETF, Futures, and computer software</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Word Mark	QUAESTOR
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Goods/Services	Class 009: Computer software related to investment, namely, electronic trading software, investment portfolio management soft-
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	<p>ware, financial analytical software, electronic trading order management software, financial risk modeling software, and software for providing electronic connectivity to financial exchanges and markets; Downloadable software for use in accessing information about investment products, namely, Securities, ETF, and Futures; Downloadable software for use in trading investment products, namely, Securities, ETF, and Futures Class 036: Financial services, namely, providing information, analysis, news, and commentary about investment products, namely, Securities, ETF, and Futures; Securities, ETF, and Futures trading for others Class 038: Broadcasting educational discussions in the fields of investing and investment products, namely, Securities, ETF, and Futures via a global computer network Class 041: Educational services in the nature of conferences, non-downloadable webinars, webcasts, workshops delivered by means of live-chat broadcasts, and seminars all in the fields of investing and investment products, namely, Securities, ETF, and Futures; Providing online non-downloadable publications in the nature of newsletters and reports in the fields of investing and investment products, namely, Securities, ETF, Futures, and computer software</p>
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Related Proceedings	No related proceedings
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Attachments	QUAESTOR ADVISORS Notice of Opposition.pdf(95183 bytes)
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Signature	/Anne E. Keenan-Yates/
Name	Anne E. Keenan-Yates
Date	02/24/2021

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

QUAESTOR GLOBAL HOLDINGS)	
INC.)	
)	
Opposer,)	Application Serial No. 88/461170
)	
v.)	Mark: QUAESTOR ADVISORS
)	
ARENA MANAGEMENT CO., LLC)	Opposition No. _____
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

Opposer Quaestor Global Holdings Inc. (“Opposer”), for its Notice of Opposition against Application Serial No. 88/461170 for the mark QUAESTOR ADVISORS (“Applicant’s Mark”) filed by Arena Management Co., LLC (“Applicant”), believes that it will be damaged by, and thus opposes, registration of Applicant’s Mark. As grounds for opposition, Opposer alleges as follows:

1. Opposer Quaestor Global Holdings Inc. is a Delaware corporation with a mailing address of 1521 Concord Pike, Suite 301, Wilmington, Delaware USA 19803.
2. Upon information and belief, Applicant is a Delaware limited liability company with a mailing address of 405 Lexington Avenue, 59th Floor, New York, New York USA 10174.
3. Application Serial No. 88/461170 was published in the *Official Gazette* of the U.S. Patent and Trademark Office (“USPTO”) on October 27, 2020.
4. On November 20, 2020, Opposer filed its First 90 Day Request for Extension of Time to Oppose for Good Cause concerning Application Serial No. 88/461170.

5. The Trademark Trial and Appeal Board (“Board”) granted Opposer’s aforementioned Request for Extension of Time and extended time to oppose Application Serial No. 88/461170 until February 24, 2021. Therefore, this Notice of Opposition is timely filed.

6. Opposer is the owner of the marks QUAESTOR, QUAESTOR INVEST, and QUAESTOR TRADE in both standard character and stylized formats for a wide variety of products and services related to financial services (the “QUAESTOR Marks”) and has been using the QUAESTOR Marks in commerce since before June 5, 2019, the filing date of Application Serial No. 88/461170.

7. Opposer owns pending federal trademark applications for its QUAESTOR Marks, namely, Application Serial No. 90/075997 for the mark QUAESTOR & Design, Application Serial No. 90/075741 for the mark QUAESTOR INVEST & Design, and Application Serial No. 90/076023 for the mark QUAESTOR TRADE & Design.

8. Applicant is the owner of Application Serial No. 88/461170 for the mark QUAESTOR ADVISORS, filed with the USPTO on June 5, 2019.

9. Applicant filed the instant application on June 5, 2019 on an intent-to-use basis (Section 1(b)). The identification of services for the application was published as “Financial services, namely, financial advice and consultancy services, financial due diligence, investment risk assessment services, financial risk assessment services, monitoring financial markets for investment purposes, financial valuations, fiscal valuation, asset and investment acquisition services, financial asset management, corporate workout, debt restructuring, receivership, and loan resolution for secured and unsecured commercial and consumer loans, and wealth management services; hedge fund investment services; investment advice, investment consultancy, investment management, and investment of funds.”

10. Applicant has not yet filed an allegation of use with the USPTO. Therefore, Applicant has not yet provided to the USPTO claimed first use dates.

11. Opposer owns rights in and to the QUAESTOR Marks that are prior to the USPTO filing date for Applicant's Mark.

12. Opposer's rights in Opposer's QUAESTOR Marks are superior to Applicant's rights in Applicant's Mark.

13. The use and registration of Applicant's Mark is likely to: (i) cause confusion in the minds of the purchasing public; and (ii) cause the purchasing public to assume that the services identified by Applicant's Mark are offered by Opposer or that such services originate with or are in some way connected to or sponsored by Opposer, which they are not, in violation of 15 U.S.C. §§ 1052(d) and 1125(a).

14. Use and registration of Applicant's Mark will be injurious to Opposer in violation of Section 13 of the Trademark Act, 15 U.S.C. § 1063(a).

WHEREFORE, Opposer believes that it will be damaged by the registration of Applicant's Mark and prays that Application Serial No. 88/461170 be refused, and that no registration be issued thereon to Applicant, and this Opposition be sustained in favor of Opposer.

[CONTINUED ON NEXT PAGE]

Please recognize Anne E. Keenan-Yates of FisherBroyles LLP, 1029 Peachtree Parkway North, Suite 195, Peachtree City, Georgia USA 30269, anne.keenan-yates@fisherbroyles.com as attorney for Opposer, and please address all correspondence concerning this proceeding to Anne E. Keenan-Yates at this address and email address.

This 24th day of February 2021.

Respectfully submitted,

FISHERBROYLES LLP

By: /Ane E. Keenan-Yates/
 Anne E. Keenan-Yates

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Inc.

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