

ESTTA Tracking number: **ESTTA1155438**

Filing date: **08/25/2021**

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	Venturi Automobiles		
Entity	Corporation	Citizenship	Monaco
Address	7, RUE DU GABIAN MONACO, 98000 MONACO		
Attorney information	NICHOLAS D. WELLS LEGENDS LAW GROUP, PLLC 330 MAIN ST KAYSVILLE, UT 84037 UNITED STATES Primary Email: nwells@legendslaw.com Secondary Email(s): docket@legendslaw.com 8013374500		
Docket Number	4740.509		

Applicant Information

Application No.	90417404	Publication date	07/27/2021
Opposition Filing Date	08/25/2021	Opposition Period Ends	08/26/2021
Applicant	Weituweiya International Trade (Changzhou) Co., Ltd. CHANGFU EAST ROAD, FURONG VILLAGE HENGSHANQIAO TOWN WUJIN DISTRICT, 213119 CHINA		

Goods/Services Affected by Opposition

Class 012. First Use: 2020/12/01 First Use In Commerce: 2020/12/01

All goods and services in the class are opposed, namely: Bicycles; Mopeds; Motorcycles; Bicycle parts, namely, handle bar stems; Bicycleparts, namely, tubes and connectors for bicycle frames; Electric bicycles; Electrically-powered motor scooters; Land vehicles, namely, low-speed electric vehicles; Mobility scooters; Self balancing electric scooters; Tricycles not being toys

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

Mark Cited by Opposer as Basis for Opposition

U.S. Registration	3419708	Application Date	10/17/2003
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No.			
Registration Date	04/29/2008	Foreign Priority Date	NONE
Word Mark	VENTURI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2005/01/01 First Use In Commerce: 2005/01/01 Automobiles and structural parts therefor		

Attachments	210825 VENTUVIA-TTAB Opposition.pdf(114880 bytes)
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Signature	/Nicholas Wells/
Name	Nicholas D. Wells
Date	08/25/2021

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

Mark: VENTUVIA
Serial No.: 90417404
Published: July 27, 2021

Venturi Automobiles	
	Opposer,
v.	Opposition No. _____
Weituweiya International Trade (Changzhou) Co., Ltd	
	Applicant

NOTICE OF OPPOSITION

In the matter of trademark application Serial No. 90417404 for the trademark VENTUVIA, filed December 27, 2020 in connection with “*Bicycles; Mopeds; Motorcycles; Bicycle parts, namely, handle bar stems; Bicycle parts, namely, tubes and connectors for bicycle frames; Electric bicycles; Electrically-powered motor scooters; Land vehicles, namely, low-speed electric vehicles; Mobility scooters; Self balancing electric scooters; Tricycles not being toys*” in Class 012 and published in the Official Gazette on July 27, 2021, Opposer Venturi Automobiles (“Opposer”), a corporation organized under the laws of Monaco and having a place of business at 7, rue du Gabian, MONACO 98000, believes it will be damaged by registration of the mark shown in the above identified application, and hereby opposes the same.

The grounds for the opposition are as follows:

1. Opposer is the owner of U.S. Trademark Reg. No. 3419708 for VENTURI in International Class 012 in connection with “Automobiles and structural parts therefor,” filed October 17, 2003 and registered April 29, 2008.
2. Opposer’s registration 3419708 for VENTURI (herein referred to as “Opposer’s Registration”) has priority based on having a date of first use in commerce in the United States that is before the date of first use alleged in the opposed application and based on having a filing date that is before the filing date of the opposed application.
3. Opposer’s Registration is active, valid, and enforceable.
4. Opposer has used its VENTURI mark in commerce in the United States since at least as early as 2005.
5. Applicant’s mark is likely, when used on or in connection with Applicant’s goods, to cause confusion, or to cause mistake, or to deceive due to its being confusingly similar to the mark in Opposer’s Registration and its use in connection with goods that are similar or identical to the goods sold by Opposer in connection with Opposer’s Registration, and on goods which travel in the same channels of trade as goods sold in connection with Opposer’s Registration.
6. The mark in the Application is not registrable under Section 2(d) of the Lanham Act in view of Opposer’s prior, continuous, ongoing and current use of its marks in commerce.
7. As a result of the use and promotion of Opposer’s VENTURI mark for the goods identified above, Opposer’s VENTURI mark has acquired

significant goodwill and has become famous prior to Applicant's first use of its mark and prior to the filing date of the subject Application.

8. Opposer's VENTURI mark is a famous mark within the meaning of Section 43(c) of the Lanham Act.
9. Registration of the confusingly similar mark in the Application will lessen the capacity of Opposer's VENTURI mark to identify and distinguish the goods of Opposer, and such registration is thereby likely to cause dilution of Opposer's VENTURI mark.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's mark and prays that this opposition be sustained.

Respectfully submitted on August 25, 2021.

By: Nicholas D. Wells

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