

ESTTA Tracking number: **ESTTA1219738**

Filing date: **07/06/2022**

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	STEFANO RICCI S.P.A.
Granted to date of previous extension	07/06/2022
Address	VIA FAENTINA, 171 FIESOLE (FI), I-50010 ITALY
Attorney information	CECELIA M. PERRY MCGLEW AND TUTTLE, PC SCARBOROUGH STATION SCARBOROUGH, NY 10510 UNITED STATES Primary email: mandt@mcglewtuttle.com 9149415600
Docket no.	T77363

Applicant information

Application no.	90451025	Publication date	03/08/2022
Opposition filing date	07/06/2022	Opposition period ends	07/06/2022
Applicant	Cheetah IP LLC 25105 101ST ST LEE'S SUMMIT, MO 64086 UNITED STATES		

Goods/services affected by opposition


<p>Class 025. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Clothing, namely, tops and bottoms; shirts; shoes; slippers; hats; caps being headwear; headwear; t-shirts, tank tops, hooded sweatshirts, wristbands as clothing; short-sleeved and athletic leisure wear, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; long sleeved t-shirts; sweat pants and sweat shirts; athletic tights, shorts, pants, footwear; jackets and coats; infant and toddler one piece clothing; socks; scarves; headscarves; athletic wear, namely, tops, bottoms; sports bras; crop tops; underwear; leisure suits; loungewear; performance clothing for athletes, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sportsbras; jerseys; football shoes; football-uniforms; ski masks</p>

Grounds for opposition

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


Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
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Marks cited by opposer as basis for opposition

U.S. registration no.	4961905	Application date	08/05/2013
Register	Principal		
Registration date	05/24/2016	Foreign priority date	02/20/2013
Word mark	SR		
Design mark			
Description of mark	The mark consists of the stylized letters "S" and "R" wherein the "S" and "R" are intertwined with the "S" being at a higher level and slightly to the left of the "R".		
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None Soaps, shaving soaps, after-shave lotions, cosmetic preparations for baths, shampoos, perfumery, eau de toilette, essential oils, aromatic potpourris and oils, hair lotions, balms other than for medical purposes, namely, lip balms, body balms, face balms, after shave; dentifrices, cosmetics</p> <p>Class 008. First use: First Use: None First Use In Commerce: None Silver plated tableware, namely, knives, forks and spoons; cutlery; side arms, other than firearms, namely, hunting knives; razors, razor cases</p> <p>Class 014. First use: First Use: None First Use In Commerce: None Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, namely, gold, platinum, jewelry boxes made of gold; jewellery, precious stones; horological and chronometric instruments</p> <p>Class 016. First use: First Use: None First Use In Commerce: None Albums for photographs, coins, stamps; engravings, lithographic works of art; paper, cardboard and goods made from these materials, not included in other classes, namely, cardboard boxes; bookbinding material; photographs; stationery; inkwells; adhesives for stationery or household purposes; paint brushes; typewriters; paperweights; drawing inks, calligraphy inks; pencil leads, pencil lead holders, pencils, pencil holders, pens, penholders, drawing pens, fountain pens, blankwriting or drawing books, magazines in the field of art, culture, fashion, and sports; newspapers, books in the field of art, culture, fashion, sports;</p>		

	<p>writing instruments, drawing instruments, painting instruments, namely, brushes, paint brushes, palettes for painting</p> <p>Class 020. First use: First Use: None First Use In Commerce: None Furniture, tables, chairs, sofas, armchairs, mirrors, picture frames, wardrobes, works of art of wood, wax, plaster or plastic, animal horns, plant stands, umbrella stands, bins not of metal, costume display stands, hat stands, decorative mobiles, cupboards, cots, cushions, casks of wood, pillows, coat hangers, lecterns, mannequins, mattresses, magazine racks, hat racks, bookcases, umbrella stands, furniture partitions of wood, book rests, magazine racks, doors for furniture, flower-pot pedestals, magazine racks and filing cabinets, ladders of wood, bins of wood, writing desks, desks, easy chairs, footstools, sofas, corks for bottles, interior textile window blinds, dressing tables, office furniture, furniture, namely, showcases</p> <p>Class 021. First use: First Use: None First Use In Commerce: None beverage glassware, indoor aquaria, works of art of porcelain, terracotta or glass; drinking glasses, glass bowls, bottles sold empty, jugs, busts of china, terra-cotta or glass, goblets, shoe horns, non-electric candelabras, decanters, corkscrews, bottle openers, epergnes, knife rests for the table, statuettes of porcelain, ceramic, earthenware or glass; flower pots, flasks, salad bowls, shaving brushes, shaving brush stands, table plates, perfume sprayers sold empty, perfume vaporizers sold empty, coffee and tea services being tableware, cups, teapots, sugar bowls, soup bowls</p> <p>Class 025. First use: First Use: None First Use In Commerce: None suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, coats, overcoats, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests, coats, great coats; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts</p> <p>Class 034. First use: First Use: None First Use In Commerce: None Tobacco; smokers' articles, namely, cigar glue, hookah charcoal; cigar and cigarette lighters for smokers; tobacco pouches, cigar cases, tobacco pipes, ashtrays for smokers, match holders, cigarette cases, cigarette and cigar cases with humidors, cigar cutters</p> <p>Class 035. First use: First Use: None First Use In Commerce: None Advertising; business management; business administration; office functions; services consisting of bringing together, for the benefit of others, various items so that customers can view and purchase them; retail store services, also for others, of perfumery, cosmetics, eyeglasses, lightening apparatus, vehicles, crafts, aircrafts, jewellery, horological and chronometric instruments, stationery, printed matters, leather goods, umbrellas, furniture, mirrors, frames, works of art, household goods, glassware, porcelain and earthenware, clothing articles, footwear, wines, distillates, smokers' articles</p>
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U.S. registration no.	6443486	Application date	02/27/2020
Register	Principal		
Registration date	08/10/2021	Foreign priority date	NONE
Word mark	SR		

Design mark	
Description of mark	<p>The mark consists of two capital letters "S" and "R" placed side by side, having equal height and variable thickness, with shadows along the edges to create a relief effect.</p>
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None Non-medicated toilet soap; Shaving soap; After-shave preparations, namely, after-shave lotions and balms; Bath foam; Shampoos; Perfumes; Eau de toilette; Essential oils; Aromatics being essential oils; Cosmetic hair lotions; Body balms other than for medical purposes; Dentifrices; Cosmetics; Toilet water; Scented linen water; Skin conditioning creams for cosmetic purposes; Cosmetic creams; Cosmetic creams for firming skin around eyes; Cosmetic body creams; Cosmetic creams for skin care; Bath creams; Shower creams; Day creams being cosmetic skin creams; Night creams; Shaving creams; Pre-shave creams; Cosmetic cleansing creams; Face and body beauty creams; After-shave creams; Scented body lotions and creams; Deodorants and antiperspirants for personal use; Non-medicated emulsions, gels and lotions for skin care; Non-medicated after-shave emulsions; Tissues impregnated with essential oils, for cosmetic use; Fragrance refills for electric room fragrance dispensers; After-shave gel; Bath and shower gels and salts, not for medical purposes; Massage gels, other than for medical purposes; Sculpting gel; Non-medicated gels, sprays, mousses and balms for hair styling and hair care; Facial cleansing grains; Cosmetic facial moisturizers; Non-medicated, cosmetic hair moisturizers; Skin moisturizers; Cosmetic after-sun milk skin cream; Moisturizing milk; Shaving lotions; Non-medicated, cosmetic lotions, creams and preparations for care of the face, body, scalp, nails and hair; After-shave lotions; Massage oils and lotions; Beauty masks; Cosmetic kits comprised of cosmetics and make-up; Essential oils for toilet purposes; Massage oils; Fragrances, namely, potpourris; Facial cleansers; Shaving preparations; Sachets for perfuming linen; Eau de cologne and aftershaves; Air fragranting preparations; Cosmetic soap; Bath soap; Cream soaps; Non-medicated liquid soaps for hands, face and body; Hair gel and hair mousse; Talcum powder, for toilet use; Skin toners; Fragrances; Make-up; Cosmetic sun protecting skin creams; Cosmetic body lotions; Bath preparations, not for medical purposes; Cosmetic hair dressing preparations; Perfumed skin lotions for toilet purposes; Air fragranting preparations</p> <p>Class 009. First use: First Use: None First Use In Commerce: None Eyewear; eyeglass frames; spectacle holders; cases for sunglasses; cellular phone cases made of leather or imitations of leather; eyewear cases; protective helmets for sports; leather cases for cellular phones; sleeves for laptops; cases adapted for cellular phones; sunglasses; eyeglasses; goggles for sports; Lanyards being straps for cellular phones; carrying cases adapted for computers;</p>

cases for electronic diaries; disc storage containers, shaped; holders adapted for compact discs; cases for compact discs or dvds; cases adapted for cameras; cellular phone and tablets covers made of cloth or textile materials; mouse pads; decorative magnets

Class 014. First use: First Use: None First Use In Commerce: None

Wristwatches; Pocket watches; Cases being parts of clocks and watches; Chronometers; Rings; Bracelets; Tie clips of precious metal; Jewelry chains; Cuff links; Ornamental lapel pins made of precious metal; Lapel buttons being lapel pins of precious metal; Tabletop and wall clocks; Buckles for watch bands; Jewelry; Costume jewellery; Precious stones; Necklaces being jewelry; Earrings; Jewelry charms; Gems; Pearls and precious metals and imitations thereof; Tie pins of precious metal; Jewelry cases of precious metal; Jewelry boxes of precious metal; Boxes of precious metal; Jewelry cases, not of precious metal; Key rings and key chains, and charms therefor; Key chains being jewellery; Decorative key fobs of precious metals

Class 018. First use: First Use: None First Use In Commerce: None

Key cases; Walking sticks; Umbrella sticks; Travelling trunks; Overnight bags; Leatherware, namely, travelling bags; Bridles for harnessing; Notecases, namely, business card cases; Leather goods, namely, briefcases; Furs, namely, coverings in the nature of animal skins; Animal fur-skins; Pocket wallets; Coin holders in the nature of wallets; Suitcases; Attaché cases; Travelling bags; Rucksacks; Saddlery; Horse halters; Horse collars; Horse blankets; Riding saddles; Horseshoes; Horse halters; Leather and imitations of leather; Shoulder bags; Bags for sports; Beach bags; Handbags; Evening purses being handbags; Ladies' handbags; Cosmetic bags sold empty; Clutch bags; Leatherware, namely, leather travelling bag sets; Shoe bags for travel; Attaché cases; Garment bags for travel; Flexible bags for garments, namely, garment bags for travel; Kit bags; Duffle bags for travel; All-purpose carrying bags; Leather and imitation leather bags; Leather shopping bags; Chain mesh purses; Purses; Small bags for men; Multi-purpose purses, namely, handbags; Hip bags; Key cases of leather or imitation leather; Attaché cases of leather; Attaché cases of imitation leather; Luggage tags of leather; Credit card cases being wallets; Key bags; Vanity cases sold empty; Daypacks; Music cases; Umbrellas and parasols

Class 025. First use: First Use: None First Use In Commerce: None

Clothing, namely, suits, dresses, bathrobes, bathing suits, bathing trunks, berets, body linen, underwear, blouses; braces for clothing, namely, suspenders; footwear; sports footwear; stockings; socks; dressing gowns; shirts; hats; coats; clothing, namely, belts; clothing layettes; neckties; clothing, namely, papillon being ties; silk scarves; clothing, namely, foulards; neckerchiefs; sashes for wear; sashes for smoking suits; clothing, namely, jackets; blousons; heavy jackets; clothing, namely, gloves; raincoats; leather clothing, namely, jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, boots; hosiery; singlets; polo-neck sweaters; sweaters; pelerines; trousers; slippers; clothing of leather, namely jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, boots; pelisses; clothing, namely, fur jackets; pyjamas; sandals; shoes; scarfs; beach clothes, namely, bathing suits, swim trunks, bathing suit cover-ups; half-boots; boots; t-shirts; golf clothing, other than gloves, namely jackets, dresses, shoes, blousons, hats, skirts, t-shirts, polos; tennis clothing, namely, jackets, skirts, dresses, shoes, hats, caps, t-shirts, polos; riding coats; riding and polo clothing, namely, jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, t-shirts, polos, boots; riding clothing, other than hats, namely jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, t-shirts, polos, boots; horse-riding jackets; jodhpurs being riding pants; motorcycle jackets; cycling shirts; golf shirts; golf trousers; golf caps; infants' shoes and boots; clothing for children, namely jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, t-shirts, polos, boots, coats, gym suits; children's headgear, namely, children's headwear; cloth bibs for children; trousers for infants; baby shoes; one-piece coveralls for babies; clothing

layettes for babies; ski clothing, namely, skirts, dresses, belts, shoes, blousons, hats, caps, salopettes, blousons, t-shirts, polos, coats, ski helmets; skihats; ski jackets; ski gloves; ski pants; ski boots; ski scarves; ski suits; ski suits for competition; headwear; sneakers; training shoes; wooden shoes; bath sandals; footwear uppers; inner soles; soles for footwear; heels; sportswear, namely, namely, belts, blousons, boots, caps, coats, dresses, gloves, gym suits, hats, jackets, polos, salopettes, shoes, ski helmets, ski suits, skirts, suspenders, t-shirts; sweatshirts; clothing, namely, knitwear in the nature of blousons, caps, coats, dresses, gloves, gym suits, hats, jackets, polos, salopettes, skirts, t-shirts; clothing of imitations of leather, namely, jackets, skirts, dresses, belts, shoes, blousons, hats, caps, suspenders, gloves, boots; shawls; bandanas, namely, neckerchiefs; clothing, namely, muffs; bermuda shorts; trouser shorts; leggings being trousers; clothing combinations, namely, belts, blousons, boots, caps, coats, dresses, gloves, gym suits, hats, jackets, polos, salopettes, shoes, skirts, suspenders, t-shirts; clothing, namely, ear muffs; headwear, namely, visors; skirts; polo shirts; undershirts; sports jerseys; gilets; down vests; overcoats; anoraks being parkas; parkas; down jackets; body warmers, namely, gilets and magliettes; wind-resistant jackets; nightgowns

Class 026. First use: First Use: None First Use In Commerce: None

Buttons; Clothing buckles; Shoe buckles; Metal fasteners for footwear; Shoe ornaments, not of precious metal, namely, shoe trimmings; Shoe hooks, namely, hook and loop fasteners for use in the manufacture of shoes; Stud buttons being fasteners for shoes; embroidery and laces

Class 035. First use: First Use: None First Use In Commerce: None

Advertising services; marketing services; providing business management services; providing business administration services; providing office functions; the bringing together, for the benefit of others, of perfumery, cosmetics, eyeglasses, lightening apparatus, namely, lighting fixtures, lighting installations, chandeliers, floor lamps, arc lamps, electric lamps, electric bulbs, electric bulbs for Christmas trees, aquarium bulbs, lighting bulbs, lanterns for lighting, table lamps, vehicles, crafts, aircrafts, jewelry, horological and chronometric instruments, stationery, magazines, printed matter, namely, catalogues, look books, brochures, pamphlets, invitations, books, tags, albums, booklets, newspapers, leather goods, namely, jackets, skirts, dresses, belts, shoes, blouson, hats, caps, suspenders, gloves, boots, umbrellas, furniture, mirrors, frames, namely, picture frames, photo frames, works of art, household linen and bed linen, household goods, glassware, porcelain, earthenware, clothing articles, footwear, headwear, buttons, buckles, sports equipment, games, toys, wines, alcoholic distillates, and smokers' articles, excluding transport thereof, enabling customers to conveniently view and purchase those goods by means of mail order catalogs, vending machines, wholesale outlets, on-line retail stores, and retail outlets; Retail store services featuring cosmetic and beauty products, eyewear, lightening apparatus, namely, lighting fixtures, lighting installations, chandeliers, floor lamps, arc lamps, electric lamps, electric bulbs, electric bulbs for Christmas trees, aquarium bulbs, lighting bulbs, lanterns for lighting, table lamps, vehicles, watercraft, aircraft, jewelry, horological instruments, stationery, magazines, printed matter, namely, catalogues, look books, brochures, pamphlets, invitations, books, tags, albums, booklets, newspapers, leatherware, umbrellas, furniture, mirrors, picture frames, works of art, household articles, household linen and bed linen, glassware, namely, drinking glasses, decanters, carafes, decorative bottles, porcelain and earthenware, footwear, headgear, namely, headwear, buttons, buckles, sports equipment, games, toys, wine, distilled beverages, and smokers' articles; Online retail store services featuring clothing; Online retail store services featuring cosmetic and beauty products; Online retail store services featuring eyewear, lightening apparatus, namely, lighting fixtures, lighting installations, chandeliers, floor lamps, arc lamps, electric lamps, electric bulbs, electric bulbs for Christmas trees, aquarium bulbs, lighting bulbs, lanterns for lighting, table lamps, vehicles, watercraft, aircraft, jewelry, horological instruments, stationery, printed matter, namely, catalogues, look books, brochures,

pamphlets, invitations, books, tags, albums, booklets, newspapers, leatherware, umbrellas, furniture, mirrors, picture frames, works of art, household articles, household linen and bed linen, glassware, namely, drinking glasses, decanters, carafes, decorative bottles, porcelain and earthenware, footwear, headgear, namely, headwear, buttons, buckles, sports equipment, games, toys, wine, distilled beverages, and smokers' articles; Presentation of goods on communication media, for retail purposes, namely, providing television home shopping services in the field of general consumer merchandise; Mail order retail store services featuring footwear, bags, clothing and fashion accessories; Online advertising on a computernetwork; Advertising and marketing services in the fashion sector; Online advertising on a computer network; Promoting the goods and services of others throughadvertisements on internet web sites; Providing business assistance relating tothe business management of a franchisedcompany; Providing assistance in business management within the framework of a franchise contract; Organization of exhibitions and special events for commercial or advertising purposes; Organization of exhibitions for commercial or advertising purposes; Arranging and conducting of fairs and exhibitions for business and advertising purposes; Organization of special events, exhibitions, fairs and shows for commercial, promotional and advertising purposes; Advertising services,namely, promotion of goods and servicesthrough sponsorship of international sports events; Advertising services, namely, promotion of products and services ofthird parties through sponsoring arrangements and license agreements relating to international sports' events

U.S. registration no.	5332108	Application date	04/29/2016
Register	Principal		
Registration date	11/14/2017	Foreign priority date	02/18/2016
Word mark	SR		
Design mark			
Description of mark	Consisting in a regular octagon formed by a frame containing points of circular-form; within the octagon the letters "SR", intertwined and partly not aligned,are surrounded by fancy ornaments with different thickness.		
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None soaps; shaving soaps; after-shave lotions; cosmetic preparations for baths; shampoos; perfumery; eau de toilette; essential oils; aromatic potpourris and oils;hair lotions; balms other than for medical purposes, namely, lip balms, body balms and after-shave face balms; dentifrices; cosmetics</p> <p>Class 008. First use: First Use: None First Use In Commerce: None silver plated tableware, namely, knives, forks and spoons; razors; razor cases;cutlery; side arms, other than firearms, namely, hunting knives</p> <p>Class 009. First use: First Use: None First Use In Commerce: None eyeglasses, spectacle frames and eyeglass cases</p> <p>Class 016. First use: First Use: None First Use In Commerce: None albums for photographs, coins and stamps; engravings; lithographic works of art; stationery; paperweights; typewriters;paintbrushes; printed photographs; drawing inks and calligraphy inks; bookbinding material; paper, cardboard and goods made from these materials, not included in other classes, namely, cardboard boxes; pencil leads; pencil lead holders; pencils; pencil holders; pens; penholders;drawing pens; fountain pens; writing ordrawing books; magazines, newspapers and books, all in the fields of art, culture, fashion and sports; writing instruments, drawing instruments, painting instruments, namely, brushes, paint brushes, palettes for painting; inkwells; adhesives for stationery or household purposes</p>		

Class 018. First use: First Use: None First Use In Commerce: None
leather key cases; canes; umbrella sticks; travelling trunks; handbags; leather-travelling bags; reins; leather credit card cases; leather briefcases; coverings of skins, namely, fur pelts; briefcases; animal hides; pocket wallets; purses; suitcases; attaché cases; duffle bags; rucksacks; saddlery; horse halters; horse collars; horse blankets; riding saddles; horseshoes

Class 020. First use: First Use: None First Use In Commerce: None
furniture; tables; chairs; sofas; armchairs, mirrors; picture frames; wardrobes; works of art of wood, wax, plaster or plastic; animal horns; display stands; bins not of metal; costume stands; hat stands; decorative mobiles; cupboards; cots; cushions, casks of wood; pillows; coat hangers; lecterns; mannequins; mattresses; magazine and hat racks; bookcases; umbrella stands; furniture partitions of wood; book rests; magazine racks; doors for furniture; flower-pot pedestals; magazine racks and filing cabinets; ladders of wood; bins of wood; writing desks; desks; easy chairs; footstools; corks for bottles; interior textile window blinds; dressing tables; office furniture; furniture, namely, showcases

Class 021. First use: First Use: None First Use In Commerce: None
cleaning brushes for household use; household or kitchen utensils, namely, spatulas, strainers, graters, serving scoops; containers for household or kitchen use; beverage glassware made of porcelain or earthenware; indoor aquaria; works of art of porcelain, terracotta or glass; non-electric candelabra; decanters; corkscrews; bottle openers; combs; sponges for household purposes; shoe horns, goblets; busts of china, terra-cotta or glass; epergnes; ceramic tissue box covers for household purposes; knife rests; statuettes of porcelain, ceramics or earthenware; flower pots; flasks; salad bowls; shaving brushes; shaving brush stands; drinking glasses; glass bowls; bottles, sold empty; jugs; table plates, perfume sprayers sold empty; perfume vaporizers sold empty; coffee and tea services in the nature of tableware; cups; teapots; sugar bowls; soup bowls

Class 025. First use: First Use: None First Use In Commerce: None
jodhpurs; riding clothing other than hats, namely, boots, gloves, shoes; golf pants; golf shirts; horse-riding jackets; golf clothing, namely, shoes, shorts, skirts; tennis wear; golf trousers; golf caps; motorcycle jackets; riding and polo clothing, namely, shirts and knit tops; suits, bathrobes; bathing suits; bathing trunks; berets; body linen; underwear; blouses; suspenders; footwear; sports footwear; stockings; socks; dressing gowns; shirts; hats, overcoats; belts; clothing layettes; ties; pocket squares; foulards; sashes for wear; sashes for smoking suits; coats; stuff jackets; great coats; gloves; raincoats; leather clothing, namely, coats, boots, jackets, pants, shirts, skirts, vests, shoes, slippers, hats, belts; singlets; polo-neck sweaters; sweaters; pullovers; pelerines; trousers; slippers; pelisses; furs being clothing; pyjamas; sandals; shoes; scarves; beachwear; half-boots; boots; t-shirts; riding coats

Class 028. First use: First Use: None First Use In Commerce: None
In-line roller skates; hunting game calls; golf accessories, namely, divot repair tools golf; board games; billiard tables; billiard cues; ice skates; roller skates; foils for fencing; darts; bags specially designed to hold cricket equipment; machines for physical exercises; skittles; billiard balls; tennis uprights; tennis rackets; shaped covers for tennis rackets; stuffed toy bears; snow sleds for recreational use; snow skis; pool cue bridges; cases for playing cards; sports articles, namely, hunting stands; hunting bows; sports articles, namely, golf flags; golf ball retrievers; shaped covers for golf bags; gaming equipment, namely, poker chips; cricket balls; bowling pins; tabletop basketball games; cases for archery bows; cricket bats; arrows for archery; targets for archery; quivers for archery; toy vehicles; playing cards; tables for table tennis; rackets; chessboards; chess games; golf clubs; playing balls; archery implements; bows for archery; toy arrows; toy gliders; table tennis balls; soft sculpture toys; soft sculpture plush toys; sports articles, namely, hunting blinds; chest protectors for sports use; billiard cue bridges; ACPs for fencing; ski poles; bowling balls; bags adapted for

	<p>bowling balls; bindings for alpine skis; foosball tables; snowboards; dice games; dart games; tennis ball throwing apparatus; teddy bears; scooters toys; scale model vehicles; golf bags, with or without wheels; targets; play balloons; balls for games; soccer balls; tennis ball retrievers; target games; table tennis net posts; squash rackets; shaped covers for squash rackets; shoulder pads for sports use; manually operated exercise equipment; shaped covers for golf club heads; firearm targets; field hockey balls; building games; bocce balls; chip markers for bingo; table tennis rackets; golf articles, namely, putting practice mats; golf tees; golf club shafts; golf club heads; shaped covers for golf clubs; golf balls; cases for tennis balls; golf bag carts; stuffed toys; foosball tables; balls for racket sports; snowshoes; plush toys; fencing weapons; apparatus for games, namely, video game joysticks; parlor games; dominoes; dice; checkers games; hockey sticks; tennisballs; billiard equipment; throat protectors for sports use; snowboard bindings; cases for pool cues; holders for pool cue chalk; pinball games; sports articles, namely, leg guards; ice hockey sticks; grip tapes for rackets; grip tapes forgolf clubs; golf putters; shaped coversfor golf putters; golf irons; dart carrying cases; dartboards; dartboard cases;cases for play accessories; basketballs; bags adapted for snow skis; toys, namely, mechanical action toys; monoskis; snow ski bindings; sole coverings for snowskis</p> <p>Class 034. First use: First Use: None First Use In Commerce: None smokers' articles, namely, cigar glue and hookah charcoal; lighters for smokers; tobacco pouches; cigar cases; tobacco pipes; ashtrays for smokers; match holders; cigarette cases; cigarette and cigarholders also with humidors; cigar cutters; tobacco</p> <p>Class 035. First use: First Use: None First Use In Commerce: None the bringing together, for the convenience and benefit of others, of a variety of goods, enabling customers to view andpurchase those goods, in the field of general merchandise; advertising, including promoting the goods and services of others through sponsorship and license agreements relating to international sporting events; organization of events, exhibitions, fairs and shows for commercial,promotional and advertising purposes; providing office functions; business administration services; business management; organization of exhibitions and eventsfor commercial or advertising purposes;arranging and conducting of fairs and exhibitions for business and advertising purposes; retail store services featuring perfumery, cosmetics, eyeglasses, lightening apparatus, vehicles, crafts, aircrafts, jewelry, horological and chronometric instruments, stationery, printed matter, leather goods, umbrellas, furniture, mirrors, frames, works of art, household goods, glassware, porcelain and earthenware, clothing articles, footwear, wines, distillates and smokers' articles; retail store services featuring household linen and bed linen</p>
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Attachments	79140651#TMSN.png(bytes) 79291097#TMSN.png(bytes) T77363.NoticeofOpposition.pdf(67537 bytes)
Signature	/cecilia m. perry/
Name	Cecelia M. Perry
Date	07/06/2022

ATTORNEY DOCKET NO. T77363
THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Application Serial No: 90451025
For the Mark: SR
Filed: January 6, 2021
Published in the Official Gazette on: March 8, 2022

STEFANO RICCI S.P.A.,)	
)	
Opposer,)	
)	
v.)	Opposition No.
)	
Cheetah IP LLC,)	
)	
Applicant.)	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

NOTICE IS HEREBY given that STEFANO RICCI S.P.A., a Corporation organized under the laws of Italy, with the address of 171 Via Faentina, FIESOLE (FI) ITALY, I-50010, believes that it would be damaged by the registration on the Principal Register of the mark shown in the above-identified application, and hereby opposes the same, pursuant to 15 USC §1063, 37 CFR §2.101 and 37 CFR §2.104.

As grounds for Opposition, it is respectfully alleged that:

1. STEFANO RICCI S.P.A. is and has been engaged in the manufacture, sale and marketing of suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts, leggings, skirts, shorts, ski clothing, ski helmets, clothing for children, underwear, and other goods and services in International Classes 3, 8, 9, 14, 16, 18, 20, 21, 25, 26, 28, 34 and 35; all under its SR trademarks. Said use has been valid and continuous since its first use and has not been abandoned. The goods and services on which the Opposer's marks appear are either identical, substantially similar or highly related to those services recited by Applicant Cheetah IP LLC, in its Application to register the trademark SR.

2. STEFANO RICCI S.P.A. is the owner of the following valid and existing U.S. Registrations: SR – Registration No. 4961905, SR – Registration No. 6443486 and SR–Registration No. 5332108 (TSDR records attached).,

3. STEFANO RICCI S.P.A.'s registrations are *prima facie* proof of ownership of Opposer's SR marks from at least the original date of filing of its applications, and proof of the exclusive right to use its registered marks in commerce.

4. Opposer STEFANO RICCI S.P.A.'s marks have been used and continue to be in use in United States commerce. STEFANO RICCI S.P.A. has acquired considerable and valuable goodwill and recognition for its marks. The public has come to associate the trademarks SR with Opposer STEFANO RICCI S.P.A. and with suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts, leggings, skirts, shorts, ski clothing, ski helmets, clothing for children, underwear, and other goods and services in International Classes 3, 8, 9, 14, 16, 18, 20, 21, 25, 26, 28, 34 and 35.

5. On January 6, 2021, the Applicant filed an application to register a trademark containing SR in a stylized form for the goods:

Clothing, namely, tops and bottoms; shirts; shoes; slippers; hats; caps being headwear; headwear; t-shirts, tank tops, hooded sweatshirts, wristbands as clothing; short-sleeved and athletic leisure wear, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; long sleeved t-shirts; sweat pants and sweat shirts; athletic tights, shorts, pants, footwear; jackets and coats; infant and toddler one piece clothing; socks; scarves; head scarves; athletic wear, namely, tops, bottoms; sports bras; crop tops; underwear; leisure suits; loungewear; performance clothing for athletes, namely, shirts,

sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; jerseys; football shoes; football uniforms; ski masks.

6. STEFANO RICCI S.P.A.'s SR registrations predated the filing date of Applicant's intent to use-based application.

7. STEFANO RICCI S.P.A.'s marks have been used in United States commerce in connection with suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts, leggings, skirts, shorts, ski clothing, ski helmets, clothing for children, underwear, and other goods and services in International Classes 3, 8, 9, 14, 16, 18, 20, 21, 25, 26, 28, 34 and 35; all under its SR trademarks, since well before the filling date of Applicant's intent to use-based application.

8. Applicant's mark is confusingly similar to STEFANO RICCI S.P.A.'s registered marks and is likely, when applied to the goods of the Applicant, to cause confusion, or to cause mistake or to deceive. Applicant's mark makes a highly similar commercial impression to Opposer's marks due to its virtually identical appearance and sound. The overall commercial impression of Applicant's mark, when applied to the same, similar or related

goods and services as those bearing Opposer's SR marks, would cause confusion, and/or would be likely to cause confusion, mistake, or deception.

9. Upon information and belief, Applicant intends to use its confusingly similar mark with the following goods: Clothing, namely, tops and bottoms; shirts; shoes; slippers; hats; caps being headwear; headwear; t-shirts, tank tops, hooded sweatshirts, wristbands as clothing; short-sleeved and athletic leisure wear, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; long sleeved t-shirts; sweat pants and sweat shirts; athletic tights, shorts, pants, footwear; jackets and coats; infant and toddler one piece clothing; socks; scarves; head scarves; athletic wear, namely, tops, bottoms; sports bras; crop tops; underwear; leisure suits; loungewear; performance clothing for athletes, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; jerseys; football shoes; football uniforms; ski masks.

10. Upon information and belief, both the Applicant's mark and Opposer STEFANO RICCI S.P.A.'s marks are to be applied to identical, substantially similar and highly related goods and services and said goods and services are likely to be sold or advertised through the same or similar channels of distribution and/or to the same general class of purchasers.

11. Applicant's SR mark resembles Opposer STEFANO RICCI S.P.A.'s Registrations and well-known SR marks, as used in the United States and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive. Applicant's mark includes similar and identical parts of terms or phrases which appear in Registrant's marks, such as "SR" and "SR" in stylized font with the "S" sitting slightly above the "R", resulting in applicant's mark being

confusingly similar and confusingly similar in appearance and sound to Registrant's well-known and famous marks.

12. Applicant's SR mark is so similar to Opposer STEFANO RICCI S.P.A.'s famous and distinctive SR marks that Applicant's mark impairs the distinctiveness of the famous SR marks.

13. The SR trademarks have become famous nationwide for its use on suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts, leggings, skirts, shorts, ski clothing, ski helmets, clothing for children, underwear, and all other goods and services in International Classes 3, 8, 9, 14, 16, 18, 20, 21, 25, 26, 28, 34 and 35; all under its SR trademarks, prior to the filing date of Applicant's application.

14. Said use of SR by Opposer is symbolic of extensive good will and consumer recognition built up by Opposer through substantial amounts of time and effort in advertising and promotion. In view of the similarity of the respective marks and the related nature of the goods of the respective parties to which the marks are applied, it is alleged that Applicant's

mark so resembles Opposer's SR marks previously used and registered in the United States, and not abandoned, as likely to cause confusion, or to cause mistake, or to deceive.

15. Use and registration by the Applicant of the mark SR in association with its goods of clothing, namely, tops and bottoms; shirts; shoes; slippers; hats; caps being headwear; headwear; t-shirts, tank tops, hooded sweatshirts, wristbands as clothing; short-sleeved and athletic leisure wear, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; long sleeved t-shirts; sweat pants and sweat shirts; athletic tights, shorts, pants, footwear; jackets and coats; infant and toddler one piece clothing; socks; scarves; head scarves; athletic wear, namely, tops, bottoms; sports bras; crop tops; underwear; leisure suits; loungewear; performance clothing for athletes, namely, shirts, sweatshirts, sweaters, shorts, skirts, pants, tights, leggings, jackets, sports bras; jerseys; football shoes; football uniforms; ski masks, is likely to cause dilution of the distinctive quality of Opposer's famous SR marks by tarnishment and blurring, in view of Opposer's long prior use of the distinctive trademarks SR in association with suits, bathrobes, bathing suits, bathing trunks, beach clothes, namely, swimsuits, swim trunks; berets, body linen, underwear, blouses, suspenders, footwear, sports footwear, stockings, socks, dressing gowns, shirts, hats, overcoats, belts being clothing, layettes, ties, papillon being ties, pocket squares, foulards being clothing articles, sashes for wear, sashes for smoking suits, coats, stuff jackets, great coats, gloves being clothing, raincoats, leather clothing, namely, vests, trousers; singlets, polo-neck sweaters, sweaters, pullover, pelerines, trousers, slippers, pelisses, fur clothing, namely, vests; hosiery, pajamas, sandals, shoes, scarves, half-boots, boots, T-shirts, leggings, skirts, shorts, ski clothing, ski helmets, clothing for children,

underwear, and all other goods and services in International Classes 3, 8, 9, 14, 16, 18, 20, 21, 25, 26, 28, 34 and 35.

16. Opposer has a direct and personal stake in the proceeding in that, if Applicant is granted the registration opposed herein, and Applicant obtains such rights as conferred under the Principal Register of the Trademark Act of 1946, Applicant will obtain unlawful gain and advantage to which it is not entitled under the Trademark Act of 1946, all to the detriment and harm of Opposer.

WHEREFORE, Opposer STEFANO RICCI S.P.A. prays that the herein referenced Application Serial No. 90451025, be refused, that no registration be issued thereon to Applicant and that this Opposition be sustained in favor of STEFANO RICCI S.P.A.

Dated: Scarborough, New York
July 6, 2022

Respectfully submitted for
Opposer STEFANO RICCI S.P.A.

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Encs: TSDR Record and Assignment Record for Registration No. 4961905 and No. 5332108 and No. 6443486

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING ELECTRONICALLY FILED WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE THROUGH THE ESTTA SYSTEM ON July 6, 2022.

McGLEW AND TUTTLE, P.C.

By: _____ /Cecelia M. Perry/ Date: July 6, 2022.