

ESTTA Tracking number: **ESTTA1282081**

Filing date: **05/01/2023**

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	Barclays PLC
Granted to date of previous extension	04/30/2023
Address	1 CHURCHILL PLACE LONDON, E145HP UNITED KINGDOM
Attorney information	ERIC J. SHIMANOFF, ESQ. / JOHN S. MIRANDA, ESQ. COWAN, LIEBOWITZ & LATMAN, P.C. 114 WEST 47TH STREET NEW YORK, NY 10036 UNITED STATES Primary email: ejs@cll.com Secondary email(s): trademark@cll.com, mel@cll.com, rxn@cll.com, las@cll.com, jsm@cll.com 2127909200
Docket no.	30652.000

**Applicant information**

Application no.	90749335	Publication date	11/01/2022
Opposition filing date	05/01/2023	Opposition period ends	04/30/2023
Applicant	Ryz Labs LLC 2337 ROSCOMARE ROAD, #2-239 LOS ANGELES, CA 900771833 UNITED STATES		

**Goods/services affected by opposition**

Class 035. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Providing on-line back office functions for freelancers, start-ups, and existing businesses to perform on-line work functions
Class 042. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Computer services, namely, providing an on-line virtual work space environment for freelancers, start-ups, and existing businesses to perform on-line work functions; Providing on-line virtual work space, namely, providing a web site featuring technology that enables freelancers, start-ups and existing businesses to perform business functions and transactions

**Grounds for opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Other	Common law priority and likelihood of confusion
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### Marks cited by opposer as basis for opposition

U.S. registration no.	6303510	Application date	05/11/2015
Register	Principal		
Registration date	03/30/2021	Foreign priority date	04/24/2015
Word mark	RISE		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: None First Use In Commerce: None          Providing facilities for business meeting purposes; Rental of office equipment in co-working facilities, all the foregoing relating to the Fin-tech Industry</p> <p>Class 043. First use: First Use: None First Use In Commerce: None          Event facilities and temporary office and meeting facilities, namely, providing conference and social meeting facilities; Rental of meeting rooms; Rental of temporary accommodation; all the foregoing relating to the Fin-Tech Industry</p>		

U.S. registration no.	6303511	Application date	05/11/2015
Register	Principal		
Registration date	03/30/2021	Foreign priority date	04/28/2015
Word mark	RISE		
Design mark			
Description of mark	The mark consists of the word "rise" in stylized letters.		
Goods/services	<p>Class 035. First use: First Use: None First Use In Commerce: None          PROVIDING FACILITIES FOR BUSINESS MEETING PURPOSES; RENTAL OF OFFICE EQUIPMENT IN CO-WORKING FACILITIES; ALL THE FOREGOING RELATING TO THE FIN-TECH INDUSTRY</p> <p>Class 036. First use: First Use: Jul 15, 2015 First Use In Commerce: Jul 15, 2015          RENTAL OF OFFICES FOR CO-WORKING</p> <p>Class 043. First use: First Use: None First Use In Commerce: None          EVENT FACILITIES AND TEMPORARY OFFICE AND MEETING FACILITIES, NAMELY, PROVIDING CONFERENCE AND SOCIAL MEETING FACILITIES; RENTAL OF MEETING ROOMS; RENTAL OF TEMPORARY ACCOMMODATION; ALL THE FOREGOING RELATING TO THE FINTECH INDUSTRY</p>		

U.S. registration no.	6558476	Application date	09/11/2020
Register	Principal		
Registration date	11/16/2021	Foreign priority date	NONE
Word mark	RISE		
Design mark			
Description of	The mark consists of the word "rise" in stylized letters.		

mark	
Goods/services	Class 035. First use: First Use: Jul 15, 2015 First Use In Commerce: Jul 15, 2015 BUSINESS NETWORKING SERVICES IN THE FINTECH INDUSTRY; BUSINESS DEVELOPMENT SERVICES IN THE FINTECH INDUSTRY; BUSINESS CONSULTANCY AND ADVICE RELATING TO THE FOREGOING IN THE FINTECH INDUSTRY; PROVIDING BUSINESS SUPPORT SERVICES FOR START-UPS AND EMERGING BUSINESSES IN THE FINTECH INDUSTRY, namely, BUSINESS CONSULTATION AND MANAGEMENT

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	Names and marks containing or comprising the term RISE		
Goods/services	Providing marketing, mentoring, networking, business development and financing opportunities and advice, educational programs, coworking environments and event, office, research and development spaces for financial technology companies; providing forums and platforms for individuals in the financial technology community to share ideas and collaborate on new opportunities		

Attachments	Notice_of_Opposition_RYZ_LABS.pdf(779256 bytes )
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Signature	/John S. Miranda/
Name	John S. Miranda, Associate Attorney
Date	05/01/2023

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

In re Application Serial No. 90/749,335  
Filed: June 2, 2021  
For Mark: RYZ LABS  
Published in the Official Gazette: November 1, 2022

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BARCLAYS PLC,	:	Opposition No.
	:	
Opposer,	:	
	:	<b><u>NOTICE OF OPPOSITION</u></b>
v.	:	
RYZ LABS LLC,	:	
	:	
Applicant.	:	
	:	
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Commissioner for Trademarks  
ATTN: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF OPPOSITION**

Opposer, Barclays PLC, a United Kingdom public limited company, with an address at 1 Churchill Place, London, United Kingdom E145HP (“Barclays” or “Opposer”), believes that it will be damaged by registration of the mark RYZ LABS (the “RYZ LABS Mark”), as shown in Application Serial No. 90/749,335 (the “Application”) with a filing date of June 2, 2021 (the “Application Date”), for “Providing on-line back office functions for freelancers, start-ups, and existing businesses to perform on-line work functions” in International Class 35 and “Computer services, namely, providing an on-line virtual work space environment for freelancers, start-ups, and existing businesses to perform on-line work functions; Providing on-line virtual work space, namely, providing a web site featuring technology that enables freelancers, start-ups and existing

businesses to perform business functions and transactions” in Class 42 (the “RYZ LABS Services”), filed on an intent to use basis under Trademark Act Section 1(b) 15 U.S.C. § 1051(b), by applicant Ryz Labs LLC, with an address at 2337 Roscomare Road, #2-239, Los Angeles, CA 90077-1833, United States (“Ryz Labs”), and having been granted extensions of time to oppose the Application up to and including April 30, 2023, hereby opposes Ryz Labs’ Application.



As grounds for opposition, it is alleged that:

1. Barclays is one of the world’s oldest and leading providers of financial and related services. Founded over 300 years ago, Barclays operates in dozens of countries, including in the United States since 1932, and engages in a wide range of financial services.

2. In 2014, Barclays launched its RISE financial technology centers. Presently located in London, New York and India (and formerly located in Tel Aviv, Vilnius and Capetown), Barclays’ RISE centers provide marketing, mentoring, networking, business development and financing opportunities and advice, educational programs, co-working environments and event, office, research and development spaces for financial technology companies, including the services covered by the registrations listed in Paragraph 4 below (collectively, “Barclays’ RISE Services”). Beyond the physical centers, Barclays fosters forums and platforms for individuals in the financial technology community to share ideas and collaborate on new opportunities. Over 70 financial technology companies call RISE home and over 7,500 members belong to the RISE virtual community.

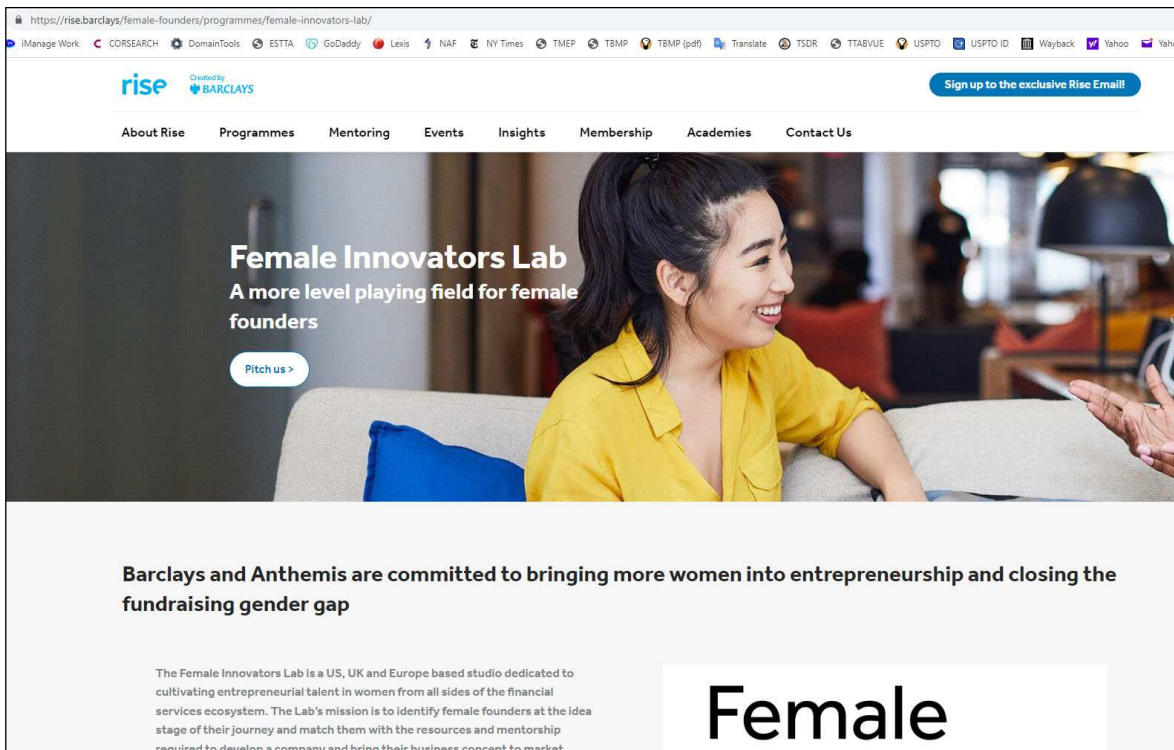
3. Since before Ryz Labs’ Application Date or any other priority date upon which Ryz Labs may rely, Barclays has used names and marks containing or comprising the term RISE (“Barclays’ RISE Marks”) in connection with Barclays’ RISE Services.

4. Barclays is the owner of the following valid and subsisting U.S. trademark registrations for Barclays' RISE Marks:

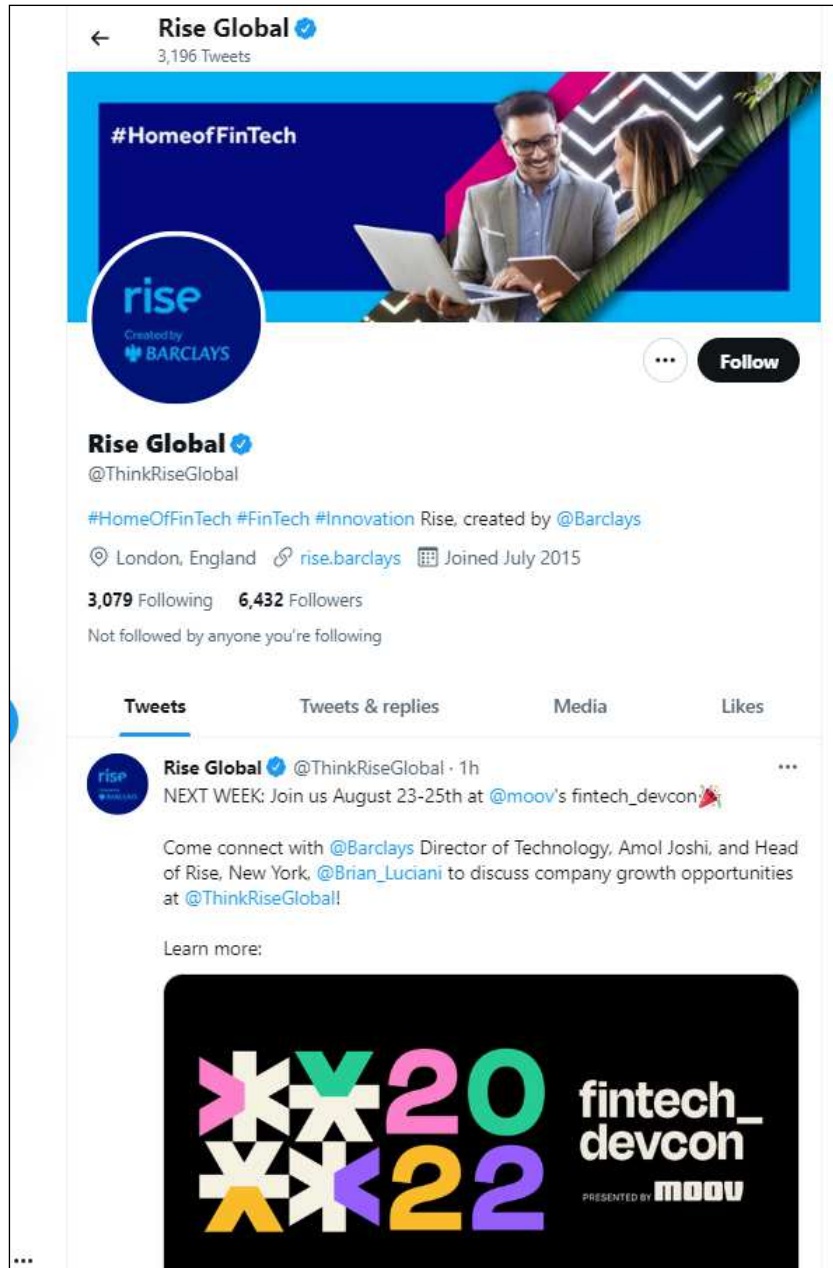
Mark	Reg. No.	Goods/Services	Date
<b>RISE</b>	Registration No. 6,303,510	<p>Class 35: Providing facilities for business meeting purposes; Rental of office equipment in co-working facilities; all the foregoing relating to the fin-tech industry</p> <p>Class 43: Event facilities and temporary office and meeting facilities, namely, providing conference and social meeting facilities; Rental of meeting rooms; Rental of temporary accommodation; all the foregoing relating to the fintech industry</p>	<p>Filed: May 11, 2015</p> <p>Registered: Mar. 30, 2021</p>
	Registration No. 6,303,511	<p>Class 35: Providing facilities for business meeting purposes; Rental of office equipment in co-working facilities; all the foregoing relating to the fin-tech industry</p> <p>Class 36: Rental of offices for co-working</p> <p>Class 43: Event facilities and temporary office and meeting facilities, namely, providing conference and social meeting facilities; Rental of meeting rooms; Rental of temporary accommodation; all the foregoing relating to the fintech industry</p>	<p>Filed: May 11, 2015</p> <p>Registered: Mar. 30, 2021</p>
	Registration No. 6,558,476	Class 35: Business networking services in the fintech industry; business development services in the fintech industry; Business consultancy and advice relating to the foregoing in the fintech industry; Providing business support services for start-ups and	<p>Filed: September 11, 2020</p> <p>Registered: November 16, 2021</p>

		emerging businesses in the fintech industry, namely, business consultation and management	
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5. Barclays has extensively advertised and promoted Barclays’ RISE Services under Barclays’ RISE Marks through various media, including via Barclays’ websites, social media platforms, newsletters, emails and written materials and via word of mouth, including but not limited to the examples shown below:

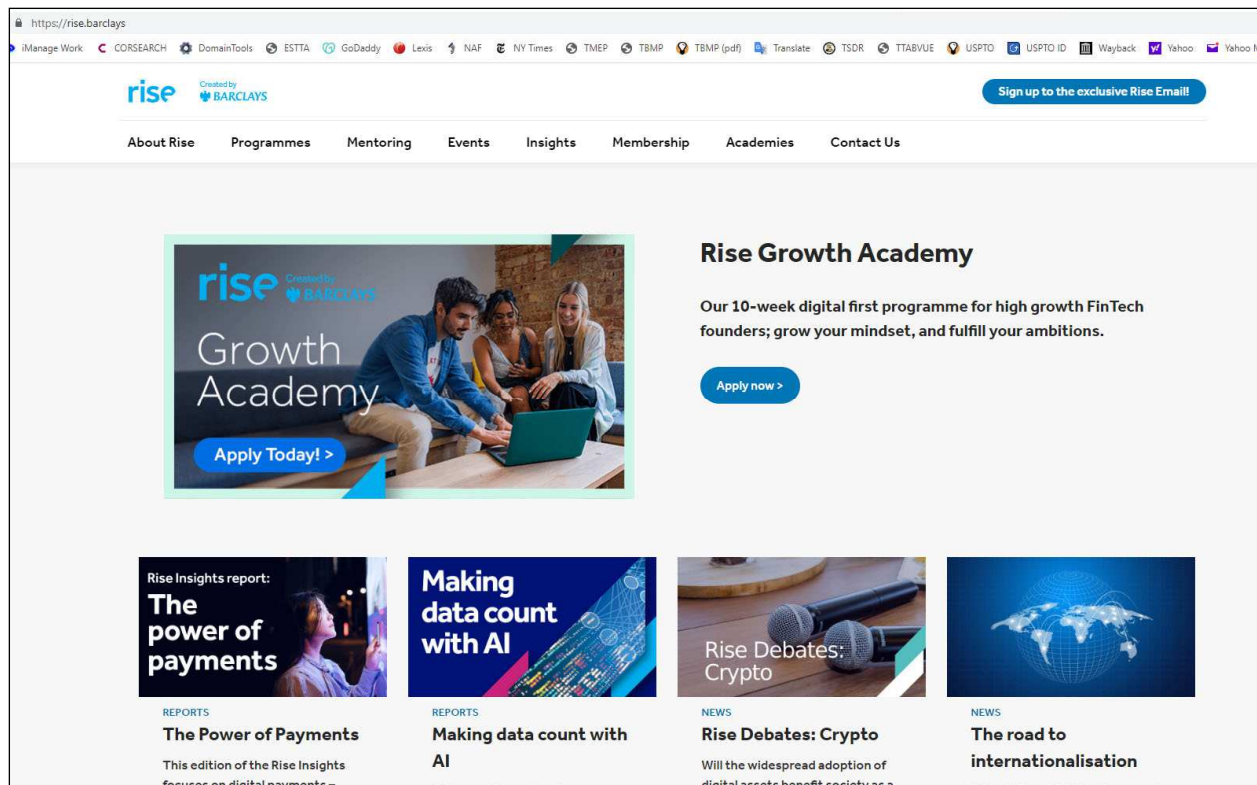


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6. Barclays owns the domain name rise.barclays, which resolves to Barclays' website promoting and offering Barclays' RISE Services in connection with Barclays' RISE Marks, as shown below:





7. As a result of long-term and widespread use and promotion, Barclays has developed substantial public recognition and incalculable goodwill in Barclays' RISE Marks.

8. Upon information and belief, Ryz Labs did not commence use of its RYZ LABS Mark in United States commerce until 2021, many years after Barclays first began using Barclays' RISE Marks in connection with Barclays' RISE Services.

9. Upon information and belief, Barclays' use and registration of Barclays' RISE Marks—including but not limited to in connection with Barclays' RISE Services—predates by many years Ryz Labs' use of and application to register Ryz Labs' RYZ LABS Mark.

10. Ryz Labs' RYZ LABS Mark is nearly identical to Barclays' RISE Marks. Ryz Labs' RYZ LABS Mark features the dominant term RYZ, which is phonetically identical to the word RISE in Barclays' RISE Marks. In fact, Ryz Labs' RYZ LABS Mark is only distinguished from Barclays' RISE Marks by the addition of the descriptive term "LABS," which is not the

dominant portion of Ryz Labs' RYZ LABS Mark and is a term that is associated with Barclay's RISE Services. Upon information and belief, the term "LABS" is also descriptive of Ryz Labs' business. In fact, Ryz Labs has explicitly disclaimed the term "LABS" in its Application, which is an admission that the term is descriptive.

11. Upon information and belief, Ryz Labs' RYZ LABS Services are identical or closely related to Barclays' RISE Services offered in connection with Barclays' RISE Marks, or are the type of services consumers would expect to originate from or be licensed by, or affiliated or associated with, Barclays and Barclays' RISE Marks.

12. Upon information and belief, Ryz Labs' RYZ LABS Services under Ryz Labs' RYZ LABS Mark are or will be promoted and provided through the same, similar or overlapping channels of trade and commerce and to the same, similar or overlapping classes of consumers as Barclays' RISE Services offered in connection with Barclays' RISE Marks.

13. Ryz Labs' RYZ LABS Mark so resembles Barclays' RISE Marks as to be likely, when used in connection with Ryz Labs' RYZ LABS Services, to cause confusion, to cause mistake, and to deceive the public, who are likely to believe that Ryz Labs' RYZ LABS Services have their origin with Barclays and/or that such services are approved, endorsed, sponsored or licensed by or otherwise associated in some way with Barclays, all in violation of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d). Further, the registration of Ryz Labs' RYZ LABS Mark would be inconsistent with Barclays' prior rights in Barclays' RISE Marks.

WHEREFORE, Opposer Barclays believes that it will be damaged by registration of Applicant Ryz Labs' RYZ LABS Mark, and requests that the opposition against the Application be sustained and said registration be denied.

Please recognize as attorneys for Opposer in this proceeding Eric J. Shimanoff, Esq. and John S. Miranda, Esq. (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 114 West 47<sup>th</sup> Street, New York, New York 10036.

Please address all communications to Eric J. Shimanoff, Esq. at the address listed below.

Dated: New York, New York  
May 1, 2023

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.  
*Attorneys for Opposer*

By: /s/ John S. Miranda  
Eric J. Shimanoff, Esq.  
John S. Miranda, Esq.

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