

ESTTA Tracking number: **ESTTA1286808**

Filing date: **05/23/2023**

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	Henkel IP & Holding GmbH		
Entity	Limited liability company	Citizenship	Germany
Address	HENKELSTRASSE 67 DUESSELDORF, 40589 GERMANY		

Attorney information	AMY SPAN WERGELES HENKEL CORPORATION ONE HENKEL WAY LAW DEPARTMENT - TRADEMARKS ROCKY HILL, CT 06067 UNITED STATES Primary email: amy.wergeles@henkel.com Secondary email(s): trademarks@henkel.com, lizette.sayah@henkel.com 8604667960		
Docket no.	GO2CRAFT		

Applicant information

Application no.	97433563	Publication date	05/02/2023
Opposition filing date	05/23/2023	Opposition period ends	06/01/2023
Applicant	Ding, Wenqiang NO. 10, GAOXIN SOUTH FOURTH ROAD, NANSHAN DISTRICT, SHENZHEN, GUANGDONG, 518000 CHINA		

Goods/services affected by opposition

Class 016. First Use: May 1, 2022 First Use In Commerce: May 1, 2022 Opposed goods and services in the class: Adhesive tape dispensers for office or household use

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. registration no.	4203685	Application date	10/19/2011
Register	Principal		
Registration date	09/04/2012	Foreign priority	NONE

		date	
Word mark	GO2		
Design mark			
Description of mark	NONE		
Goods/services	Class 016. First use: First Use: Apr 20, 2012 First Use In Commerce: Apr 20, 2012 Adhesives for stationery and household use		

U.S. registration no.	4971303	Application date	12/16/2013
Register	Principal		
Registration date	06/07/2016	Foreign priority date	NONE
Word mark	GO2		
Design mark			
Description of mark	The mark consists of the word "GO" and the number "2" in stylized font. The "O" is formed by an arrow.		
Goods/services	Class 016. First use: First Use: Apr 20, 2012 First Use In Commerce: Apr 20, 2012 Adhesive for stationery and household use		

U.S. registration no.	5540959	Application date	01/16/2018
Register	Principal		
Registration date	08/14/2018	Foreign priority date	NONE
Word mark	GO 2		
Design mark			
Description of mark	NONE		
Goods/services	Class 016. First use: First Use: Dec 13, 2017 First Use In Commerce: Dec 13, 2017 Adhesive for stationery and household use; self-fusing tapes for household purposes		

U.S. registration no.	5540961	Application date	01/16/2018
Register	Principal		
Registration date	08/14/2018	Foreign priority date	NONE
Word mark	GO 2		
Design mark			
Description of mark	The mark consists of the word "GO" in capital letters with the "O" including an arrow and the number "2" to the right side of the word.		
Goods/services	Class 016. First use: First Use: Dec 13, 2017 First Use In Commerce: Dec 13, 2017 adhesive for stationery and household use; self-fusing tapes for household purposes		

Attachments	GO2CRAFT Notice of Opposition.pdf(83235 bytes)
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Signature	//Amy Span Wergeles//
Name	Amy Span Wergeles
Date	05/23/2023

Notice of Opposition – GO2CRAFT & design SN 97433563

Henkel IP and Holding GmbH v. Ding, Wenqiang

As grounds for opposition, Opposer alleges as follows:

1. Opposer and/or its related companies have used the trademark GO2 in Commerce since at least as early as April 20, 2012, in association with adhesives for stationery and household use (“Opposer’s Goods”).

2. Since at least as early as April 20, 2012, Opposer has engaged in the manufacture, distribution, and sale of adhesives for stationery and household use in Commerce, in conjunction with the GO2 trademark, and the mark has been in continuous use by Opposer and/or its related companies since that time.

3. Opposer is the owner of United States Trademark Registration Nos. 4203685, 4971303, which issued on September 4, 2012, and June 7, 2016, respectively, for the trademarks GO2 and GO2 and design for “adhesives for stationery and household use” in International Class 16. The marks were first used in commerce on April 20, 2012. Opposer also owns United States Trademark Registration Nos. 5540959 and 5540961, which issued on August 14, 2018, for the trademarks GO 2 and GO 2 and design for “adhesive for stationery and household use; self-fusing tapes for household purposes” in International Class 16. The marks were first used in commerce on December 13, 2017.

4. The above-referenced registrations are valid and incontestable.

5. Opposer has invested considerable effort and resources in advertising and promoting its mark GO2 and the goods sold under the marks, with the result that the relevant purchasing public has come to know, rely upon, and recognize the goods of Opposer by that mark. Opposer

has established valuable goodwill in its GO2 mark and the mark has become well known to the relevant purchasing public.

6. On May 28, 2022, Applicant filed application Serial No. 97/433563 for the mark GO2CRAFT & design under Section 1(a) for a variety of goods in International Class 16, including “Adhesive tape dispensers for office or household use (“Applicant’s Goods”).

7. Application Serial No. 97/433563 was published for opposition in the *Official Gazette* of May 2, 2023.

8. There is no issue as to priority. Opposer has priority based on its use and registration of the marks GO2 and GO2 and design in the United States. Opposer used and registered the marks long before the Applicant’s application date.

9. Applicant’s proposed trademark GO2CRAFT & design is visually and phonetically nearly identical to Opposer’s GO2 marks, and, but for the addition of the generic term “craft,” creates a commercial impression which is virtually identical to Opposer’s marks.

10. Applicant’s “adhesive tape dispensers for office or household use” are closely related to Opposer’s “adhesives for stationery and household use,” and are likely to be offered for sale to the same customers and through the same channels of trade.

11. Applicant’s proposed trademark GO2CRAFT so resembles Opposer’s trademark GO2 as to be likely, when applied to Applicant’s Goods, to cause confusion or to cause mistake or to deceive within the meaning of 15 U.S.C. §1052(d), in view of Opposer’s prior use, ownership and registration of its trademark GO2. .

12. Registration should therefore be refused under 15 U.S.C. §1052(d) with respect to “Adhesive tape dispensers for office or household use.”

13. Registration of Applicant's proposed mark for these goods on the Principal Register would be inconsistent with Opposer's rights under the aforementioned registrations, and its common-law rights, and would be damaging to Opposer.

WHEREFORE, Opposer prays that its opposition be sustained and that the registrations sought by Applicant in be refused.