

ESTTA Tracking number: **ESTTA1290799**

Filing date: **06/12/2023**

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	06/11/2023
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, las@cll.com, mel@cll.com, rxn@cll.com, jsm@cll.com 2127909200
Docket no.	30652.000

Applicant information

Application no.	97218815	Publication date	12/13/2022
Opposition filing date	06/12/2023	Opposition period ends	06/11/2023
Applicant	glowrise Co. 515 HOWE ROAD MERION STATION, PA 19066 UNITED STATES		

Goods/services affected by opposition

Class 035. First Use: Mar 15, 2021 First Use In Commerce: Mar 15, 2021 All goods and services in the class are opposed, namely: Business consultancy

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Other	Common law priority and likelihood of confusion

Marks cited by opposer as basis for opposition

U.S. registration no.	6303510	Application date	05/11/2015
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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 mark	The mark consists of the word "rise" in stylized letters.		
Goods/services	<p>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</p>		

	FINTECH INDUSTRY; PROVIDING BUSINESS SUPPORT SERVICES FOR START-UPS AND EMERGING BUSINESSES IN THE FINTECH INDUSTRY, namely, BUSINESS CONSULTATION AND MANAGEMENT
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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	GLOWRISE_Notice_Opp.pdf(703571 bytes)
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Signature	/John S. Miranda/
Name	ERIC J. SHIMANOFF, ESQ. / JOHN S. MIRANDA, ESQ.
Date	06/12/2023

having been granted extensions of time to oppose the Application up to and including June 11, 2023, hereby opposes Glowrise's 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.

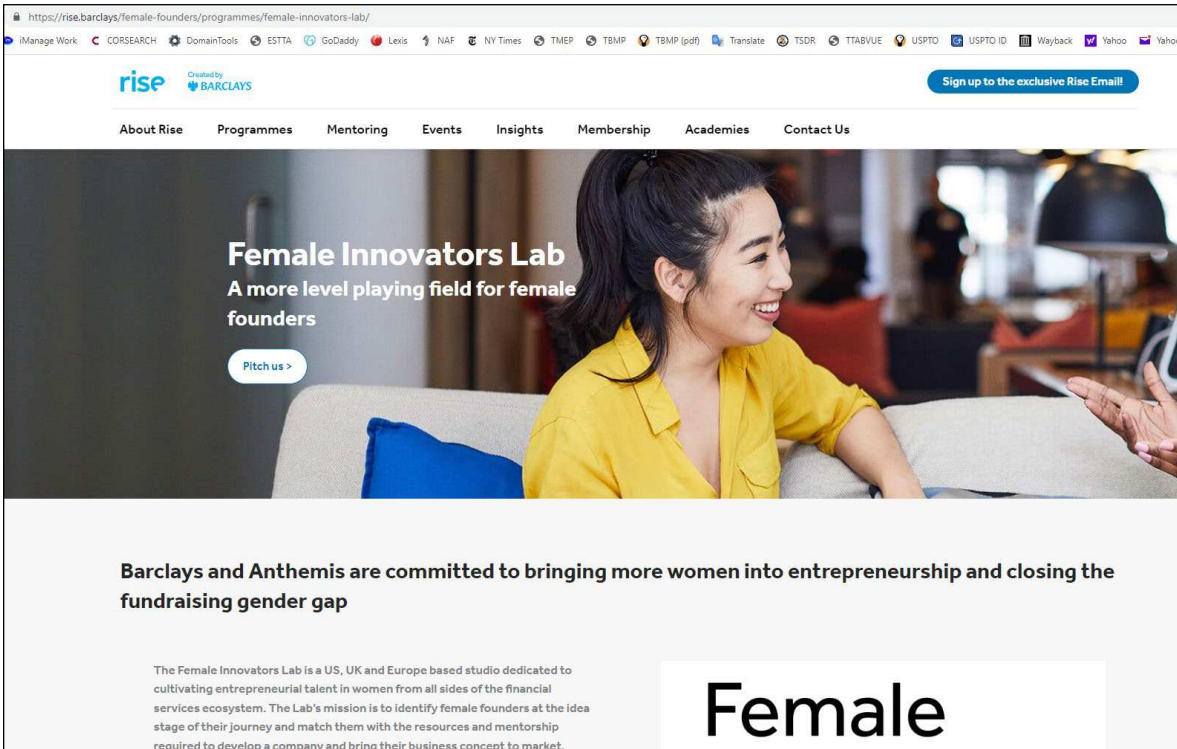
2. In 2014, Barclays launched its RISE financial technology centers. Presently located in London, New York and India (and formerly located in Tel Aviv, Vilnius and Capetown), Barclays' RISE centers provide marketing, mentoring, networking, business development and financing opportunities and advice, 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 Glowrise's Claimed Date of First Use or any other priority date upon which Glowrise 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
RISE	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 emerging businesses in the fintech industry, namely, business consultation and management	<p>Filed: September 11, 2020</p> <p>Registered: November 16, 2021</p>

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:



[continues on following page]

← **Rise Global** ✓
3,196 Tweets



#HomeofFinTech

rise
Created by BARCLAYS

⋮ **Follow**

Rise Global ✓
@ThinkRiseGlobal

[#HomeOfFinTech](#) [#FinTech](#) [#Innovation](#) Rise, created by [@Barclays](#)

📍 London, England [rise.barclays](#) 📅 Joined July 2015

3,079 Following 6,432 Followers

Not followed by anyone you're following


Tweets Tweets & replies Media Likes

Rise Global ✓ @ThinkRiseGlobal · 1h

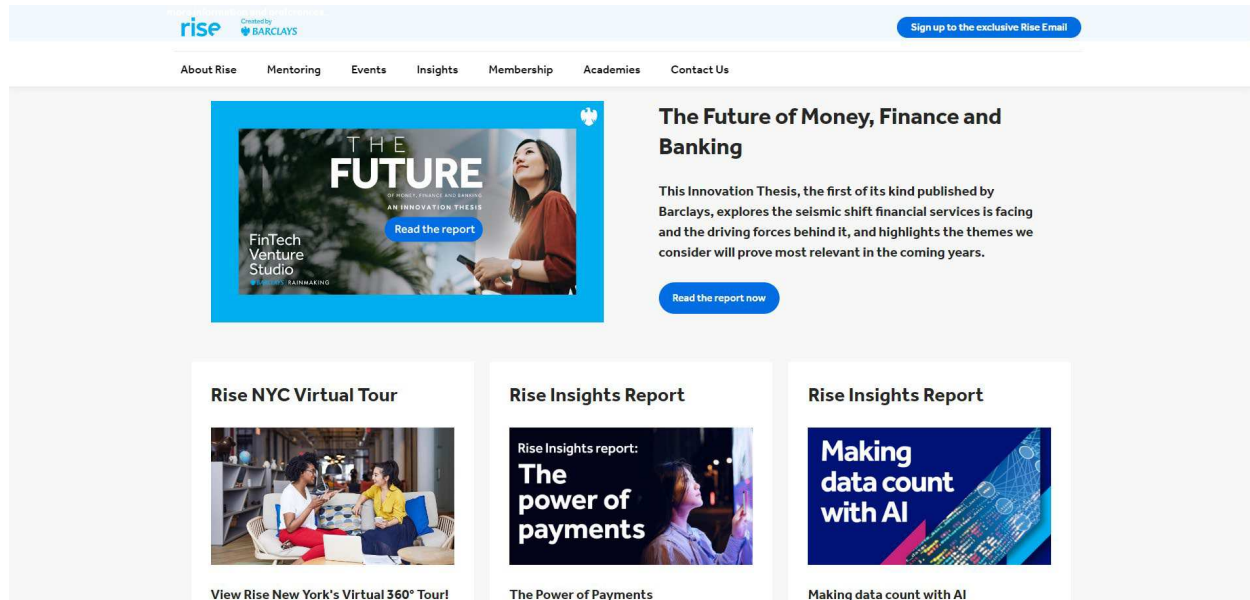
NEXT WEEK: Join us August 23-25th at [@moov's fintech_devcon](#) 🇺🇸

Come connect with [@Barclays](#) Director of Technology, Amol Joshi, and Head of Rise, New York, [@Brian_Luciani](#) to discuss company growth opportunities at [@ThinkRiseGlobal](#)!

Learn more:



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, Glowrise did not commence use of its GLOWRISE Mark in United States commerce until Glowrise's Claimed First Use Date, 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 Glowrise's use of and application to register the GLOWRISE Mark.

10. Glowrise's GLOWRISE Mark is nearly identical to Barclays' RISE Marks. Specifically, the GLOWRISE Mark fully incorporates the word RISE, which is the dominant portion of Barclays' RISE Marks. In fact, Glowrise's GLOWRISE Mark is only distinguished from the dominant RISE portion of Barclays' RISE Marks by the addition of the term GLOW.

11. Upon information and belief, Glowrise's GLOWRISE 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, Glowrise's GLOWRISE Services under Glowrise's GLOWRISE 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. Glowrise's GLOWRISE Mark so resembles Barclays' RISE Marks as to be likely, when used in connection with Glowrise's GLOWRISE Services, to cause confusion, to cause mistake, and to deceive the public, who are likely to believe that Glowrise's GLOWRISE 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 Glowrise's GLOWRISE 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 Glowrise's GLOWRISE 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 47th 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
June 12, 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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