

ESTTA Tracking number: **ESTTA1319366**  
Filing date: **10/31/2023**

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                                  | Jackson Family Wines, Inc.  |
| Granted to date of previous extension | 11/29/2023  |
| Address                               | 421 AVIATION BOULEVARD<br>SANTA ROSA, CA 95403<br>UNITED STATES   |
| Attorney information                  | J. SCOTT GERIEN<br>DICKENSON, PEATMAN & FOGARTY<br>1500 FIRST STREET, SUITE 200<br>NAPA, CA 94559<br>UNITED STATES<br>Primary email: tmltg@dpf-law.com<br>Secondary email(s): bbarrera@dpf-law.com, iramos@dpf-law.com, jdurand@dpf-law.com<br>7072527122 |
| Docket no.                            | JACK02-01545  |

### Applicant information

|                        |   |                        |            |
|------------------------|---|------------------------|------------|
| Application no.        | 90856529  | Publication date       | 08/01/2023 |
| Opposition filing date | 10/31/2023  | Opposition period ends | 11/29/2023 |
| Applicant              | Front Yard Ventures LLC<br>1716 MORTON AVENUE<br>LOS ALTOS, CA 94024<br>UNITED STATES |                        |            |

### Goods/services affected by opposition

Class 033. First Use: None First Use In Commerce: None  
All goods and services in the class are opposed, namely: Wines

### Grounds for opposition

|                                      |                            |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act Section 2(d) |
|--------------------------------------|----------------------------|

### Marks cited by opposer as basis for opposition

|                       |            |                  |            |
|-----------------------|------------|------------------|------------|
| U.S. registration no. | 4328460    | Application date | 11/09/2012 |
| Register              | Principal  |                  |            |
| Registration date     | 04/30/2013 | Foreign priority | NONE       |

|                     |   |      |  |
|---------------------|---|------|--|
|                     |   | date |  |
| Word mark           | KENDALL-JACKSON AVANT   |      |  |
| Design mark         |   |      |  |
| Description of mark | NONE  |      |  |
| Goods/services      | Class 033. First use: First Use: Oct 8, 2010 First Use In Commerce: Oct 8, 2010<br>Alcoholic beverages except beers |      |  |

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 4278101  | Application date      | 09/16/2011 |
| Register              | Principal  |                       |            |
| Registration date     | 01/22/2013   | Foreign priority date | NONE       |
| Word mark             | KENDALL-JACKSON AVANT  |                       |            |
| Design mark           |  |                       |            |
| Description of mark   | NONE   |                       |            |
| Goods/services        | Class 033. First use: First Use: Oct 8, 2010 First Use In Commerce: Oct 8, 2010<br>Wines |                       |            |

|             |   |
|-------------|---|
| Attachments | 20231031 Notice of Opposition COURAVANT.pdf(98049 bytes ) |
|-------------|---|

|           |                 |
|-----------|-----------------|
| Signature | /Isabela Ramos/ |
| Name      | Isabela Ramos   |
| Date      | 10/31/2023      |

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6 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
7 TRADEMARK TRIAL AND APPEAL BOARD  
8

9 Jackson Family Wines, Inc.,

OPPOSITION NO.

10 Opposer,

11 vs.

**NOTICE OF OPPOSITION**

12 Front Yard Ventures LLC,

13 Applicant.  
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15  
16 TO THE COMMISSIONER OF TRADEMARKS:

17 Jackson Family Wines, Inc., a Delaware corporation located at 421 Aviation Boulevard,  
18 Santa Rosa, California 95403 (“Opposer”), believes it will be damaged by registration of the mark  
19 COURAVANT for wines shown in U.S. Trademark Application Serial No. 90/856,529, filed on  
20 July 29, 2021, by Front Yard Ventures LLC (“Applicant”) and hereby opposes same.

21 Solely for the purpose of this proceeding, Opposer alleges the following as grounds for  
22 opposition:

23 1. Applicant seeks to register COURAVANT as a trademark for wines in International  
24 Class 33, U.S. Trademark Application Serial No. 90/856,529 (the “Application”), based on  
25 Applicant’s alleged intent to use the mark in United States commerce, as evidenced by the  
26 publication of such mark on August 1, 2023. The Application was filed on July 29, 2021.

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1           2.       Opposer is the owner of the trademark AVANT for wines which has been used on  
2 and in association with wine in U.S. commerce by Opposer and/or its affiliates and/or its  
3 predecessors in interest since at least as early as October 2010, more than ten (10) years prior to the  
4 constructive use date of the Application.

5           3.       Opposer is the owner of incontestable U.S. Trademark Registration No. 4,278,101,  
6 issued on January 22, 2013, for the mark KENDALL-JACKSON AVANT for wines in International  
7 Class 33, with a first use date of October 8, 2010, and constructive first use date of September 16,  
8 2011, both of which precede the filing date of Applicant's Application.

9           4.       Opposer is also the owner of incontestable U.S. Trademark Registration No.  
10 4,328,460, issued on April 30, 2013, for the mark KENDALL-JACKSON AVANT for alcoholic  
11 beverages except beers in International Class 33, with a first use date of October 8, 2010 and  
12 constructive first use date of November 9, 2012, both of which precede the filing date of Applicant's  
13 Application (the AVANT mark and KENDALL-JACKSON AVANT marks are referred to  
14 collectively as "AVANT Marks").

15           5.       As a result of their distinctiveness and widespread use and promotion throughout the  
16 United States, Opposer's AVANT Marks are strong and famous trademarks within the meaning of  
17 Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), and became strong and famous prior to the  
18 filing date of the opposed Application or any other priority date on which the Applicant may rely.

19           6.       Applicant's COURAVANT mark is likely to cause confusion, mistake or to deceive  
20 the public because it is highly similar to Opposer's AVANT Marks and the goods on which Opposer  
21 uses and which are identified in the trademark registrations for Opposer's AVANT Mark are  
22 virtually identical, substantially similar or related to the goods identified in Applicant's Application  
23 and said goods are purchased by the same group of consumers. Accordingly, Applicant's  
24 COURAVANT mark is confusingly similar to Opposer's AVANT Marks such that Applicant is not  
25 entitled to register the mark COURAVANT and Applicant's Application should be denied in  
26 accordance with Section 2(d) of the Trademark Act of 1946, 15 U.S.C. §1052(d).

27           7.       Opposer avers that if Applicant is granted the registration herein opposed, it would  
28 interfere with Opposer's exclusive right to use its AVANT Marks herein relied upon, all to the



1 detriment and damage of Opposer. Accordingly, Opposer avers that for the reasons set forth above,  
2 it will be damaged by a grant of registration to Applicant of COURAVANT which is the subject of  
3 U.S. Trademark Application Serial No. 90/856,529.

4  
5 WHEREFORE, Opposer prays as follows:

- 6 1. That this Opposition be sustained;
- 7 2. That U.S. Trademark Application Serial No. 90/856,529 be rejected; and
- 8 3. That registration of the trademark COURAVANT shown and specified in U.S.  
9 Trademark Application Serial No. 90/856,529 be refused and denied.

10  
11 Please charge Opposer's Deposit Account #505444 the \$600 filing fee for the Opposition,  
12 and any other fees which may be necessary to effectuate the filing of this opposition.

13  
14 Dated: October 31, 2023

DICKENSON, PEATMAN & FOGARTY

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Joy L. Durand

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22 Attorneys for Opposer,  
23 Jackson Family Wines, Inc.

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