

ESTTA Tracking number: **ESTTA1436649**  
Filing date: **05/19/2025**

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	Shantanu Pte. Limited		
Entity	Limited Company	Incorporated or registered in	SG
Address	8 TEMASEK BOULEVARD, SUNTEC TOWER THREE #20-01/04 SINGAPORE, 038988 SINGAPORE		

Attorney information	TIMOTHY ALAN DUFFY LAW OFFICE OF TIMOTHY A. DUFFY, P.C. 725 W ORCHARD CIR LAKE FOREST, IL 60045 UNITED STATES Primary email: tduffy@tduffylaw.com Secondary email(s): tim@duffyweb.com 8475304920		
Docket no.			

### Applicant information

Application no.	97697226	Publication date	04/22/2025
Opposition filing date	05/19/2025	Opposition period ends	05/22/2025
International registration no.	NONE	International registration date	NONE
Applicant	INSHORTS CO., LTD. NO. 1205, 40, CHEONGGYECHEON-RO SUITE 300 JUNG-GU, SEOUL, 04521 Korea, South		

### Goods/services affected by opposition


Class 009. First Use: None First Use In Commerce: None


All goods and services in the class are opposed, namely: Downloadable augmented reality software for use in mobile devices for integrating electronic data with real world environments with AI technology for the purpose of in-video advertising; Downloadable computer software for wireless content delivery; Recorded computer operating programs; Recorded virtual reality software for integrating branded products and signages with AI technology into short-form videos for in-video advertising

### 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.	6164153	Application date	04/08/2020
Register	Principal		
Registration date	09/29/2020	Foreign priority date	NONE
Word mark	INSHOT		
Design mark			
Description of mark			
Goods/services	<p>Class 035. First use: First Use: Mar 20, 2018 First Use In Commerce: Mar 20, 2018</p> <p>Advertising agency services; Advertising and commercial information services, via the internet; Advertising services; Business administration services for processing sales made on the Internet; Business consultation services; Commercial administration of the licensing of the goods and services of others; Commercial information agency services; Compilation of information into computer databases; Consultancy regarding public relations communication strategies; Data processing services; Marketing services; Post-production editing services for video and audio commercials; Production of teleshopping programmes; Providing an online video business directory; Provision of an online marketplace for buyers and sellers of goods and services; Systemization of information into computer databases; Updating and maintenance of data in computer databases; Advertising and business services, namely, securing airtime on all forms of media communications stations, systems, networks, and services for the purpose of promoting the goods and services of others; On-line advertising on a computer network; Producing promotional videotapes, video discs, and audio visual recordings; Providing independent review of clinical trials for business purposes</p>		

U.S. registration no.	5074796	Application date	09/25/2015
Register	Principal		
Registration date	11/01/2016	Foreign priority date	NONE
Word mark	INSHOT		
Design mark			
Description of mark			
Goods/services	Class 009. First use: First Use: Sep 26, 2015 First Use In Commerce: Sep 26,		

	<p>2015</p> <p>[ Children's educational software; Communications software for connecting computer network users and global computer networks; Compiler software; Computer anti-virus software; Computer e-commerce software to allow users to perform electronic business transactions via a global computer network; Computer game programs; Computer game software; Computer gaming software for recreational game playing purposes; ] Computer graphics software; Computer hardware and software for processing digital music files; [ Computer operating programs, recorded; Computer peripheral devices; ] Computer programmes for document management; [ Computer programs for using the internet and the worldwide web; Computer programs recorded on data media (software) designed for use in construction and automated manufacturing (cad/cam); Computer search engine software; ] Computer software development tools; Computer software for application and database integration; [ Computer software for computer system and application development, deployment and management; Computer software to maintain and operate computer system; Computers; ] Data compression software; [ Data processing apparatus; Downloadable computer game programs; ] Downloadable electronic publications in the nature of book, magazine and manual in the field of photo editing and video editing; Downloadable image files containing artwork, text, audio, video and games relating to photo and video editing; Downloadable software application for downloading DVR-recorded content for viewing on smartphones; Downloadable software for use in database management, use as a spreadsheet, word processing, photo editing and video editing; [ Electronic notice boards; ] Electronic publications, namely, book, magazine and manual featuring photo editing and video editing recorded on computer media; [ Game software; Mobile phones; Smartphones; ] Web site development software</p>
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U.S. registration no.	6164154	Application date	04/08/2020
Register	Principal		
Registration date	09/29/2020	Foreign priority date	NONE
Word mark	INSHOT		
Design mark			
Description of mark			
Goods/services	<p>Class 041. First use: First Use: Mar 20, 2018 First Use In Commerce: Mar 20, 2018</p> <p>Audio and video recording services; Entertainment media production services for the internet; Film distribution; Lending library services; Modelling for artists; Online electronic publishing of text and graphic works of others featuring information regarding securities market services and securities trading activity, information regarding publicly-traded companies and other financial and business information; Organization of electronic game competitions; Post-production editing services in the field of music, videos and film; Providing amusement arcade services; Video editing services for events; Video recording services; Videotape editing; Zoological garden services; Business education and training services,</p>		

	namely, developing customized leadership and executive development programs, providing executive coaching services, and providing business education programs to employees and executives; Educational services, namely, offering of assessments and surveys in the field of educator training and performance for the purpose of improving teaching procedures; Entertainment services, namely, providing online video games; Multimedia entertainment software production services; Operation of video and audio equipment for the production of radio and television programs; Production and distribution of monoscopic and stereoscopic, electronic, digital video and film; Production of sound and music video recordings; Provision of information relating to distribution of television shows, motion picture film and radio shows; Virtual reality game services provided on-line from a computer network
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Attachments	88863610#TMSN.png( bytes ) 86769529#TMSN.png( bytes ) 88863615#TMSN.png( bytes ) 2025.05.19 Opposition to INSHORTS.pdf(124446 bytes )
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Signature	/Timothy A Duffy/
Name	Timothy A. Duffy
Date	05/19/2025

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

Shantanu Pte. Limited	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	TAP
	)	
INSHORTS CO., LTD.	)	Application Serial No. 97697226
	)	
Applicant.	)	
	)	

**NOTICE OF OPPOSITION**

Shantanu Pte. Limited (“Opposer”) hereby opposes the registration of the standard-character mark “INSHOSRTS”, Application Serial No. 97697226 (“Applicant’s Mark”), by Applicant INSHORTS CO., LTD., on the following grounds:

**Opposer and Opposer’s Mark**

1. Opposer is a Singapore limited company with a business address of 8 Temasek Boulevard, Suntec Tower Three #20-01/04, Singapore 038988.
2. Opposer is a prominent company that specializes in developing mobile applications that particularly excel in editing photos and videos. As a leading mobile app developer on the Apple App Store and the Google Play Store, its applications have been consistently recognized as an “Editor’s Choice” and as “Best Apps” on those platforms. With over 3.55 billion downloads worldwide and an average rating exceeding 4.7 out of 5, many of its apps have reached usage milestones of over 100 million downloads.

3. Opposer's flagship product, InShot, has been downloaded more than 800 million times globally, achieving an impressive rating of 4.9 out of 5. It has also ranked in the Top 10 apps within the photography category across numerous countries.

4. In the US App Store, Opposer's iPhone application InShot is ranked in the top 20 in the Photo & Video category. As of May 2025, it has been downloaded over 36.2 million times in the U.S. App Store and over 221 million times worldwide.

5. In the US Google Play Store, InShot is currently ranked second in the free photography app category. As of May 2025, it has been downloaded over 22.3 million times in the U.S. and over 692 million times worldwide.

6. Opposer also uses InShot as its developer account name on the Google Play Store and in connection with the sale of numerous other photo and video editing applications.

7. Opposer owns the standard-character mark "InShot", registered in International Class 009 (U.S. Registration No. 5074796 (Nov. 1, 2016), Class 35 (U.S. Registration No. 6164153 (Sep. 29, 2020), and Class 41 (U.S. Registration No. 6164154 (Sep. 29, 2020) for the goods and services specified below ("Opposers' Mark").

8. Opposer's registration in Class 009 is for:

Children's educational software; Communications software for connecting computer network users and global computer networks; Compiler software; Computer antivirus software; Computer e-commerce software to allow users to perform electronic business transactions via a global computer network; Computer game programs; Computer game software; Computer gaming software for recreational game playing purposes; Computer graphics software; Computer hardware and software for processing digital music files; Computer operating programs, recorded; Computer peripheral devices; Computer programmes for document management; Computer programs for using the internet and the worldwide web; Computer programs recorded on data media (software) designed for use in construction and automated manufacturing (cad/cam); Computer search engine software; Computer software development tools; Computer software for application and database integration; Computer software for computer system and application development, deployment and management; Computer software to maintain and operate computer system; Computers; Data compression software; Data processing apparatus; Downloadable computer game programs; Downloadable electronic publications in the nature of book, magazine and manual in the field of photo editing and video editing; Downloadable image files containing artwork, text, audio, video and games relating to

photo and video editing; Downloadable software application for downloading DVR-recorded content for viewing on smartphones; Downloadable software for use in database management, use as a spreadsheet, word processing, photo editing and video editing; Electronic notice boards; Electronic publications, namely, book, magazine and manual featuring photo editing and video editing recorded on computer media; Game software; Mobile phones; Smartphones; Web site development software

9. Opposer's registration in Class 035 is for:

Advertising agency services; Advertising and commercial information services, via the internet; Advertising services; Business administration services for processing sales made on the Internet; Business consultation services; Commercial administration of the licensing of the goods and services of others; Commercial information agency services; Compilation of information into computer databases; Consultancy regarding public relations communication strategies; Data processing services; Marketing services; Post-production editing services for video and audio commercials; Production of teleshopping programmes; Providing an online video business directory; Provision of an online marketplace for buyers and sellers of goods and services; Systemization of information into computer databases; Updating and maintenance of data in computer databases; Advertising and business services, namely, securing airtime on all forms of media communications stations, systems, networks, and services for the purpose of promoting the goods and services of others; On-line advertising on a computer network; Producing promotional videotapes, video discs, and audio visual recordings; Providing independent review of clinical trials for business purposes

10. Opposer's registration in Class 041 is for:

Audio and video recording services; Entertainment media production services for the internet; Film distribution; Lending library services; Modelling for artists; Online electronic publishing of text and graphic works of others featuring information regarding securities market services and securities trading activity, information regarding publicly traded companies and other financial and business information; Organization of electronic game competitions; Post-production editing services in the field of music, videos and film; Providing amusement arcade services; Video editing services for events; Video recording services; Videotape editing; Zoological garden services; Business education and training services, namely, developing customized leadership and executive development programs, providing executive coaching services, and providing business education programs to employees and executives; Educational services, namely, offering of assessments and surveys in the field of educator training and performance for the purpose of improving teaching procedures; Entertainment services, namely, providing online video games; Multimedia entertainment software production services; Operation of video and audio equipment for the production of radio and television programs; Production and distribution of monoscopic and stereoscopic, electronic, digital video and film; Production of sound and music video recordings; Provision of information relating to distribution of television shows, motion picture film and radio shows; Virtual reality game services provided on-line from a computer networks

11. Opposer first used its mark in commerce in the United States no later than September 26, 2015, in connection with the Class 009 goods, and no later than March 20, 2018, in connection with the Class 035 goods and Class 041 services set forth above.

12. Opposer has used its mark in connection with each of the Classes of goods and services for which it is registered continuously since its alleged first-use and first-use in commerce dates and since the three registrations of the mark, and has maintained its registrations accordingly.

13. In light of its long, consistent, and widespread use in commerce with the listed goods and services, Opposer's Mark is entitled to strong protection under both the common law of the United States (as well as the common and statutory law of many other jurisdictions), as well as the provisions of the Lanham Act and related provisions of federal law.

**Applicant and Applicant's Mark**

14. Applicant is a Korean joint stock company with an address of No. 1205, 40, Cheonggyecheon-Ro, Suite 300, Jung-Gu, Seoul 04521, Korea.

15. Applicant filed for registration of the mark "INSHORTS" on November 20, 2022, alleging an intent to use the mark in International Class 009. It later amended its basis for its registration from 1(b) to 44(e), alleging a Korean registration for its mark and adjusting its listed goods to match those in the Korean registration on February 12, 2025, which petition was granted on March 13, 2025.

16. Applicant currently seeks registration of its mark on the basis of its foreign registration for the following goods in Class 009:

Downloadable augmented reality software for use in mobile devices for integrating electronic data with real world environments with AI technology for the purpose of in-video advertising; Downloadable computer software for wireless content delivery; Recorded computer operating programs; Recorded virtual reality software for integrating branded products and signages with AI technology into short-form videos for in-video advertising

17. Applicant's Korean registration provides no evidence of any use of Applicant's Mark in Korea or elsewhere, as use is not a prerequisite to such a registration.

18. Regardless, Applicant has alleged no use of its mark in the United States, and will still be required to provide evidence of use prior to the registration of its mark in the United States.

**Opposer's Mark Has Priority Over Applicant's Mark**

19. Opposer's Mark was first used in commerce in the United States at least as early as September 26, 2015, and has been registered since November 1, 2016.

20. Applicant has not claimed any use of the mark in commerce, and, upon information and belief, is not using the mark in commerce in the United States.

21. Opposer's Mark therefore has priority over Applicant's Mark.

**Applicant's Mark is Confusingly Similar to Opposer's Mark**

22. Both the appearance and commercial impression of the two marks are extremely similar, which would result in a high likelihood of confusion among consumers in the United States between the source and origin of Opposer's and Applicant's goods and services were Applicant's Mark to be registered.

23. The appearance of the marks is highly similar. The marks are both single-word marks that share the same first five letters, differing only in that Opposer's Mark combines the words "IN" and "SHOT" whereas Applicant's Mark adds an "R" and combines the words "IN" and "SHORT", also adding an "S" making the word plural (which adds virtually no distinction to Applicant's Mark).

24. The sound of the two marks is also very similar, with "INSHOT" and "INSHORTS" differing only in the inclusion of a weak "R" sound in the second syllable, which in some American regional accents would likely be heard in "INSHOT" even without the written "R."

25. The connotation and commercial impression arising from the competing marks is also essentially identical. Both evoke "in," that is, "within," application photo and video editing, and both "SHOT" and "SHORT" simply emphasize that it is photos, or videos, that are being edited. As photo- and video-editing capabilities are almost by definition the same product or service (video editing being merely

the editing of a stream of images as opposed a single image), consumers of the goods and services associated with both marks would reasonably expect to receive essentially the same thing as a result of purchasing goods or services in connection with both marks: photo/video edits or a photo/video editor.

**Applicant's Mark Seeks Registration for the Identical Goods as Opposer's Mark**

26. As is apparent from a comparison of the goods and services with respect to which Opposer's Mark is registered and the goods and services for which Applicant seeks registration for its mark, Applicant is seeking registration for essentially the same goods for which Opposer's Mark is already registered.

27. Applicant seeks registration of its mark for use in connection with downloadable software for "integrating" (*i.e.*, editing) content for purposes of advertising and content delivery for "in-video" advertising. These goods are also included in Opposer's registrations for "computer e-commerce software," "publications" and "image files" related to photo and video editing, "downloadable software" for "photo editing and video editing," "advertising and commercial information services," "marketing services," "audio and video recording" and "post-production editing services," and "all forms of media communications ... services for the purpose of promoting the goods and services of others." While Applicant's listed goods may be more limited than Opposer's, editing video content for advertising purposes clearly falls within the scope of Opposer's registrations.

28. To the extent the goods for which Applicant seeks registration of its mark differ from those goods and services for which Opposer's Mark is registered, all such goods and services are routinely and customarily made available to consumer via the same and overlapping sales channels, including but not limited to, downloadable application platforms and other means of distribution of software and digital services.

29. Opposer's Mark is used, and upon information and belief Applicant intends to use its mark, in connection with offering free downloadable applications for mobile devices and/or computer programs that are routinely and commonly the subject of causal impulse "purchases" owing to the ease and

no- or low-cost means of obtaining access to the products and services as the providers are compensated as a result of advertising revenue or “in-app” purchases by consumers.

30. Opposer is not currently aware of any actual confusion between its mark and Applicant’s Mark, but this is likely only because Applicant is not currently using its mark in commerce in the U.S. If Applicant is allowed to use and/or register its proposed mark in the U.S., such use will very likely cause confusion with and infringe upon Opposer’s Mark and thereby damage Opposer’s established commercial interests and the goodwill associated with its operations, products, and services offered to consumers in the United States.

**Applicant’s Mark Should Not Be Registered**

31. For the reasons set forth above, Applicant’s Mark should be denied registration on the ground that it is likely to be confused with Opposer’s Mark.

**Conclusion**

WHEREFORE Opposer therefore respectfully requests that the Application to Register Applicant’s Mark, Serial No. 97697226, be denied.

May 19, 2025

Respectfully submitted,

*s/Timothy A. Duffy/*

Timothy A. Duffy  
Law Office of Timothy A. Duffy, P.C.  
725 W Orchard Cir  
Lake Forest, IL 60045

*Counsel for Shantanu Pte. Limited*