

ESTTA Tracking number: **ESTTA62540**

Filing date: **01/18/2006**

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	Allstate Insurance Company
Granted to Date of previous extension	01/18/2006
Address	Allstate Plaza Northbrook, IL 60062 UNITED STATES
Attorney information	Kevin A. Thompson Davis McGrath LLC 125 S. Wacker Drive, Suite 1700 Chicago, IL 60606 UNITED STATES trademarks@davismcgrath.com

### Applicant Information

Application No	78375068	Publication date	09/20/2005
Opposition Filing Date	01/18/2006	Opposition Period Ends	01/18/2006
Applicant	OKOJIE, HENRY OSEZEFUA P.O. BOC 3184 LAUREL, MD 20709 UNITED STATES		

### Goods/Services Affected by Opposition

Class 036. All goods and sevicees in the class are opposed, namely: Insurance services, namely, insurance brokerage in the field of automobile insurance, home insurance, accident insurance; Insurance premium rate computing; insurance services, namely, underwriting in the field of automobiles, home, life, and health
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Attachments	Notice of Opposition 78375068.pdf ( 6 pages )
Signature	/kevinathompson/
Name	Kevin A. Thompson
Date	01/18/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Allstate Insurance Company,	]	In the Matter of Application
	]	Serial No. 78/375068
	]	ALLSAFE
Opposer,	]	
	]	
v.	]	Published in the Official Gazette
	]	on September 20, 2005
Henry Osezefua Okojie, dba Allsafe	]	
Driving Schools and Insurance Company	]	
	]	Opposition No. _____
Applicant.	]	

NOTICE OF OPPOSITION

Allstate Insurance Company (“Allstate”), a corporation organized under the laws of the State of Illinois, located at Allstate Plaza, Northbrook, Illinois 60062, through its attorneys, Davis McGrath LLC, hereby opposes the application of Henry Osezefua Okojie, dba Allsafe Driving Schools and Insurance Company, Inc. (“Okojie”), an individual, pursuant to 37 CFR § 2.104(a), for the mark ALLSAFE, Application Serial No. 78/375068, in Class 36.

As grounds of opposition, Opposer states as follows:

1. Allstate provides insurance and financial services to consumers and businesses throughout the United States. It has been using its mark ALLSTATE in commerce since at least as early as 1931. Its many services offered to consumers include insurance underwriting in the fields of automobile, home, life and health, the offering and underwriting of annuities, and ancillary services thereto.

2. The ALLSTATE family of marks has become famous and distinctive through long use for insurance underwriting and related services.

3. Allstate is the owner of numerous United States trademark applications and registrations for the mark ALLSTATE and related trademarks (the “ALLSTATE Marks”), including but not limited to the following:
- a. YOU'RE IN GOOD HANDS WITH ALLSTATE and Design, Reg. No. 0671339, for underwriting of insurance risks, including automobile (liability, property damage, medical and other coverages), fire, theft, personal liability and other lines of insurance, in International Class 36.
  - b. ALLSTATE, Reg. No. 0717683, for underwriting of the following types of insurance: life, annuity, accident, and health, in International Class 36.
  - c. ALLSTATE LIFE, Reg. No. 0724938, for underwriting of life insurance, in International Class 36.
  - d. ALLSTATE YOU'RE IN GOOD HANDS and Design, Reg. No. 0751044, for insurance underwriting, in International Class 36.
  - e. ALLSTATE, Reg. No. 0761091, for the business of making, writing, and underwriting of insurance, in International Class 36.
  - f. ALLSTATE and Design, Reg. No. 0840187, for insurance underwriting services, in International Class 36.
  - g. YOU'RE IN GOOD HANDS WITH ALLSTATE, Reg. No. 1122022, for insurance underwriting services, in International Class 36.
  - h. ALLSTATE YOU'RE IN GOOD HANDS and Design, Reg. No. 1716463, for insurance underwriting services, in International Class 36.
  - i. 1-800 ALLSTATE, Reg. No. 2597641, for insurance services, namely, writing and underwriting of property and casualty insurance, and

providing ancillary services thereto, namely administration and claims adjustment, in International Class 36.

- j. ALLSTATE AT WORK, Reg. No. 2635201, for insurance services, namely life, health, and disability insurance, in International Class 36.
- k. ALLSTATE PARTS AND LABOR PLUS, Reg. No. 2642514, for providing extended warranties for private passenger vehicles, in International Class 36.
- l. 1-800 ALLSTATE and Design, Reg. No. 2648641, for insurance services, namely, writing and underwriting of property and casualty insurance, and providing ancillary services thereto, namely administration and claims adjustment, in International Class 36.
- m. ALLSTATE FINANCIAL PERSONAL RETIREMENT MANAGER, Reg. 2668553, for investment management of and distribution of variable annuities, in International Class 36.
- n. ALLSTATE FINANCIAL and Design, Reg. 2684377, for retail services in the field of annuities in International Class 35, and insurance services, namely, insurance administration, annuity underwriting, investing and administering the funds of others, investment advisory services; investment brokerage, banking, and mortgage lending in International Class 36.
- o. ALLSTATE HANDS ON, Reg. No. 2768312, for magazines containing topics of interest to consumers, namely, information regarding motor

vehicle, home, and business ownership; insurance, financial services, financial planning, investment and retirement, in International Class 16.

- p. ALLSTATE POWER SPORTS INSURANCE, Reg. No. 2841749, for insurance services, namely property and casualty insurance relating to the operation, storage and ownership of boats and motorized vehicles, in International Class 36.
- q. MY LIFE FROM ALLSTATE, Reg. No. 2846919, for financial and insurance services, namely financial and insurance needs assessment, in International Class 36.
- r. ALLSTATE CHOICERATE ANNUITY, Reg. No. 2949877, for annuity underwriting; investment management of and distribution of fixed annuities, in International Class 36.
- s. ALLSTATE SELLING POINT, Reg. No. 2950066, for printed publications, namely newsletters on the subject of insurance and financial information, in International Class 36.

4. Allstate has expended significant resources in the promotion and advertising of its services under the ALLSTATE Marks. Accordingly, Allstate has built a substantial reputation, and its family of ALLSTATE Marks has become widely known and famous for a wide range of insurance services.

5. Okojie has filed a service mark application for the designation ALLSAFE for “insurance services, namely, insurance brokerage in the field of automobile insurance, home insurance, accident insurance; Insurance premium rate computing; insurance

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