

ESTTA Tracking number: **ESTTA185173**

Filing date: **01/08/2008**

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	Collegetown Relocation, LLC
Granted to Date of previous extension	01/09/2008
Address	217 Nassau Street Princeton, NJ 08542 UNITED STATES
Attorney information	Robert D Frawley Law Offices of Robert D Frawley 64 Maple Avenue Morristown, NJ 07960 UNITED STATES rdf@law-corp.com Phone:973 451 1100

Applicant Information

Application No	78764020	Publication date	09/11/2007
Opposition Filing Date	01/08/2008	Opposition Period Ends	01/09/2008
Applicant	VillageProfile.com, Inc. 33 North Geneva Elgin, IL 60172 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 016. First Use: 2005/07/11 First Use In Commerce: 2005/07/11 All goods and services in the class are opposed, namely: Printed maps, tourism guides, community guides, community directories and publications, namely, post cards, pamphlets, books, atlases, membership directories, and posters featuring information on tourism, community schools, businesses and organizations, municipal services, and local economic development issues</p>
<p>Class 035. First Use: 2005/07/11 First Use In Commerce: 2005/07/11 All goods and services in the class are opposed, namely: providing community marketing services for others, namely, promoting the goods and services of others through the distribution of printed, electronic, audio and video materials; providing searchable online retail store services featuring electronic books, footwear, shorts, shirts, tanks, socks, hats, gloves, mittens, pants, jackets, sweatbands, headbands, vests, athletic clothing, wood carving sets, crystal vases, crystal and bronze awards, watches, leather bags, sport bags, honorary keys to cities, yo-yo's, tags, balls, crayons, tools, key chains, pens, mouse pads, pen sets, pen boxes, clocks, rulers, letter openers, clip holders, travel mugs, car visor organizers, license plate frames, mugs, measuring tapes, money clips, bottle openers, cd holders, can holders, blankets, tools, knives, and other office supplies branded at the request of clients to promote their corporations or marks</p>

Applicant Information

Application No	78763994	Publication date	09/11/2007
Opposition Filing Date	01/08/2008	Opposition Period Ends	
Applicant	VillageProfile.com, Inc. 33 North Geneva Elgin, IL 60172 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2005/07/11 First Use In Commerce: 2005/07/11

All goods and services in the class are opposed, namely: Providing community marketing services for others, namely, promoting the goods and services of others through the distribution of printed, electronic, audio and video materials; providing searchable online retail store services featuring electronic books, footwear, shorts, shirts, tanks, socks, hats, gloves, mittens, pants, jackets, sweatbands, headbands, vests, athletic clothing, wood carving sets, crystal vases, crystal and bronze awards, watches, leather bags, sport bags, honorary keys to cities, yo-yo's, tags, balls, crayons, tools, key chains, pens, mouse pads, pen sets, pen boxes, clocks, rulers, letter openers, clip holders, travel mugs, car visor organizers, license plate frames, mugs, measuring tapes, money clips, bottle openers, cd holders, can holders, blankets, tools, knives, and other office supplies branded at the request of clients to promote their corporations or marks.

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	(1) Applicant has failed to use the mark in interstate commerce and (2) Applicant has misused the registered trademark symbol

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2011820	Application Date	09/27/1995
Registration Date	10/29/1996	Foreign Priority Date	NONE
Word Mark	COLLEGETOWN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/06/28 First Use In Commerce: 1995/06/28 providing multiple-user access to a global computer information network for the transfer and dissemination of a wide range of information involving education and educational institutions		

U.S. Registration No.	2604309	Application Date	05/07/2001
Registration Date	08/06/2002	Foreign Priority Date	NONE
Word Mark	COLLEGETOWN		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 041. First use: First Use: 2001/03/27 First Use In Commerce: 2001/03/27 provision of information via a computer network in the fields of cultural activities, community events, college campus events, arts and entertainment, civic organizations, fund raisers, parks, and recreation
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U.S. Registration No.	2569674	Application Date	11/20/2000
Registration Date	05/14/2002	Foreign Priority Date	NONE
Word Mark	COLLEGETOWN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2000/08/00 First Use In Commerce: 2000/08/00 Providing a website on global computer networks featuring information and connections in the field of real estate relocation- related services and resources available to persons and companies moving to a new location; namely goods and services, advertising, consumer information, governmental services, public libraries, newspapers, child care, K-12 education, employment, and senior resources		

U.S. Registration No.	2714706	Application Date	11/03/2001
Registration Date	05/06/2003	Foreign Priority Date	NONE
Word Mark	COLLEGETOWN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2002/04/17 First Use In Commerce: 2002/04/17 PENCILS		

U.S. Registration No.	2635839	Application Date	04/06/1999
Registration Date	10/15/2002	Foreign Priority Date	NONE
Word Mark	COLLEGETOWNS.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2001/12/00 First Use In Commerce: 2001/12/00 PROVISION OF INFORMATION IN THE FIELD OF REAL ESTATE AND RELATED SERVICES, NAMELY AVAILABILITY OF REAL ESTATE FOR LEASE AND/OR PURCHASE, FORM RENTAL APPLICATIONS, MORTGAGE AND INSURANCE INFORMATION, AND MOVING AND STORAGE INFORMATION, VIA ON LINE COMMUNICATIONS NETWORK		

Attachments	76252398#TMSN.gif (1 page)(bytes) 76169775#TMSN.gif (1 page)(bytes) Grounds for Opp.pdf (6 pages)(184548 bytes)
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	Exhibit 1.pdf (1 page)(96285 bytes) Exhibit 2.pdf (1 page)(71338 bytes) Exhibit 3.pdf (1 page)(62531 bytes) Exhibit 4.pdf (1 page)(147685 bytes) Exhibit 5.pdf (3 pages)(109737 bytes) Exhibit 6.pdf (1 page)(39021 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Robert D Frawley/
Name	Robert D Frawley
Date	01/08/2008

“COLLEGETOWN”:

A. US REG. 2011820 for COLLEGETOWN in class 42 for “providing multiple-user access to a global computer information network for the transfer and dissemination of a wide range of information involving education and educational institutions.”

B. US REG. 2604309 for COLLEGETOWN in class 41 for provision of information via a computer network in fields of cultural activities, community events, college campus events arts and entertainment, civic organizations, fund raisers and recreation.

C. US REG. 2569674 for COLLEGETOWN for providing a website on global computer networks featuring information in the field of real estate relocation-related services and resources available to persons and companies moving to a new location; namely goods and services, advertising, consumer information, governmental services, public libraries, newspapers, child care, k-12 education, employment and senior resources.

D. US REG. 2714706 for COLLEGETOWN for pencils

E. US REG. 2635839 for COLLEGETOWNS.COM for provision of information in the field of real estate and related services, namely availability of of real estate for lease and/or purchase, form rental applications, mortgage and insurance information, and moving and storage information via on line communications network.

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