

ESTTA Tracking number: **ESTTA361424**

Filing date: **08/04/2010**

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	DC Comics
Granted to Date of previous extension	09/01/2010
Address	1700 Broadway New York, NY 10019 UNITED STATES

Attorney information	Patrick T. Perkins Perkins Law Office, P.C. 1711 Route 9D Cold Spring, NY 10516 UNITED STATES pperkins@ptplaw.com
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**Applicant Information**

Application No	77851544	Publication date	05/04/2010
Opposition Filing Date	08/04/2010	Opposition Period Ends	09/01/2010
Applicant	Racine Berkow Associates, Inc 37-05 Greenpoint Avenue Long Island City, NY 11101 UNITED STATES		

**Goods/Services Affected by Opposition**


<p>Class 035. All goods and services in the class are opposed, namely: Arranging for pickup, delivery, storage and transportation of documents, packages, freight and parcels via ground and air carriers; Transportation logistics services, namely, arranging the transportation of goods for others; Transportation logistics services, namely, planning and scheduling shipments for users of transportation services; Transportation management services, namely, planning and coordinating transportation of people for others</p>
<p>Class 039. All goods and services in the class are opposed, namely: Air transport and storage of goods; Air transport services; Air transportation; Air transportation of passengers and freight; Armored car transport; Cargo ship transport; Freight and transport brokerage; Freight ship transport; Freight transportation brokerage; Freight transportation consultation in the field of freight transportation by truck, rail, air and ocean; Global transportation of freight for others by all available means; Guarded transport of valuables; Guarded transportation of valuables; Guarded transportation of valuables and money by truck; Guarded truck transport; Marine transport; Packaging articles for transportation; Packing articles for transportation; Providing ocean transportation, storage and delivery services; Shipping and delivery services, namely, pickup, transportation, and delivery of packages and letters by various modes of transportation; Supply chain logistics and reverse logistics services, namely,</p>


storage, transportation and delivery of goods for others by air, rail, ship or truck; Supply chain, logistics and reverse logistics services, namely, storage, transportation and delivery of documents, packages, raw materials, and other freight for others by air, rail, ship or truck; Transport and delivery of goods; Transport and storage of goods; Transport brokerage; Transport of goods; Transport of money and valuables; Transport of valuables; Transportation and delivery services by air, road, rail and sea; Transportation and delivery services, namely, same day shipment services; Transportation and storage of goods; Transportation consulting; Transportation of goods; Truck transport

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2211378	Application Date	08/03/1995
Registration Date	12/15/1998	Foreign Priority Date	NONE
Word Mark	S		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1995/10/00 First Use In Commerce: 1995/10/00 toys and sporting goods, including action figures and accessories therefor; plush toys; balloons; toy vehicles; dolls; electronic hand held game unit and action type target game		

U.S. Registration No.	2226415	Application Date	04/18/1995
Registration Date	02/23/1999	Foreign Priority Date	NONE
Word Mark	S		
Design Mark			


Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1987/00/00 First Use In Commerce: 1987/00/00 motion picture, video and television films featuring animated and non-animated action, adventure and drama; prerecorded audio-video tapes, cassettes and discs featuring animated and non-animated action, adventure, drama, and/or music

U.S. Registration No.	1200387	Application Date	09/18/1979
Registration Date	07/06/1982	Foreign Priority Date	NONE

Word Mark	S
Design Mark	


Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00 Jewelry, Watches and Clocks


U.S. Registration No.	1200233	Application Date	09/18/1979
Registration Date	07/06/1982	Foreign Priority Date	NONE

Word Mark	S
Design Mark	


Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1946/00/00 First Use In Commerce: 1946/00/00 Phonographic Records, Prerecorded Audio and Audio/Visual Tapes, and Cassettes, Visual Tapes and Cassettes, Radios, Eye Glass Frames and Cases

U.S. Registration	1209743	Application Date	09/18/1979
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No.			
Registration Date	09/21/1982	Foreign Priority Date	NONE
Word Mark	S		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 1954/00/00 First Use In Commerce: 1954/00/00 Lunchboxes		


U.S. Registration No.	1201167	Application Date	09/18/1979
Registration Date	07/13/1982	Foreign Priority Date	NONE
Word Mark	S		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1949/00/00 First Use In Commerce: 1949/00/00 Shower Curtains, Towels, Sheets, Pillow Cases, Blankets, Comforters, and Drapes		

U.S. Registration No.	1201149	Application Date	09/18/1979
Registration Date	07/13/1982	Foreign Priority Date	NONE
Word Mark	S		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 021. First use: First Use: 1974/01/00 First Use In Commerce: 1974/01/00 Bowls, Mugs, Glasses, Cookie Jars, Toothbrushes and Hair Brushes Made of Plastic

U.S. Registration No.	1199690	Application Date	09/18/1979
Registration Date	06/29/1982	Foreign Priority Date	NONE

Word Mark	S
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Design Mark	
Description of Mark	THE MARK CONSISTS OF THE LETTER "S" IN ASHIELD DESIGN.
Goods/Services	Class 028. First use: First Use: 1947/00/00 First Use In Commerce: 1947/00/00 Yo-Yos, Balls, and Equipment Sold as a Unit for Playing Board Games

U.S. Registration No.	1180292	Application Date	09/18/1979
Registration Date	12/01/1981	Foreign Priority Date	NONE

Word Mark	S
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