

ESTTA Tracking number: **ESTTA564073**

Filing date: **10/09/2013**

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	Beats Electronics, LLC
Granted to Date of previous extension	10/09/2013
Address	1601 Cloverfield Blvd. - Suite 5000N Santa Monica, CA 90404 UNITED STATES

Attorney information	Michael Kelber & Lawrence E. James, Jr. Neal, Gerber & Eisenberg LLP Two North LaSalle Street - Suite 1700 Chicago, IL 60601 UNITED STATES mkelber@ngelaw.com, kspicer@ngelaw.com, ljames@ngelaw.com, knye@ngelaw.com, afuelleman@ngelaw.com, mbenson@ngelaw.com, DocketMail@ngelaw.com Phone:312-269-8000
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### Applicant Information

Application No	85682885	Publication date	06/11/2013
Opposition Filing Date	10/09/2013	Opposition Period Ends	10/09/2013
Applicant	LG Electronics Inc. 20 Yeouido-dong Yeongdeungpo-gu Seoul 150-721, KOREA, REPUBLIC OF		

### Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: MPEG audio layer-3 players; navigation apparatus for vehicle on-board computer; Audio Receivers; Portable multimedia players; Personal Digital Assistants; Headphones; Earphones; loudspeakers; Microphones; Cordless phone; Earphone microphones; telephone headsets; Remote controllers for televisions; Remote controllers for stereos; Remote controllers for cassette players; Remote controllers for MPEG audio layer-3 players; Mobile phones; Smart phones; Television receivers; Portable communication apparatus, namely, mobile phone handsets, walkie-talkies and satellite telephones
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### 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.	3862142	Application Date	06/03/2008
Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	BEATS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2008/07/01 First Use In Commerce: 2008/07/01 headphones		

U.S. Registration No.	4035777	Application Date	06/03/2008
Registration Date	10/04/2011	Foreign Priority Date	NONE
Word Mark	BEATS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/09/07 First Use In Commerce: 2010/09/07 Audio speakers; loudspeakers		

U.S. Registration No.	3921110	Application Date	06/11/2009
Registration Date	02/15/2011	Foreign Priority Date	NONE
Word Mark	HEARTBEATS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/09/16 First Use In Commerce: 2009/09/16 personal headphones for use with sound transmitting systems; headphones		

U.S. Registration No.	4177191	Application Date	06/08/2010
Registration Date	07/17/2012	Foreign Priority Date	NONE
Word Mark	BEATS PRO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/10/14 First Use In Commerce: 2010/10/14 Headphones; personal headphones for use with sound transmitting systems		

U.S. Registration No.	4173065	Application Date	06/25/2010
Registration Date	07/10/2012	Foreign Priority Date	NONE
Word Mark	JUSTBEATS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2010/10/14 First Use In Commerce: 2010/10/14 headsets for mobile phones; headphones; personal headphones for use with sound transmitting systems

U.S. Registration No.	4176105	Application Date	07/21/2009
Registration Date	07/17/2012	Foreign Priority Date	06/17/2009
Word Mark	BEATS BY DR. DRE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/10/14 First Use In Commerce: 2010/10/14 media players for automobiles; DVD players for automobiles; CD players for automobiles; digital audio players for automobiles; audio speakers; car audio speakers; loudspeakers; loudspeaker cabinets; horns for loudspeakers; headphones; personal headphones for use with sound transmitting systems; media players for automobiles Class 025. First use: First Use: 2011/11/05 First Use In Commerce: 2011/11/05 T-shirts		

U.S. Registration No.	4198937	Application Date	12/17/2009
Registration Date	08/28/2012	Foreign Priority Date	NONE
Word Mark	IBEATS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/10/14 First Use In Commerce: 2010/10/14 Headsets for mobile telephones; headphones; personal headphones for use with sound transmitting systems		

U.S. Registration No.	4314478	Application Date	02/27/2012
Registration Date	04/02/2013	Foreign Priority Date	NONE
Word Mark	BEATS STUDIO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/07/01 First Use In Commerce: 2012/07/01 Headphones		

U.S. Registration No.	4314920	Application Date	03/16/2012
Registration Date	04/02/2013	Foreign Priority Date	NONE

Word Mark	BEATS EXECUTIVE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2012/10/16 First Use In Commerce: 2012/10/16 headphones

U.S. Registration No.	4314930	Application Date	03/09/2012
Registration Date	04/02/2013	Foreign Priority Date	09/12/2011
Word Mark	URBEATS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2011/11/00 First Use In Commerce: 2011/11/00 Headphones		

U.S. Registration No.	4314931	Application Date	01/09/2012
Registration Date	04/02/2013	Foreign Priority Date	NONE
Word Mark	BEATS PILL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/10/16 First Use In Commerce: 2012/10/16 audio speakers; loudspeakers		

U.S. Application No.	85020116	Application Date	04/21/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEATBOX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: Audio related products and equipment, namely, speakers and speaker components, namely, woofers, subwoofers, tweeters, midrange, tuner, compression drivers, amplifiers, equalizers, crossovers and speaker housings; and docking stations for portable music players		

U.S. Application No.	85057928	Application Date	06/08/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEATS PRO		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	<p>Class 009. First use:</p> <p>Audio and video equipment, namely, digital audio players, digital video players, media players, portable media players, DVD players, portable DVD players, CD players, portable CD players, media players for automobiles, DVD players for automobiles, CD players for automobiles, digital audio players, digital video players, portable digital audio players, portable digital video players; digital audio players for automobiles; digital video players for automobiles; MP3 players; MP4 players; protective carrying cases for portable music players; cell phones; personal digital assistants (PDA); smart phones; headsets for mobile phones; audio speakers; car audio speakers; loudspeakers; loudspeaker cabinets; horns for loudspeakers; racks for loudspeakers; electric actuators; stands specially adapted for stereos and audio speakers, namely, floor stands and table tops for loudspeakers; surround sound systems; audio equipment, namely, amplifiers, subwoofers, surround sound systems; pre-amplifiers; amplifiers; sound amplifiers; audio amplifiers; racks for amplifiers; high-fidelity stereo systems comprised of amplifiers, loudspeakers, receivers and tuners; signal processors, namely, signal separating, distributing, generating and converting circuits all for audio signals, video signals or audio-video signals; electro acoustic transducers; audio mixers; electronic audio mixers; sound mixers; sound mixers with integrated amplifiers; acoustic conduits; acoustic couplers; acoustic coupling devices; acoustic membranes; acoustic meters; acoustic separation units; apparatus for wireless transmission of acoustic information; wave reflectors for acoustic speakers, lighting apparatus, and air flow devices; electrical pickups for use with musical instruments; musical juke boxes; musical instrument adaptors; musical instrument amplifiers; musical instrument connectors; metronomes; time clocks being time recording devices; teleprinters; scales; micrometers; signal bells, sound locating instruments, namely, sound alarms, sound level meters; projection screens; automatic switchboards; automatic turnstiles; stereo receivers; stereo tuners; stereo amplifiers; audio equipment components, namely, limiters and compressors, boxes specially adapted for housing audio equipment, software to control and improve audio equipment sound quality; video equipment, namely, video receivers, combination video players and recorders, digital video recorders, distribution amplifiers for video signals; video equipment components, namely, component video cables, electronic scalars for video signals, electronic interconnectors for video signals; microphones; electronic cables, namely, audio and video electric cables and cable connectors; power cables and cable connectors; sound and video recording apparatus; portable telephones and accessories, namely, cases for cellular telephones, decorative charms for cellular telephones, Fitted plastic films known as skins for covering and providing a scratch proof barrier or protection for portable telephones; compact disc players; record players and equipment, namely, needles for record players, electrical phonograph record turntable cartridges, phonographic record cleaning kits comprised primarily of replacement stylus needles and also including cleaning solution and brushes; stereo players and equipment, namely, stereo tuners, stereo amplifiers, personal stereos; eyewear and sunglasses; computers; laptop computers; electronic components for computers for enhancing their audio and video sound properties; computer software, namely, software for processing digital music files and software for browsing or editing video, images and sound; computer software, namely, software application for locating and identifying local music venues and live musical or DJ performances; audio application software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing, and organizing text, data, images, and audio files; computer accessories, namely, USB sticks being computer hardware, USB hubs, keyboards, computer monitors, computer mouse, and audio speakers for computers; electronic devices, namely, televisions, radios, MP3 players, MP4 players, video players and audio players, all with sound elements; sound systems and sound elements for televisions and radios comprised of surround</p>

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