

ESTTA Tracking number: **ESTTA657625**

Filing date: **02/24/2015**

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	Unique Photo Inc.		
Entity	Corporation	Citizenship	New Jersey
Address	123 US Highway 46 Fairfield, NJ 07004 UNITED STATES		

Attorney information	Daniel P. Laine Lerner, David, Littenberg, Krumholz & Mentlik 600 South Avenue West Westfield, NJ 07090 UNITED STATES dlaine@ldlkm.com, litigation@ldlkm.com Phone:908 654 5000
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Applicant Information

Application No	79153014	Publication date	02/03/2015
Opposition Filing Date	02/24/2015	Opposition Period Ends	03/05/2015
International Registration No.	1218382	International Registration Date	05/13/2014
Applicant	Sanjay Agarwal Aegis Vision Limited London, W7 2QE UNITED KINGDOM		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Mobile phone cases; camera cases; laptop cases, including bags, sleeves and pouches specially adapted for laptops; cases adapted for electronic equipment, namely, cases adapted for electronic diaries and portable media players; mobile phone accessories, namely, lanyards, pendants and charms all specially adapted for mobile phones; hands free kits for mobile phones; battery chargers for mobile phones; headphones; audio speakers; speakers, namely, bass speakers, loud speakers; audio equipment, namely, speakers; car audio speakers; personal stereos; stereo apparatus, namely, stereo tuners; stereo amplifiers; stereos, namely, stereo receivers; computer docking stations; portable music player docking stations; mobile phone docking stations; MP3 player docking stations; mobile radio transmitting apparatus; earphones; sound generation apparatus, namely, portable media players; sound amplification apparatus, namely, amplifiers; sound reproduction apparatus; sunglasses and sunglasses cases

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.	1987293	Application Date	09/12/1995
Registration Date	07/16/1996	Foreign Priority Date	NONE
Word Mark	I'M UNIQUE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/06/00 First Use In Commerce: 1995/06/00 mail order catalog, retail store services, and wholesale distributorships featuring photographic equipment, photographic supplies, imaging equipment, film projectors, video tape, imaging supplies and binoculars		

U.S. Registration No.	2335605	Application Date	04/06/1999
Registration Date	03/28/2000	Foreign Priority Date	NONE
Word Mark	UNIQUE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1977/08/00 First Use In Commerce: 1977/08/00 RETAIL STORE SERVICES AND MAIL ORDER CATALOG SERVICES BOTH FEATURING PHOTOGRAPHIC EQUIPMENT AND SUPPLIES, DARK ROOM EQUIPMENT AND SUPPLIES, BINOCULARS, FILM PROJECTORS, AND BATTERIES		

U.S. Registration No.	3048697	Application Date	01/13/2004
Registration Date	01/24/2006	Foreign Priority Date	NONE
Word Mark	UNIQUE DIRECT		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2003/12/01 First Use In Commerce: 2003/12/01 Mail order catalog services featuring batteries, cigarette lighters and accessories, umbrellas, health and beauty aids, over-the-counter medicines, food, dolls, toys, locks, apparel, light bulbs, flashlights, greeting cards, envelopes, and writing implements

U.S. Registration No.	2033558	Application Date	10/02/1995
Registration Date	01/28/1997	Foreign Priority Date	NONE
Word Mark	UNIQUE PHOTO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1968/12/00 First Use In Commerce: 1968/12/00 mail order catalog services featuring photographic equipment, photographic supplies, imaging equipment, imaging supplies, film projectors, video tapes, and binoculars		

U.S. Registration No.	3704895	Application Date	04/01/2009
Registration Date	11/03/2009	Foreign Priority Date	NONE
Word Mark	UNIQUE PHOTO		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1996/11/00 First Use In Commerce: 2008/04/00 RETAIL STORE, RETAIL ON LINE AND RETAILCATALOG SERVICES FEATURING A WIDE VARIETY OF CONSUMER GOODS OF OTHERS Class 040. First use: First Use: 1996/11/00 First Use In Commerce: 2008/04/00 PHOTOGRAPHIC FILM AND DIGITAL IMAGE PROCESSING

U.S. Registration No.	1988699	Application Date	09/12/1995
Registration Date	07/23/1996	Foreign Priority Date	NONE

Word Mark	UNIQUE PHOTO
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Design Mark	
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Description of Mark	NONE
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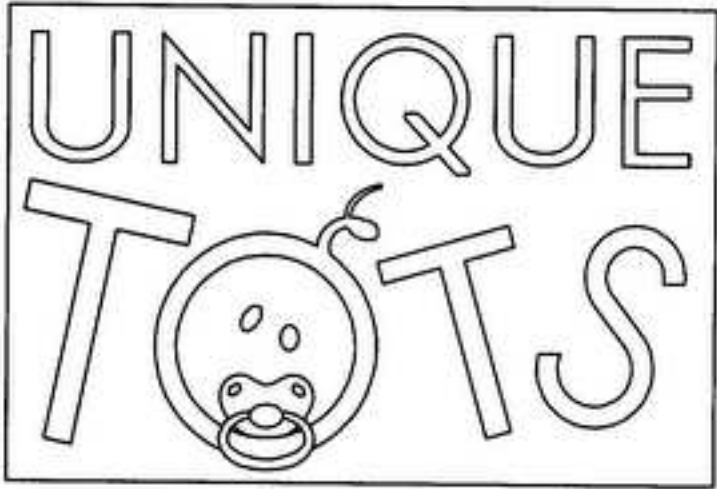
Goods/Services	Class 042. First use: First Use: 1968/12/00 First Use In Commerce: 1968/12/00 mail order catalog and retail store services featuring photographic equipment, photographic supplies, imaging equipment, film projectors, video tape, imaging supplies and binoculars
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U.S. Registration No.	2920948	Application Date	03/31/2004
Registration Date	01/25/2005	Foreign Priority Date	NONE

Word Mark	UNIQUE TOTS
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Design Mark	
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Description of	NONE
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Mark			
Goods/Services	Class 035. First use: First Use: 2004/03/15 First Use In Commerce: 2004/03/15 Wholesale distributorship featuring baby bottles, baby nipples and tops therefor, plates, cups, bowls, eating utensils, cleaning supplies, pacifiers, bibs, rattles, teethingers, toys, mobiles, lamps, night lights, switch plates for lights, blankets, gift boxes, rulers, totes, diaper bags, dolls, wash cloths, medicine droppers, aspirators, hair bands, hair brushes, combs, window shades, hangers, mittens and towels		
U.S. Registration No.	2994632	Application Date	03/30/2004
Registration Date	09/13/2005	Foreign Priority Date	NONE
Word Mark	UNIQUE TOTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2004/03/15 First Use In Commerce: 2004/03/15 Wholesale distributorship featuring baby bottles, baby nipples and tops therefor, plates, cups, bowls, eating utensils, cleaning supplies, pacifiers, bibs, rattles, teethingers, toys, mobiles, lamps, night lights, switch plates for lights, blankets, gift boxes, rulers, totes, diaper bags, dolls, wash cloths, medicine droppers, aspirators, hair bands, hair brushes, combs, window shades, hangers, mittens and towels		

Attachments	UPHOTO 10.20-064 Notice of Opposition 24-February-2015.pdf(21447 bytes) 75676746#TMSN.png(bytes) 78351284#TMSN.png(bytes) 77704464#TMSN.png(bytes) 74727972#TMSN.png(bytes) 78393964#TMSN.png(bytes) 78393287#TMSN.png(bytes)
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