

ESTTA Tracking number: **ESTTA718238**

Filing date: **01/04/2016**

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	Home Box Office, Inc.
Granted to Date of previous extension	01/03/2016
Address	1100 Avenue of the Americas New York, NY 10036 UNITED STATES
Attorney information	Melanie J. Howard LOEB & LOEB LLP 10100 Santa Monica Blvd., Suite 2200 Los Angeles, CA 90067 UNITED STATES efiling@loeb.com, mhoward@loeb.com, scrisafulli@loeb.com, chdocket@loeb.com

Applicant Information

Application No	86451821	Publication date	07/07/2015
Opposition Filing Date	01/04/2016	Opposition Period Ends	01/03/2016
Applicant	Jawline Inc. c/o Tribeca Business Management New York, NY 10170 UNITED STATES		


Goods/Services Affected by Opposition


Class 009. First Use: 2014/01/14 First Use In Commerce: 2014/01/14 All goods and services in the class are opposed, namely: Compact discs featuring music; Downloadable music files; Musical sound recordings; Musical video recordings; Pre-recorded audio tapes featuring music; Pre-recorded video tapes featuring music
Class 016. First Use: 2014/01/14 First Use In Commerce: 2014/01/14 All goods and services in the class are opposed, namely: Posters
Class 025. First Use: 2014/02/08 First Use In Commerce: 2014/02/08 All goods and services in the class are opposed, namely: Hats; Hooded sweatshirts; Jackets; Shirts; Sports caps and hats; Sweat shirts; Woolly hats
Class 041. First Use: 2014/01/14 First Use In Commerce: 2014/01/14 All goods and services in the class are opposed, namely: Entertainment in the nature of live performances by Max Schneider; Entertainment, namely, live music concerts

Grounds for Opposition

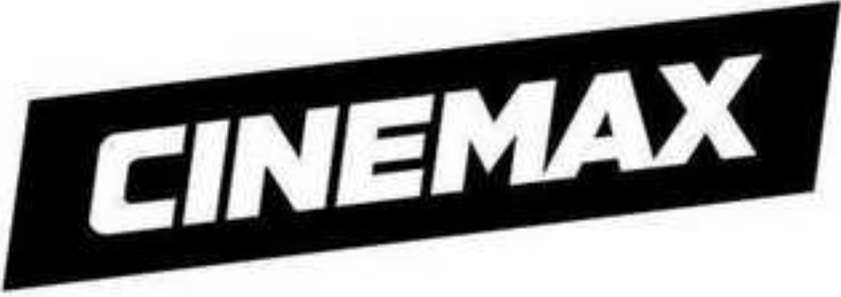
Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4111814	Application Date	07/29/2011
Registration Date	03/13/2012	Foreign Priority Date	NONE
Word Mark	5 STARMAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2003/11/21 First Use In Commerce: 2003/11/21 PAY OR PREMIUM TELEVISION PROGRAMMING SERVICES		

U.S. Registration No.	4084059	Application Date	07/29/2011
Registration Date	01/10/2012	Foreign Priority Date	NONE
Word Mark	ACTIONMAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1998/06/01 First Use In Commerce: 1998/06/01 PAY OR PREMIUM TELEVISION PROGRAMMING SERVICES		

U.S. Registration No.	4258419	Application Date	04/15/2011
Registration Date	12/11/2012	Foreign Priority Date	NONE
Word Mark	CINEMAX		


Design Mark	
Description of Mark	The mark consists of "CINEMAX" in slanted block letters on a quadrilateral background.
Goods/Services	Class 009. First use: First Use: 2012/08/07 First Use In Commerce: 2012/08/07 Pre-recorded video discs, DVDs, high definition digital discs featuring drama, comedy, action, adventure featuring content from or related to television programming or television series; motion picture films and films for television featuring drama, comedy, action, adventure; pre-recorded digital media featuring drama, comedy, action, adventure

U.S. Registration No.	1887240	Application Date	03/14/1994
Registration Date	04/04/1995	Foreign Priority Date	NONE
Word Mark	CINEMAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 hats [, jackets,] and shirts		

U.S. Registration No.	4191586	Application Date	04/15/2011
Registration Date	08/14/2012	Foreign Priority Date	NONE
Word Mark	CINEMAX		
Design Mark			
Description of Mark	The mark consists of "CINEMAX" in slanted block letters on a quadrilateral background.		
Goods/Services	Class 038. First use: First Use: 2011/08/15 First Use In Commerce: 2011/08/15 Broadcasting of television programs; cable television broadcasting services; electronic transmission, broadcasting and delivery of audio, video and multimedia entertainment content including text, data, images, audio, video and audiovisualfiles by means of the Internet, wireless communication, electronic communications networks and computer networks; electronic transmission and		

	streaming of digital media content for others via global and local computer networks; electronic transmission of voice, data and images by television and video broadcasting
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U.S. Registration No.	1349993	Application Date	05/20/1980
Registration Date	07/16/1985	Foreign Priority Date	NONE
Word Mark	CINEMAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1980/05/16 First Use In Commerce: 1980/05/16 PREMIUM OR PAY TELEVISION SERVICES		

U.S. Registration No.	4165652	Application Date	04/15/2011
Registration Date	06/26/2012	Foreign Priority Date	NONE
Word Mark	CINEMAX		
Design Mark			
Description of Mark	The mark consists of "CINEMAX" in slanted block letters on a quadrilateral background.		
Goods/Services	Class 041. First use: First Use: 2011/08/15 First Use In Commerce: 2011/08/15 Entertainment services, in the nature of providing non-downloadable entertainment programs and content, namely, films, television programs and related clips, graphics and information in the fields of drama, comedy, action, adventure, documentary, sports, music, variety, entertainment news, documentary and animation rendered through the media of television, cable and satellite systems, the Internet, electronic communications networks and wireless communication networks; production and distribution of television programs and motion pictures rendered through the media of television, cable and satellite systems, and the Internet; television programming services; interactive online entertainment in the nature of a website containing non-downloadable photographic, video and prose presentations, related video clips and other multimedia materials featuring content from or relating to television programs and television films in the fields of drama, comedy, action, adventure, documentary, sports, music, variety, entertainment news, documentary and animation		

U.S. Registration No.	4298664	Application Date	01/11/2011
Registration Date	03/05/2013	Foreign Priority Date	NONE
Word Mark	CINEMAX		

Design Mark	<h1>CINEMAX</h1>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2011/08/07 First Use In Commerce: 2011/08/07 Entertainment services in the nature of providing entertainment programming and content, namely, on-going television programs, and related clips and graphics and information relating to television programming and content in the fields of comedy, drama, action, adventure via television, cable and satellite systems, the Internet, electronic communications networks, computer networks and wireless communications networks		

U.S. Registration No.	3760154	Application Date	03/24/2009
Registration Date	03/16/2010	Foreign Priority Date	NONE
Word Mark	CINEMAX ON DEMAND		
Design Mark	<h1>CINEMAX ON DEMAND</h1>		
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 2002/06/01 First Use In Commerce: 2002/06/01 VIDEO-ON-DEMAND CABLE TELEVISION TRANSMISSION SERVICES		

U.S. Registration No.	1288284	Application Date	05/09/1983
Registration Date	07/31/1984	Foreign Priority Date	NONE
Word Mark	MAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1980/05/16 First Use In Commerce: 1980/05/16 Pay Television Services		

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