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Filing date: **08/18/2020**

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	Google LLC
Granted to Date of previous extension	08/19/2020
Address	1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043 UNITED STATES
Attorney information	DORI ANN HANSWIRTH ARNOLD & PORTER KAYE SCHOLER LLP 250 WEST 55TH STREET NEW YORK, NY 10019-9710 UNITED STATES Primary Email: <a href="mailto:trademarkdocketing@arnoldporter.com">trademarkdocketing@arnoldporter.com</a> Secondary Email(s): <a href="mailto:dori.hanswirth@arnoldporter.com">dori.hanswirth@arnoldporter.com</a> , <a href="mailto:palak.mayani@arnoldporter.com">palak.mayani@arnoldporter.com</a> , <a href="mailto:jennifer.worksman@arnoldporter.com">jennifer.worksman@arnoldporter.com</a> 212-836-8000
Docket Number	0026064-0085

**Applicant Information**

Application No.	88732565	Publication date	04/21/2020
Opposition Filing Date	08/18/2020	Opposition Period Ends	08/19/2020
Applicant	GM Photo 300 SUNSET AVE ENGLEWOOD, NJ 07631 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 009. First Use: 2019/08/13 First Use In Commerce: 2019/08/13 All goods and services in the class are opposed, namely: Camera tripods; Camera flashes; Connection cables; Camera lens mounts; Lenses for cameras; Camera handles; Underwater cameras; Microphones; Camera filters; Camera mounts and supports; Dashboard cameras; Camera hoods; Camera lens adapters; Wearable cameras; Lens hoods
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b)

## Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	87643989	Application Date	10/12/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PIXEL		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0            Computer hardware; computers; tablet computers; smartphones; mobile phones; electronic devices for browsing computers and the Internet, providing access to the Internet, viewing information on global computer networks, voice command and recognition, speech-to-text conversion, personal information management, voice and data transmission, and hands-free use and remote control of electronic devices; multifunctional electronic devices for voice and data transmission; handheld digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, image, and audio files; wireless communication devices for voice, data and image transmission including voice, text and picture messaging, video and still image camera; wireless communication device for providing real-time translation, for browsing the internet, for transmitting voice and data, for providing and managing personal information, and for providing hands-free use and control of computers, tablets, phones, and PDAs; computer and hardware microprocessor chips; computer and hardware chips for mobile devices, namely, laptops, handheld computers, tablets, wearable headsets, mobile phones, and smartphones; data processing and machine learning systems composed of computer chips, computer hardware, and software; computer operating software; computer application software for use with smartphones, tablets, handheld computers, audio/video equipment, cameras, wearable computers, smartwatches, and wearable computing devices, namely, for allowing the user to interact with, exchange data with, remotely control and make optimal use of the features of all aforesaid mobile computing devices and for the retrieval, download, storage, transmission, and display of digital content, computer software, computer games, audio works, visual works, audiovisual works, electronic publications, books, movies, and music; computer software for voice command and recognition, speech-to-text conversion, personal information management, and accessing, browsing, searching, downloading, and manipulating online databases, audio, video, and multimedia content; audio speakers; earbuds; earphones; headphones; microphones; power adapters, battery chargers, electric charging cables, and cases specifically adapted for and used for charging earbuds, earphones, and headphones; cushions, pads, cases, covers, and protective covers specially adapted for mobile phones, smartphones, and electronic devices; computer peripherals, namely, hands-free devices, headsets, keyboards, chargers, batteries, power adapters, styluses and cables, all for use with computers, tablets, mobile phones, and smartphones</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0            Design, development, and testing services for others in the fields of integrated circuits, semiconductors, microprocessors, and computer hardware for signal processing, signal conversion, signal filtering, wireless communication, and audio, visual, and data processing</p>		

U.S. Registration No.	5091394	Application Date	02/21/2013
Registration Date	11/29/2016	Foreign Priority Date	10/12/2012

Word Mark	PIXEL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2015/12/08 First Use In Commerce: 2015/12/08 Computers; laptop computers; tablet computers; mobile phones Class 042. First use: First Use: 2015/12/08 First Use In Commerce: 2015/12/08 Technical support services, namely, troubleshooting in the nature of diagnosing-computer hardware

U.S. Registration No.	5537266	Application Date	10/03/2017
Registration Date	08/07/2018	Foreign Priority Date	09/11/2017
Word Mark	GOOGLE PIXEL BUDS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2017/10/04 First Use In Commerce: 2017/11/00 Audio speakers; earbuds; earphones; headphones; accessory ear cushions for earbuds, earphones, and headphones; accessory ear pads for earbuds, earphones, and headphones; microphones; remote controls for controlling mobile phones and tablet computers; remote controls for mobile phones and tablet computers for controlling volume, music, phone calls, and transmitting data; apparatus for recording, transmitting, recognizing, processing, and reproduction of sound; carrying cases and protective cases featuring battery charging devices, specially adapted for use with earbuds, earphones, and headphones; battery chargers for earbuds, earphones, and headphones; electric charging cables for earphones, earbuds, headphones, and charging cases; specially adapted carrying and charging cases featuring power supply connectors and battery charging devices for charging earphones and earbuds; power adapters for earphones, earbuds, and charging case		

U.S. Registration No.	5097177	Application Date	02/05/2016
Registration Date	12/06/2016	Foreign Priority Date	08/13/2015
Word Mark	PIXEL C		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2015/12/08 First Use In Commerce: 2015/12/08 Computer hardware; computers; laptop computers; tablet computers		

U.S. Registration No.	5596276	Application Date	10/03/2016
Registration Date	10/30/2018	Foreign Priority Date	NONE
Word Mark	G PIXEL		
Design Mark			
Description of	The mark consists of a stylized letter "G" in the colors red, yellow, green and blue		

Mark	and the word "PIXEL" below in grey. The color white shown in the mark is background only and is not claimed as a feature of the mark.
Goods/Services	Class 009. First use: First Use: 2016/10/04 First Use In Commerce: 2016/10/04 Cases and protective covers for mobile phones and smartphones; computer hardware; computers; entertainment devices, namely, digital media streaming devices; computer peripherals, namely, hands-free devices, headsets, headphones, chargers, batteries, power adapters, and cables

U.S. Application No.	87589996	Application Date	08/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOGLE PIXEL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software, namely user interface software for the customized and personalized design of home screens for mobilephones, smartphones, tablet computers, laptops, and computers; computer operating software; computer browsing software, namely user interface software for the customized and personalized design of home screens for mobile phones, smartphones, tablet computers, laptops, and computers; computer software for providing access to the Internet; computer hardware; computers; desktop computers; laptop computers; tablet computers; smartphones; mobile phones; personal handheld devices, namely, computers, tablet computers, laptops, mobile phones, and smartphones for viewing information on global computernetworks, voice command and recognition, speech-to-text conversion, personal information management, voice and data transmission, and hands-free use and remotecontrol of electronic devices; computerperipherals, namely, speakers, headsets, headphones, earbuds, keyboards, battery chargers, batteries, power adapters, styluses and cables		

Attachments	BLUE PIXEL Notice of Opposition Final.pdf(24735 bytes )
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Signature	/Dori Ann Hanswirth/
Name	Dori Ann Hanswirth
Date	08/18/2020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GOOGLE LLC,

Opposer,

v.

GM PHOTO LLC,

Applicant.

Opposition No. \_\_\_\_\_

Serial No. 88732565

Mark: BLUE PIXEL

Google LLC (“Google” or “Opposer”), a Delaware limited liability corporation with offices at 1600 Amphitheatre Parkway, Mountain View, California, 94043, believes it will be damaged by registration of the standard character word mark BLUE PIXEL (the “BLUE PIXEL Mark”), applied for by GM Photo, LLC (“Applicant”) for the goods in International Classes 9 as shown in Application Serial No. 88732565 (the “Application”), and having been granted an extension of time to oppose up to and including August 19, 2020, hereby opposes the same.

As grounds for opposition, Google alleges that:

**Opposer and Its PIXEL Marks**

1. In 1998, Google introduced breakthrough technology enabling users to search and organize the vast quantities of information available on the internet. Eighteen years later, [www.google.com](http://www.google.com) remains an extremely popular search engine worldwide, and Google itself has become a leading technology company offering a wide variety of products and services.

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