

ESTTA Tracking number: **ESTTA1092574**

Filing date: **11/02/2020**

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	Target Brands, Inc.
Granted to Date of previous extension	11/04/2020
Address	1000 NICOLLET MALL MINNEAPOLIS, MN 55403 UNITED STATES
Attorney information	JAMES R. STEFFEN FAEGRE DRINKER BIDDLE & REATH LLP 90 SOUTH SEVENTH STREET 2200 WELLS FARGO CENTER MINNEAPOLIS, MN 55402 UNITED STATES Primary Email: trademark@faegredrinker.com Secondary Email(s): james.steffen@faegredrinker.com 612.766.7000
Docket Number	453258.1163

Applicant Information

Application No.	88871668	Publication date	07/07/2020
Opposition Filing Date	11/02/2020	Opposition Period Ends	11/04/2020
Applicant	Squire Solutions Inc. 131 EAST 23RD STREET 11B NEW YORK, NY 10010 UNITED STATES		

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: Downloadable software for facilitating commercial transactions through electronic means via wireless networks, global computer networks and mobile telecommunication devices; Downloadable software, namely, electronic financial platform that accommodates multiple types of payment and debt transactions and that provides secure payment and money transfer options; Downloadable software for enabling the electronic transfer of money between users and permitting account holders to make payment requests; Downloadable software for capturing, managing, and storing credit card and debit card information; Downloadable software for processing, facilitating, verifying, and authenticating mobile payments and contactless transactions with retailers, merchants, and vendors using a mobile device

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.	5200640	Application Date	07/27/2015
Registration Date	05/09/2017	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of concentric circles representing a target or bullseye design.		
Goods/Services	<p>Class 009. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27 Computer application software for mobile digital devices for use in creating and organizing shopping lists for personal use or use by others; computer software that allows users to create and share shopping lists, wish lists, and gift registries; computer software, namely, file sharing software; communications software for electronically exchanging data, and graphics accessible via a computer network; computer software for processing and transmitting images, graphics, audio, video, and text, all marketed to consumers; computer application software for mobile digital devices, namely, software that enables users to access product reviews, that enables purchases, that enables order fulfillment, and that enables electronic payments for purchases, that enables users to collect, create, store, share and write about their wish lists for goods, that enables the transmission of messages among computer users, and that enables users to share or provide electronic media or information in the fields of virtual communities</p> <p>Class 035. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27 Online retail department store services featuring a wide variety of consumer goods; promoting the sale of goods of others through electronic promotions; online gift registry services; gift registry services; electronic catalog services featuring a wide variety of consumer goods; online ordering services featuring a wide variety of consumer goods; providing information electronically about products, product reviews</p> <p>Class 036. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27 Financial services, namely, credit card and debit card services, electronic cash transactions, and payment processing services; stored value prepaid card services, namely, processing electronic payments through prepaid cards; providing electronic payment services involving electronic processing and subsequent transmission of bill payment data for purchase of goods and services in-store, electronically or via the Internet, mobile phone or smart phone</p> <p>Class 042. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27 Providing an interactive website featuring technology that allows users to collect, create, store, share and write about their wish lists for goods and services; providing online non-downloadable software which allows users to populate a wish list with items; providing temporary use of online non-downloadable software for use in creating and organizing shopping lists for personal use or use by others</p>		
U.S. Registration No.	4003548	Application Date	05/05/2010
Registration Date	07/26/2011	Foreign Priority Date	NONE

Word Mark	NONE
Design Mark	
Description of Mark	The mark consists of concentric circles representing a target or bullseye design.
Goods/Services	Class 036. First use: First Use: 1995/00/00 First Use In Commerce: 1995/00/00 Financial services, namely, credit and debit card services, electronic cash transactions, and payment processing services; stored value prepaid card services, namely, processing electronic payments through prepaid cards; financial services for employees and for employee benefit programs, namely, electronic cash transactions and payment processing services

U.S. Registration No.	4003547	Application Date	05/05/2010
Registration Date	07/26/2011	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of concentric circles representing a target or bullseye design.		
Goods/Services	Class 035. First use: First Use: 2000/10/01 First Use In Commerce: 2000/10/01 Promoting the sale of the goods and services of others through customer loyalty and incentive programs for retail customers; promoting the use of credit and debit cards through customer loyalty and incentive programs for retail customers and through the administration of charitable fundraising services		

U.S. Registration No.	972082	Application Date	05/22/1972
Registration Date	10/30/1973	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1968/12/01 First Use In Commerce: 1968/12/01 RETAIL DEPARTMENT STORE, RETAIL GROCERY STORE, [RETAIL LIQUOR STORE,] RETAIL BAKERY, RETAIL PHARMACY STORE, AND RESTAURANT AND SNACK BAR SERVICES		

U.S. Registration No.	2473434	Application Date	05/15/2000
Registration Date	07/31/2001	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1962/04/30 First Use In Commerce: 1968/12/01 retail department store services		

U.S. Registration No.	2702411	Application Date	06/07/2002
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Registration Date	04/01/2003	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 On-line retail store services featuring a wide variety of consumer goods		

U.S. Registration No.	3233049	Application Date	05/22/2006
Registration Date	04/24/2007	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1999/09/30 First Use In Commerce: 1999/09/30 Stored value prepaid card services namely, processing electronic payments made through prepaid cards		

U.S. Registration No.	4035774	Application Date	10/13/2008
Registration Date	10/04/2011	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of concentric circles representing a target or bullseye design.		
Goods/Services	Class 009. First use: First Use: 2008/06/00 First Use In Commerce: 2008/06/00 Ear phones; Laptop carrying cases		

U.S. Registration No.	4879747	Application Date	12/02/2014
Registration Date	01/05/2016	Foreign Priority Date	NONE
Word Mark	WISH LIST		
Design Mark			
Description of Mark	The mark consists of concentric circles representing a target or bullseye design above the words "WISH LIST" in a stylized form.		
Goods/Services	Class 009. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27 Computer application software for mobile digital devices for use in creating and organizing shopping lists for personal use or use by others; computer software that allows users to create and share shopping lists, wish lists, and gift registries; computer software, namely, file sharing software; communications software for electronically exchanging data, and graphics accessible via a computer network; computer software for processing and transmitting images, graphics, audio, video, and text, all marketed to consumers; computer application software for mobile digital devices, namely, software that enables users to access coupons, rebates, price-comparison information, product reviews, and discount information, that enables purchases, that enables order fulfillment and shipment		

	<p>of goods on a regular, semi-regular or one-time basis, and that enables electronic payments for purchases, that enables users to collect, create, store, share and write about their wish lists for goods, that enables the transmission of messages among computer users, and that enables users to upload, post, display, share or provide electronic media or information in the fields of virtual communities; consumer coupons downloaded from a global computer network; downloadable software in the nature of a mobile application for social networking; downloadable software in the nature of a mobile application for playing games</p> <p>Class 042. First use: First Use: 2014/10/27 First Use In Commerce: 2014/10/27</p> <p>Providing an interactive website featuring technology that allows users to collect, create, store, share and write about their wish lists for goods and services; providing online non-downloadable software which allows users to populate a wish list with items; providing temporary use of online non-downloadable software for use in creating and organizing shopping lists for personal use or use by others; computer services, namely, providing an online platform for users to participate in discussions and engage in social networking</p>
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U.S. Application No.	87452120	Application Date	05/16/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RESTOCK		
Design Mark			
Description of Mark	The mark consists of concentric circles representing a target or bullseye design positioned to the left of the word "RESTOCK".		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Computer software for promoting sales of consumer goods; computer software for sending notifications and alerts; computer software for viewing, ordering, purchasing and arranging for pickup of consumer goods; computer software for disseminating information regarding consumer product discounts; computer software for use in sharing information about products, services and deals; computer software for location mapping; computer software for wireless content delivery; computer software for accessing online information; computer software for online shopping; computer software for facilitating payments and online transactions; computer software that provides retail and ordering services for a wide variety of consumer goods; computer software for use in disseminating advertising for others</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0</p> <p>Payment processing services, namely, credit card and debit card transaction processing services</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0</p> <p>Transportation, shipping and delivery of goods; packaging goods</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing temporary use of online non-downloadable computer software for promoting sales of consumer goods; providing temporary use of online non-downloadable computer software for sending notifications and alerts regarding sales of consumer goods; providing temporary use of online non-downloadable computer software for finding the location of limited-availability consumer goods; providing temporary use of online non-downloadable computer software for viewing, ordering, purchasing and arranging for pickup of consumer goods; providing temporary use of online non-downloadable computer software for disseminating information regarding consumer product discounts; providing temporary use of online non-downloadable computer software for use in sharing information about deals; providing temporary use of online non-downloadable computer software for location mapping</p>		

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