

ESTTA Tracking number: **ESTTA1135693**

Filing date: **05/22/2021**

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	Alibaba Group Holding Limited
Granted to Date of previous extension	05/22/2021
Address	P.O. BOX 847, GEORGE TOWN FOURTH FLOOR, ONE CAPITAL PLACE GRAND CAYMAN, 0 CAYMAN ISLANDS
Attorney information	MAIA T. WOODHOUSE ADAMS AND REESE LLP 424 CHURCH STREET, SUITE 2700 NASHVILLE, TN 37219 UNITED STATES Primary Email: maia.woodhouse@arlaw.com Secondary Email(s): trademarks@arlaw.com, edward.playfair@arlaw.com, caitlin.smith@arlaw.com 615-259-1085
Docket Number	028973-1

Applicant Information

Application No.	90203382	Publication date	03/23/2021
Opposition Filing Date	05/22/2021	Opposition Period Ends	05/22/2021
Applicant	Muhammad Ali Enterprises LLC AUTHENTIC BRANDS GROUP, LLC 1411 BROADWAY, 21ST FLOOR NEW YORK, NY 10018 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 wallpaper, ringtones, and video games for mobile phones; mobile phone accessories, namely, face plates and cell phone covers; pre-recorded video cassettes, audio tapes, CDs and DVDs featuring or associated with athletes, celebrities and public figures; recorded and downloadable computer game software and online downloadable computer game programs; recorded and downloadable video games software; video game discs; sunglasses; eye glasses; eyewear; cases for eyeglasses and sunglasses; optical glasses; sports glasses

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	6213849	Application Date	03/29/2018
Registration Date	12/08/2020	Foreign Priority Date	NONE
Word Mark	ALICLOUD		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, telephones, punch clocks, time recording devices, namely, time clocks, scales and balances, graduated rulers, electronic pocket translators, neon signs, electronic notice boards, transparency projection apparatus, kilometerrecorders in the nature of odometers for vehicles, telescopes, mechanisms for counter operated apparatus, namely, point-of-sale terminals, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, eyeglasses, batteries, exposed files, namely, exposed camera film; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric wires; electric switches; electrified fences, namely, electric fences; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs, namely, CD-R, CD-RW, DVD-R and DVD-RW discs; cash registers, calculating machines, data processing equipment and computers; notebook computers; laptop computers; portable computers; handheld computers; personal digital assistants; portable media players; mobile telephones; smart phones; digital cameras; computer-workstations comprised of computers and computer monitors; servers, namely, computer servers; computer and telecommunications networking computer hardware; computer network adaptors, switches, routers and hubs; wireless and wired modems and computer equipment, namely, wireless cards; laptop holders in the nature of protective sleeves and carrying cases, computer bags; fire extinguishing apparatus; computer hardware; computer software and downloadable software for use in connection with the provision of an interactive website,</p>		

namely, for use by third parties to post information, create electronic product catalogs, respond to requests and place and full fill orders for products, services and business opportunities via local and global computer networks, for use in document management, for searching, browsing and receiving transmissions of text, electronic documents, graphics and audiovisual information on local remote area, global computer networks, on intranets or directories of information available on computer networks, for use in software development and web authoring, for use in exchanging information via global computer networks and online from a computer database and the internet, for business use, for financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, data mining, high-speed massive ecommerce data processing, and data customization all in the field of e-commerce; compact discs featuring music, computer programs and computer software in the financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, all in the field of e-commerce and business; digital music downloadable from the Internet; telecommunications apparatus devices, namely, VOIP phones, electronic facsimile apparatus, portable digital electronic device for sending and receiving electronic mails, and instant messaging communication tool in the nature of portable telecommunication instant messaging devices; mouse pads; mobile phone handsets; mobile phone accessories devices, namely, battery chargers, cases, covers, ear phones and devices for hands-free use of mobile phones; spectacles and sunglasses

Class 035. First use: First Use: 0 First Use In Commerce: 0

Advertising; business management; business administration; providing office functions; database management; market research and business consulting services; business consultancy services relating to facilitating the transaction of business via local and global computer networks by locating and providing referrals for the delivery of a wide variety of business and consumer products and services; providing of business information of goods and services of others via local and global computer networks; business consultancy services in the field of global computer web sites where third parties can offer and source goods and services, place, determine the status of and fulfill trade leads and orders, enter into contracts and transact business; providing computerized online ordering services featuring a wide variety of consumer, business and industrial products; advertising of goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; online trading services in the nature of online auctioneering services via the Internet and providing online business evaluation relating thereto; online retail store services featuring a wide variety of consumer goods of others; business consultancy services in the field of operating an electronic marketplace for the buyers and sellers of goods and/or services on a global computer network; business administration and management assistance for others in the field of facilitating business transaction via local and global computer networks; corporate business management consultancy services; marketing and promotion services; publication of publicity materials; real estate marketing services, namely, marketing of vacant property in the nature of condominiums, apartments, homes, commercial storefronts, office buildings, warehouses, and factories; dissemination of advertising materials, updating of advertising materials, compilation of advertisements for use as web pages on the Internet; rental of advertising space; computer data processing; providing information concerning commercial sales, providing business information, promotional information services, namely, promoting the goods of others by providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; telephone answering service; auctioneering provided on the Internet; personnel management; provision of commercial sales information, business in-

formation, advertising and commercial information through a global computer network and via the Internet; presentation of goods on communication media for retail purposes; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site specializing in the marketing of the sale of goods and services of others; retail and wholesale store services featuring telephones, mobile phone handsets, mobile phone accessories, electronic and telecommunications goods, computer hardware and computer software, batteries, battery chargers, apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images and/or sound, precious metals, jewellery, precious stones, printed matter, stationery and magnetic and non-magnetically encoded cards, furniture, picture frames, household and kitchen utensils, glassware, porcelain and earthenware, textiles, clothing, footwear, headgear, laces and embroidery, buttons, ribbons, pins and needles, artificial flowers, carpets, rugs, games and electronic toys, chemicals used in industry, science, photography and agriculture, paints, varnishes and lacquers, personal hygiene products, soaps, perfumery, cosmetics, hair and body lotions, essential oils, cleaning and bleaching preparations, lubricants, fuels, candles, pharmaceutical, veterinary and sanitary preparations, ironmongery and small items of metal hardware, machines and machine tools, cutlery, razors and hand tools, computers, calculating machines, electrical, photographic, cinematographic and optical apparatus and instruments, spectacles and sun glasses, surgical and medical apparatus and instruments, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, vehicles, firearms, fireworks, silverware, horological and chronometric instruments, musical instruments, magazine, cards, paper and cardboard products, picture, typewriters and office requisites, packaging materials, rubber and plastics for manufacture use, packing and insulating materials, leather and imitations of leather and goods made from these materials, handbags, purses, wallets, leather holders, bags, luggage, umbrellas, mirrors, ropes, string, nets, tents, yarns and threads for textile use, coat hangers, place mats, dressmaker's articles, bed and table covers, playthings and sporting articles, foodstuffs and beverages, meat, fish, poultry, preserved, dried and cooked fruits and vegetables, jams and fruit sauces, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, flour, bread and cakes, condiments, fresh fruit and vegetables, beer, mineral water, fruit juices and other nonalcoholic drinks, alcoholic beverages, floral products, tobacco, smokers' articles and matches; direct mail advertising; buying and selling agency services, namely, purchasing a wide variety of consumer, business and industrial products and services for others; selection and procurement of goods, namely, purchasing of a wide variety of consumer, business and industrial products and services for individuals; catalog and online ordering services featuring the general consumer goods of others; secretarial services; providing statistical information; organization of exhibitions for commercial or advertising purposes; business services, namely, the compilation and rental of marketing mailing lists; business investigation; business administration consultation services in the field of processing of sales made on the Internet; business networking services and personnel placement; import-export agencies; subscriptions to newspapers; document reproduction; transcription services, namely, conference call, message and stenographic transcription; rental of office equipment; customer relationship management; business management services relating to electronic commerce; tax information supply in the nature of general tax advice and planning services; and art gallery services in the nature of retail store services for works of art; promoting tourism in various cities through offering discounts at various attractions and restaurants through the Internet or through telecommunication networks

Class 036. First use: First Use: 0 First Use In Commerce: 0

Insurance agencies; financial affairs and monetary affairs, namely, financial analysis and online escrow service for exchange of goods and services; real estate

affairs, namely, assessment and management of real estate, providing information in the field of real estate via the internet; clearing and reconciling financial transactions via a global computer network, namely, providing secure commercial transactions and payment options; online banking services and online financial planning services; credit card services, namely, credit card authorization services, credit card factoring services, credit card payment processing services, credit card transaction processing services, issuing of credit cards, financial administration of credit card accounts; electronic payment services involving electronic processing and subsequent transmission of bill payment data; underwriting financial transactions, namely, providing insurance for financial transactions; electronic funds transfer services; transfer of funds by electronic means for others; financial services in the nature of credit card and debit card payment-processing services; real estate services, namely, arrangement and management of leases and tenancy; renting and leasing of real estate; real estate appraisal; real estate valuation, real estate financing, real estate investment; real estate brokerage services; real estate agency services; housing agency services; actuarial services; real estate management and consultancy services; rent collection; rental of offices; rental of apartments and flats; provision of financial information via the Internet; safety deposit box services and issuing of travel vouchers services, namely, providing vouchers for payment of transportation expenses; capital investment services; financial evaluation; financial and financial asset management services; insurance and financial information and consultancy services; financial analysis services provided by telecommunication means; financial consultancy and advisory services; home banking; banking services provided on-line from a computer database or the Internet; securities brokerage services, stock exchange quotation services; stocks and bonds brokerage, financial analysis; check verification services; banking, savings account and investment banking services; financial clearing house services; credit card verification via global computer information network; electronic credit risk management services; pre-paid purchase card services, namely, processing electronic payments made through prepaid cards and electronic bill payment services; financial services, namely, debt settlement and providing electronic processing of credit card transactions and electronic payments via a global computer network; electronic banking services via global computer network; stored value card services in the nature of issuance of stored value cards and transaction processing services; charge card services in the nature of issuance of charge cards and payment processing services; debit card services in the nature of issuance of debit cards and transaction processing services; providing finance and insurance information online from a computer database or Internet; collection agency for collection of gas and electricity fees; antique appraisal; art appraisal; jewelry appraisal; used car appraisal; charitable fund raising; rental of paper money and coin counting machines; rental of cash dispensers or automated teller machines; online payment services, namely, electronic processing of credit card transactions and electronic payments via a global computer network; authentication and verification services, namely, credit card and check verification in relation to online payment or transfer of funds; mailing list brokerage services

Class 038. First use: First Use: 0 First Use In Commerce: 0

Telecommunications access services; provision of telecommunication access to computer database and to the Internet and providing online communications links which transfer the user to other local and global web pages; telecommunications services, namely, the electronic transmission of data and documents; providing telecommunications connections to the Internet or data bases; provision of telecommunication access to the world-wide web; communication by computer terminals; communication by fiber optic networks; electronic transmission of messages and images by computer; facsimile transmission; message sending; paging services; rental of modems; transmission of data by electronic means; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; transmission and delivery of digital data, photographs, audio files, data, information and image signals by electronic

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