

Suggested Format for Notice of Opposition

(This is a suggested format for preparing a Notice of Opposition. This document is not meant to be used as a form to be filled in and returned to the Board. Rather, it is a suggested format, which shows how the Notice of Opposition should be set up. Opposers may follow this format in preparing their own Notice of Opposition but need not copy those portions of the suggested format which are not relevant.)

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

In the matter of trademark application Serial No.....
For the mark.....
Published in the Official Gazette on.....(Date).....

(Name of opposer)
v.
(Name of applicant)

NOTICE OF OPPOSITION

State opposer's name, address, and entity information as follows:⁽¹⁾

(Name of individual as opposer, and business trade name, if any;
Business address)_____

OR (Name of partnership as opposer; Names of partners;
Business address of partnership)_____

OR (Name of corporation as opposer; State or country of incorporation;
Business address of corporation)_____

The above-identified opposer believes that it/he/she will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.⁽²⁾

The grounds for opposition are as follows:

[Please set forth, in separately numbered paragraphs, the allegations of opposer's standing and grounds for opposition.]⁽³⁾

By _____(Signature)⁽⁴⁾ Date _____
(Identification of person signing)⁽⁵⁾

FOOTNOTES

- (1) If opposer is an individual, state the opposer's name, business trade name, if any, and business address. If opposer is a partnership, state the name of the partnership, the names of the partners, and the business address of the partnership. If opposer is a corporation, state the name of the corporation, the state (or country, if opposer is a foreign corporation) of incorporation, and the business address of the corporation. If opposer is an association or other similar type of juristic entity, state the information required for a corporation, changing the term "corporation" throughout to an appropriate designation.
- (2) The required fee must be submitted for each party joined as opposer for each class opposed, and if fewer than the total number of classes in the application are opposed, the classes opposed should be specified.
- (3) Set forth a short and plain statement here showing why the opposer believes it/he/she would be damaged by the registration of the opposed mark, and state the grounds for opposing. Each numbered paragraph should be limited, as far as practicable, to a statement of a single set of circumstances. See Rules 8(a) and 10(b) of the Federal Rules of Civil Procedure.
- (4) The opposition need not be verified, and may be signed by the opposer or by the opposer's attorney or other authorized representative. If an opposer signing for itself is a partnership, the signature must be made by a partner; if an opposer signing for itself is a corporation or similar juristic entity, the signature must be made by an officer of the corporation or other juristic entity who has authority to sign for the entity and whose title is given.
- (5) State the capacity in which the signing individual signs, e.g., attorney for opposer, opposer (if opposer is an individual), partner of opposer (if opposer is a partnership), officer of opposer identified by title (if opposer is a corporation), etc.

REPRESENTATION INFORMATION

If the opposer is not domiciled in the United States, and is not represented by an attorney or other authorized representative located in the United States, a domestic representative must be designated.

If the opposer wishes to furnish a power of attorney, it may do so, but an attorney at law is not required to furnish a power.