

ESTTA Tracking number: **ESTTA883478**

Filing date: **03/15/2018**

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	Space Exploration Technologies Corp.		
Entity	Corporation	Citizenship	Delaware
Address	1 Rocket Road Hawthorne, CA 90250 UNITED STATES		

Attorney information	Judd Lauter Cooley LLP 1299 Pennsylvania Ave., NW, Suite 700 Washington, DC 20001 UNITED STATES Email: jlauter@cooley.com , bhughes@cooley.com , trademarks@cooley.com Phone: 6508435960
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Applicant Information

Application No	87368820	Publication date	02/13/2018
Opposition Filing Date	03/15/2018	Opposition Period Ends	03/15/2018
Applicant	Detroit Aircraft Corporation 11499 Conner Rd Level - 2 Detroit, MI 48213 UNITED STATES		

Goods/Services Affected by Opposition

Class 012. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Unmanned, electrically-powered, vertical-takeoff-and-landing (eVTOL) aircraft that can carry modular payloads for local and regional taxi operations

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.	3066872	Application Date	09/16/2002
Registration Date	03/07/2006	Foreign Priority Date	NONE
Word Mark	SPACEX		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 012. First use: First Use: 2005/05/27 First Use In Commerce: 2005/05/27 AEROSPACE VEHICLES, NAMELY, LAUNCH VEHICLES AND ROCKETS Class 039. First use: First Use: 2003/09/25 First Use In Commerce: 2003/09/25 LAUNCH AND PLACEMENT IN SPACE OF SATELLITES [AND SPACE-CRAFT] OF OTHERS

U.S. Registration No.	4267520	Application Date	04/19/2012
Registration Date	01/01/2013	Foreign Priority Date	NONE

Word Mark	SPACEX
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 039. First use: First Use: 2004/00/00 First Use In Commerce: 2004/00/00 Launch services, namely, launching the payloads of others into space
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U.S. Application No.	87576981	Application Date	08/21/2017
Registration Date	NONE	Foreign Priority Date	02/24/2017

Word Mark	SPACEX
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Satellites for scientific and commercial purposes; equipment for receiving, processing, and transmitting voice, video, data and information via telecommunications and wireless signals, satellites, and computers, namely, receivers, receivermodules, modulators, transmitters, multiplexers, decoder boxes, data processors, integrated circuits; computer operating hardware and software for use in the aforementioned goods, satellite terminals, and satellite earth stations
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	<p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Satellite communication and transmission services; wireless broadband communication services; transmission of data, voice and video via satellite; interactive satellite communication services; delivery of messages by electronic transmission; providing telecommunications connections to the Internet; telecommunications gateway services; providing high-speed wireless internet access; providing multiple-user access to the internet, global computer networks, and electronic communications networks; providing access to global information networks; telecommunications services via satellite; providing a website featuring information in the field of satellite communications; providing a website featuring information in the field of internet access via satellite; providing access to electronic databases and online information for use in retrieving satellite data, recordings, and measurements; satellite photography services</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Research and development services in the field of satellite communications; consulting services in the field of satellite communications; engineering services in the field of satellite communications; scientific and technological services, namely, research, analysis, and monitoring of data captured via remote sensors and satellites; remote sensing services, namely, aerial surveying through the use of satellites</p>
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Attachments	<p>85602036#TMSN.png(bytes)</p> <p>87576981#TMSN.png(bytes)</p> <p>Notice of Opposition re AIRSPACEX.pdf(228321 bytes)</p>
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Signature	/Judd Lauter/
Name	Judd Lauter
Date	03/15/2018

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

In the Matter of Application Serial No. 87/368,820
For the Trademark AIRSPACEX
Published in the *Official Gazette* on November February 13, 2018

SPACE EXPLORATION TECHNOLOGIES)	
CORP.,)	
)	
Opposer,)	Opposition No.
)	
v.)	
)	
DETROIT AIRCRAFT CORPORATION,)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer Space Exploration Technologies Corp. (“SpaceX”), a Delaware corporation having its principal place of business at 1 Rocket Road, Hawthorne, California 90250, believes that it will be damaged by the registration of the mark AIRSPACEX (the “AIRSPACEX Mark”) in connection with the goods identified in Application Serial No. 87/368,820 (the “Subject Application”) filed by Applicant Detroit Aircraft Corporation (“Applicant”), a Michigan corporation with an address of record at 11499 Conner Rd., Level 2, Detroit, Michigan 48213. As grounds for its opposition, SpaceX alleges as follows.

SPACEX AND THE SPACEX MARK

1. Founded in 2002, SpaceX has revolutionized aerospace and terrestrial transportation by designing, manufacturing, and launching advanced rockets and spacecrafts, as well as developing innovative transportation solutions and communications technologies. Since that time, SpaceX has been using the trademark SPACEX (the “SPACEX Mark”) in connection with its offerings.

2. In addition to owning common law rights in the SPACEX Mark, SpaceX owns the following U.S. trademark filings for the mark:

- SPACEX (Reg. No. 3,066,872), registered on March 7, 2006, and covering “launch and placement in space of satellites of others” in International Class 39;
- SPACEX (Reg. No. 4,267,520), registered on January 1, 2013, and covering “Launch services, namely, launching the payloads of others into space” in International Class 39; and
- SPACEX (Serial No. 87/576,981), filed on August 21, 2017, with a priority date of February 24, 2017, for “Satellites for scientific and commercial purposes; equipment for receiving, processing, and transmitting voice, video, data and information via telecommunications and wireless signals, satellites, and computers, namely, receivers, receiver modules, modulators, transmitters, multiplexers, decoder boxes, data processors, integrated circuits; computer operating hardware and software for use in the aforementioned goods, satellite terminals, and satellite earth stations” in International Class 9, “Satellite communication and transmission services; wireless broadband communication services; transmission of data, voice and video via satellite; interactive satellite communication services; delivery of messages by electronic transmission; providing telecommunications connections to the Internet; telecommunications gateway services; providing high-speed wireless internet access; providing multiple-user access to the internet, global computer networks, and electronic communications networks; providing access to global information networks; telecommunications services via satellite; providing a website featuring information in the field of satellite communications; providing a website featuring information in the field of internet access via satellite; providing access to electronic databases and online information for use in retrieving satellite data, recordings, and measurements; satellite photography services” in International Class 38, and “Research and development services in the field of satellite communications; consulting services in the field of satellite communications; engineering services in the field of satellite communications; scientific and technological services, namely, research, analysis, and monitoring of data captured via remote sensors and satellites; remote sensing services, namely, aerial surveying through the use of satellites” in International Class 42.

3. SpaceX has expended considerable effort and expense in promoting the SPACEX Mark and the services offered in connection with the mark, both in the United States and internationally. The SPACEX Mark has thus come to embody the substantial and valuable reputation and goodwill that SpaceX has earned in the marketplace for its innovative offerings.

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