

ESTTA Tracking number: **ESTTA990115**

Filing date: **07/24/2019**

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.
Granted to Date of previous extension	07/24/2019
Address	1 ROCKET ROAD HAWTHORNE, CA 90250 UNITED STATES

Attorney information	BRENDAN J. HUGHES COOLEY LLP 1299 PENNSYLVANIA AVE., NW, SUITE 700 WASHINGTON, DC 20004 UNITED STATES jlauter@cooley.com, bhughes@cooley.com, trademarks@cooley.com no phone number provided
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Applicant Information

Application No	87940172	Publication date	03/26/2019
Opposition Filing Date	07/24/2019	Opposition Period Ends	07/24/2019
Applicant	Mathieu, William 16184 Pole Pine Point Colorado Springs, CO 80908 UNITED STATES		

Goods/Services Affected by Opposition


Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Management services for Project (Gov Classified Program) management and peoplemanagement of work relating to DOD government service contracts
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Application service provider, namely, hosting, managing, developing, and maintaining applications, software, and web sites, in the fields of personal productivity, wireless communication, mobile information access, and remote data management for wireless delivery of content to handheld computers, laptops and mobile electronic devices

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

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 Mark	NONE		
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		
Design Mark			
Description of Mark	NONE		
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		

U.S. Application No.	87576981	Application Date	08/21/2017
Registration Date	NONE	Foreign Priority Date	02/24/2017
Word Mark	SPACEX		

Design Mark	<h1>SPACEX</h1>
Description of Mark	NONE
Goods/Services	<p>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, satellite receivers, satellite receiver modules, transmitters of electronic signals, multiplexers, decoding boxes, data processors, integrated circuits; computer operating hardware and software for use in the aforementioned goods, satellite terminals, and satellite earth stations</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 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 computer information networks; telecommunications services, namely, transmission of voice, data, graphics, images, audio and video by means of telecommunications networks, wireless communication networks, and the Internet; providing a website featuring information in the field of satellite telecommunications services; providing a website featuring information in the field of providing internet access via satellite; providing access to electronic databases; consulting services in the field of satellite telecommunications</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Research and development of technology in the field of satellite communications; engineering services in the field of satellite communications; scientific research; scientific and technological services, namely, scientific research and analysis of data in the fields of meteorology, climatology, geography, topography, and oceanography; electronic monitoring of environmental and atmospheric conditions using satellites and sensors; remotesensing services, namely, aerial surveying through the use of satellites; searching and retrieving information, sites, and other resources available on computer networks for others in relation to satellite data, recordings, and measurements</p>

Attachments	85602036#TMSN.png(bytes) 87576981#TMSN.png(bytes) SpaceX -- Notice of Opposition re SPACEFX.pdf(232774 bytes)
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Signature	/Judd D. Lauter/
Name	Judd D. Lauter
Date	07/24/2019

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

In the Matter of Application Serial No. 87/940,172
For the Trademark SPACEFX
Published in the *Official Gazette* on March 26, 2019

SPACE EXPLORATION TECHNOLOGIES)	
CORP.,)	
)	
Opposer,)	Opposition No.
)	
v.)	
)	
WILLIAM MATHIEU,)	
)	
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 SPACEFX (the “SPACEFX Mark”) in connection with the goods identified in Application Serial No. 87/940,172 (the “Subject Application”) filed by Applicant William Mathieu (“Applicant”), an individual with an address of record located at 16184 Pole Pine Point, Colorado Springs, Colorado 80908. 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.

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