

ESTTA Tracking number: **ESTTA1240552**

Filing date: **10/08/2022**

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	10/08/2022
Address	1 ROCKET ROAD HAWTHORNE, CA 90250 UNITED STATES
Attorney information	ANDREA PORTERFIELD POLSINELLI PC 900 W. 48TH PLACE SUITE 900 KANSAS CITY, MO 64112 UNITED STATES Primary email: spacextrademarks@polsinelli.com Secondary email(s): uspt@polsinelli.com, docketing@polsinelli.com 816.360.4119
Docket no.	115560715246

Applicant information

Application no.	90513062	Publication date	08/09/2022
Opposition filing date	10/08/2022	Opposition period ends	10/08/2022
Applicant	GURSATYA WHOLESALE LLC 3600 INDUSRTY DR E STE # D FIFE, WA 98424 UNITED STATES		

Goods/services affected by opposition

Class 034. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Electric oral vaporizers for smoking purposes; smokeless cigarette vaporizer pipe; glass smoking pipes; electronic cigarettes; electronic cigarette liquid (e-liquid) comprised of flavorings in liquidform, other than essential oils, used to refill electronic cigarette cartridges; vaporizer glassware, namely, smokelesstobacco vaporizer pipe; Glass smoking pipes and oral vaporizers used for smoking purposes; Tobacco grinders
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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)

Marks cited by opposer as basis for opposition

U.S. registration no.	4267520	Application date	04/19/2012
Register	Principal		
Registration date	01/01/2013	Foreign priority date	NONE
Word mark	SPACE X		
Design mark			
Description of mark	NONE		
Goods/services	Class 039. First use: First Use: 2004 First Use In Commerce: 2004 Launch services, namely, launching the payloads of others into space		

U.S. registration no.	3066872	Application date	09/16/2002
Register	Principal		
Registration date	03/07/2006	Foreign priority date	NONE
Word mark	SPACE X		
Design mark			
Description of mark	NONE		
Goods/services	Class 012. First use: First Use: May 27, 2005 First Use In Commerce: May 27, 2005 AEROSPACE VEHICLES, NAMELY, LAUNCH VEHICLES AND ROCKETS Class 039. First use: First Use: Sep 25, 2003 First Use In Commerce: Sep 25, 2003 LAUNCH AND PLACEMENT IN SPACE OF SATELLITES [AND SPACE-CRAFT] OF OTHERS		

U.S. registration no.	6456085	Application date	08/21/2017
Register	Principal		
Registration date	08/17/2021	Foreign priority date	02/24/2017
Word mark	SPACE X		

Design mark	<h1>SPACEX</h1>
Description of mark	NONE
Goods/services	<p>Class 009. First use: First Use: Oct 26, 2020 First Use In Commerce: Oct 26, 2020</p> <p>Equipment for receiving, processing, and transmitting voice, video, data and information via telecommunications and wireless signals, satellites, and computers, namely, satellite receivers, satellitereceiver 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: Oct 26, 2020 First Use In Commerce: Oct 26, 2020</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 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</p>

Attachments	<p>85602036#TMSN.png(bytes)</p> <p>87983787#TMSN.png(bytes)</p> <p>Notice of Opposition as filed 2022-10-08 SPACE X 90513062.pdf(149960 bytes)</p> <p>SPACEX Registrations.pdf(220373 bytes)</p>
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Signature	/ANDREA PORTERFIELD/
Name	ANDREA PORTERFIELD
Date	10/08/2022

3. Opposer's SPACEX mark has been covered extensively by prominent publications such as The New York Times, The Washington Post, The Chicago Tribune, The Los Angeles Times, USA Today, Fortune, and TIME. Opposer's SPACEX mark has also received significant coverage in online media as well as on television and radio.

4. Opposer owns the following United States Trademark Registrations for its SPACEX mark, among others:

Mark	Reg. No.	Status/Status Date	Goods/Services
SPACEX	4267520	Registered, March 14, 2018 Office Status: Section 8 & 15-Accepted and Acknowledged	(Int'l Class: 39) Launch services, namely, launching the payloads of others into space
SPACEX	3066872	Renewed, March 8, 2016 Office Status: Registered and Renewed	(Int'l Class: 12) aerospace vehicles, namely, launch vehicles and rockets (Int'l Class: 39) launch and placement in space of satellites [and spacecraft] of others
SPACEX	6456085	Registered, August 17, 2021	(Int'l Class: 09) 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 (Int'l Class: 38) Satellite communication and transmission services; wireless broadband communication services; transmission of data, voice and video via satellite; interactive satellite

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