

ESTTA Tracking number: **ESTTA1396818**
Filing date: **11/19/2024**

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	TEKEVER HOLDINGS, S.A.
Granted to date of previous extension	12/04/2024
Address	RUA DAS MINAS, 2, ZONA INDUSTRIAL ESTRADA DA FOZ DO ARELHO CALDAS DA RAINHA, 2500-750 PORTUGAL

Attorney information	BEN NATTER HAUG PARTNERS LLP 745 FIFTH AVENUE NEW YORK, NY 10151 UNITED STATES Primary email: bnatter@haugpartners.com Secondary email(s): mbarer@haugpartners.com, docket@haugpartners.com, ttab@haugpartners.com No phone number provided
Docket no.	A1083-7

Applicant information

Application no.	97253347	Publication date	08/06/2024
Opposition filing date	11/19/2024	Opposition period ends	12/04/2024
Applicant	TEKEVER, Inc. 8 THE GREEN, SUITE D DOVER, DE 19901 UNITED STATES		

Goods/services affected by opposition


Class 012. First Use: Jan 4, 2001 First Use In Commerce: Jan 4, 2001
All goods and services in the class are opposed, namely: Unmanned aerial vehicles (UAVs)

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
No use of mark in commerce before application, amendment to allege use, or statement of use was due	Trademark Act Section 1(a) and (c)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b), 44(e) or 66(a)
Applicant not rightful owner of mark for identified	Trademark Act Section 1


goods or services	
Fraud on the USPTO	In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Applicant has/will use its mark so as to misrepresent the source of its goods

Marks cited by opposer as basis for opposition

U.S. application no.	97686950	Application date	11/21/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	TEKEVER		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 007. First use: First Use: None First Use In Commerce: None Motors for aeronautical purposes; Marine engines</p> <p>Class 009. First use: First Use: None First Use In Commerce: None Navigational devices, Navigation systems, guidance devices, Guidance systems, Monitoring devices, Surveillance systems, Tracking devices, Tracking systems, Marking devices, Marking systems, Mapping devices and Mapping systems, for use with terrestrial vehicles, watercraft, Space vehicles and Unmanned aerial vehicles, namely, drones; Wireless communication systems, namely, wireless communication devices for voice, data, or image transmission for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Sensors based on radio frequency, namely, sensors for determining position, velocity, and acceleration for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Autonomous control systems using artificial intelligence platforms, namely, electronic control systems for machines for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Downloadable and recorded computer programs for use in the autonomous navigation of vehicles; Autonomous driving control systems for vehicles, namely, navigational systems for autonomous vehicles; Downloadable and recorded software for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Computer hardware; Downloadable and recorded computer firmware for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Downloadable software applications for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Autonomous air, land, water and space systems, namely, electronic control systems for machines; Downloadable and recorded software for use in the autonomous navigation of vehicles; Vehicles control apparatus, namely, navigational systems for use with autonomous vehicles; navigation devices for use in vehicles; wireless communication apparatus, namely, devices for voice, data or image transmission; Aeronautical communications apparatus, namely, devices for voice, data or image transmission; Sensors, detectors and monitoring instruments, namely devices for determining position, velocity, and acceleration; Sensors based on radio frequency, namely, devices for determining position, velocity, and acceleration</p> <p>Class 012. First use: First Use: None First Use In Commerce: None Aeronautical apparatus, machines, and appliances, namely, structural parts for air vehicles; Aircraft; Land Vehicles; Air vehicles; Space vehicles; Marine</p>		

	<p>vehicles; Amphibious vehicles; Autonomous vehicles, namely, pilotless aircraft; Self-driving transport vehicles; drones and other unmanned air vehicles; Civilian drones; Military drones; Camera drones; Delivery drones; Rescue drones; Vehicles adapted for military purposes, namely, aircraft, land vehicles, air vehicles, space vehicles, and marine vehicles; Unmanned aerial vehicles (UAVs)</p> <p>Class 035. First use: First Use: None First Use In Commerce: None Retail store services featuring autonomous driving control systems, for use in air vehicles, land vehicles, vehicles for water and space vehicles; Retail store services featuring wireless communication systems; Retail store services featuring sensors based on radio frequency</p> <p>Class 037. First use: First Use: None First Use In Commerce: None Maintenance and repair of air vehicles, spacecraft, marine vehicles, drones, civilian drones, military drones, camera drones, delivery drones, rescue drones and pilotless aircraft; Maintenance and repair of autonomous air, land, water, and space systems</p> <p>Class 038. First use: First Use: None First Use In Commerce: None Wireless communications services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information service networks and data networks; Wireless broadcasting; Aeronautical telecommunication services; Wireless communication services for the operation of autonomous driving control systems for use with in relation to the following goods unmanned air vehicles, land vehicles, water vehicles and space vehicles</p> <p>Class 039. First use: First Use: None First Use In Commerce: None Arranging transportation of passengers and goods for others by land, sea, and air; Air transport; Consultancy in the field of air transports; Rental services featuring pilotless aircraft; Pilotless aircraft handling, namely, moving and storage of aircraft</p> <p>Class 042. First use: First Use: None First Use In Commerce: None Research development and design of autonomous computerized driving control systems for use in flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft; Development and design of wireless communication computer systems and sensors based on radio frequency; Development of artificial intelligence software for use in flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft; Design services for flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft and scientific and technological surveying; Technological consulting services for digital transformation; Technical research in the field of aeronautics; Design and development of engineering products; Technical project planning in the field of engineering; Development of aircraft; Aircraft design; Technical consultation in the field of aerospace engineering; Professional technological consultancy relating to marine technology; Technical consultancy services relating to marine engineering; Software development, programming and implementation; Computer programming; Computer hardware and software development services; Development services of downloadable application software; Cartography services; Development services for software for autonomous navigation of vehicles; Development services for autonomous driving control systems for vehicles; Development services for vehicle control apparatus; Development services for navigation devices for use in vehicles; Development services for wireless communication apparatus; Development services for aeronautical communications apparatus; Development services for aeronautical communications apparatus; Development services for sensors, detectors and monitoring instruments; Development services for sensors based on radio frequency</p>
--	---

U.S. application no.	97686955	Application date	11/21/2022
----------------------	----------	------------------	------------

Registration date	NONE	Foreign priority date	NONE
Word mark	TEKEVER		
Design mark			
Description of mark	The mark consists of the stylized red word "TEKEVER".		
Goods/services	<p>Class 007. First use: First Use: None First Use In Commerce: None Motors for aeronautical purposes; Marine engines</p> <p>Class 009. First use: First Use: None First Use In Commerce: None Navigational devices, Navigation systems, guidance devices, Guidance systems, Monitoring devices, Surveillance systems, Tracking devices, Tracking systems, Marking devices, Marking systems, Mapping devices and Mapping systems, for use with terrestrial vehicles, watercraft, Space vehicles and Unmanned aerial vehicles, namely, drones; Wireless communication systems, namely, wireless communication devices for voice, data, or image transmission for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Sensors based on radio frequency, namely, sensors for determining position, velocity, and acceleration for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Autonomous control systems using artificial intelligence platforms, namely, electronic control systems for machines for use with terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Downloadable and recorded computer programs for use in the autonomous navigation of vehicles; Autonomous driving control systems for vehicles, namely, navigational systems for autonomous vehicles; Downloadable and recorded software for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Computer hardware; Downloadable and recorded computer firmware for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Downloadable software applications for the navigation, control, and monitoring of terrestrial vehicles, watercraft, space vehicles and unmanned aerial vehicles; Autonomous air, land, water and space systems, namely, electronic control systems for machines; Downloadable and recorded software for use in the autonomous navigation of vehicles; Vehicles control apparatus, namely, navigational systems for use with autonomous vehicles; navigation devices for use in vehicles; wireless communication apparatus, namely, devices for voice, data or image transmission; Aeronautical communications apparatus, namely, devices for voice, data or image transmission; Sensors, detectors and monitoring instruments, namely devices for determining position, velocity, and acceleration; Sensors based on radio frequency, namely, devices for determining position, velocity, and acceleration</p> <p>Class 012. First use: First Use: None First Use In Commerce: None Aeronautical apparatus, machines, and appliances, namely, structural parts for air vehicles; Aircraft; Land Vehicles; Air vehicles; Space vehicles; Marine vehicles; Amphibious vehicles; Autonomous vehicles, namely, pilotless aircraft; Self-driving transport vehicles; drones and other unmanned air vehicles; Civilian drones; Military drones; Camera drones; Delivery drones; Rescue drones; Vehicles adapted for military purposes, namely, aircraft, land vehicles, air vehicles, space vehicles, and marine vehicles; Unmanned aerial vehicles (UAVs)</p> <p>Class 035. First use: First Use: None First Use In Commerce: None Retail store services featuring autonomous driving control systems, for use in air vehicles, land vehicles, vehicles for water and space vehicles; Retail store services featuring wireless communication systems; Retail store services featuring</p>		

sensors based on radio frequency

Class 037. First use: First Use: None First Use In Commerce: None
Maintenance and repair of air vehicles, spacecraft, marine vehicles, drones, civilian drones, military drones, camera drones, delivery drones, rescue drones and pilotless aircraft; Maintenance and repair of autonomous air, land, water, and space systems

Class 038. First use: First Use: None First Use In Commerce: None
Wireless communications services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information service networks and data networks; Wireless broadcasting; Aeronautical telecommunication services; Wireless communication services for the operation of autonomous driving control systems for use with in relation to the following goods unmanned air vehicles, land vehicles, water vehicles and space vehicles

Class 039. First use: First Use: None First Use In Commerce: None
Arranging transportation of passengers and goods for others by land, sea, and air; Air transport; Consultancy in the field of air transports; Rental services featuring pilotless aircraft; Pilotless aircraft handling, namely, moving and storage of aircraft

Class 042. First use: First Use: None First Use In Commerce: None
Research development and design of autonomous computerized driving control systems for use in flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft; Development and design of wireless communication computer systems and sensors based on radio frequency; Development of artificial intelligence software for use in flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft; Design services for flying apparatus, land automotive vehicles, water transportation vehicles and spacecraft and scientific and technological surveying; Technological consulting services for digital transformation; Technical research in the field of aeronautics; Design and development of engineering products; Technical project planning in the field of engineering; Development of aircraft; Aircraft design; Technical consultation in the field of aerospace engineering; Professional technological consultancy relating to marine technology; Technical consultancy services relating to marine engineering; Software development, programming and implementation; Computer programming; Computer hardware and software development services; Development services of downloadable application software; Cartography services; Development services for software for autonomous navigation of vehicles; Development services for autonomous driving control systems for vehicles; Development services for vehicle control apparatus; Development services for navigation devices for use in vehicles; Development services for wireless communication apparatus; Development services for aeronautical communications apparatus; Development services for sensors, detectors and monitoring instruments; Development services for sensors based on radio frequency

U.S. application no.	97686954	Application date	11/21/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	TEKEVER.COM		
Design mark	TEKEVER.COM		
Description of mark	NONE		

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.