



11-16-2001

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #11

**Exhibit** TTAB

Trademark

Reference No.: 00351000451

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

|                      |   |                        |
|----------------------|---|------------------------|
| SKF USA INC.         | ) |                        |
|                      | ) |                        |
| Opposer,             | ) |                        |
|                      | ) | Opposition No.         |
| v.                   | ) |                        |
|                      | ) | Appln. S.N. 75/375,460 |
| RAISIO CHEMICALS OY, | ) |                        |
|                      | ) |                        |
| Applicant.           | ) |                        |

**CERTIFICATE OF MAILING**

I hereby certify that this Notice of Opposition is being deposited with the United States Postal Service by First Class Mail, postage pre-paid, on this date November 12, 2001, in an envelope addressed to:

Box TTAB FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Box TTAB FEE  
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2900 Crystal Drive  
Arlington, VA 22202-3513

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*Michael J. Turgeon*  
Michael J. Turgeon

*November 12, 2001*  
Date

**NOTICE OF OPPOSITION**

In the matter of an application for registration of the expression "CRFILTER" for membrane filters for industrial installations, Serial No. 75/375,460, filed October 17, 1997 by RAISIO CHEMICALS OY, of Raisio, Finland, which was published on page TM 241 of Volume 1248, Number 3 of the Official Gazette on July 17, 2001.

SKF USA INC., a corporation organized and existing under the laws of the State of Delaware, through its divisions Chicago Rawhide, CR INDUSTRIES and CR SERVICES (referred to collectively hereafter as "CR") having a place of business at 900 North State Street, Elgin, Illinois 60123, believes it would be

damaged by the registration of said alleged mark, and hereby opposes the same.

**THE GROUNDS OF OPPOSITION ARE AS FOLLOWS:**

1. Opposer is the owner of the following trademark registrations which are now in full force and effect and have each become incontestable pursuant to the provisions of 15 U.S.C. § 1065:

Registration No. 971,339, registration October 23, 1973 for use in connection with fluid seals;

Registration No. 971,340, registered October 23, 1973, for use in connection with fluid seals;

Registration No. 1,035,783, registered March 16, 1976, for use in connection with seals for oil, grease and other fluid;

Registration No. 1,038,195, registered April 20, 1976, for use in connection with seals for oil, grease, and other fluids;

Registration No. 1,227,323, registered February 15, 1983, for use in connection with filters, intercoolers and aftercoolers for vehicle air brakes.

Registration No. 1,420,050, registered December 9, 1986, for use in connection with oil seals for vehicles.

2. CR is the world's leading manufacturer of oil seals, and is a major supplier to both the OE and OEM automotive market and the automotive aftermarket as well.

3. CR also manufactures and supplies its products to other industries, including but not limited to agricultural and construction machinery industries, the aerospace industry, and the industrial market in general.

4. CR's seals and other products of CR are intended to entrap and/or exclude contaminants from a sealed environment, and retain fluids, including water, oil, grease and other liquids in a pure and contaminant-free condition.

5. CR not only manufactures seals, but also manufactures and/or distributes related products such as bearings, wear sleeves, and a large variety of parts including automotive drive train and suspension parts.

6. In addition, CR has over the years sold a variety of filter products, said products being identified by CR's trademarks, displayed in various forms, including the forms shown in the registrations set forth in paragraph 1.

7. For more than 100 years, CR has built up and is now maintaining substantial and valuable business throughout the United States in the sale of high quality products to American industry. These products include the seals and filters identified by CR's trademark, displayed in various forms, including the forms shown in the registrations set forth in paragraph 1.

8. CR's trademarks are prominently displayed on CR's goods by printing the marks on packages containing said goods or by affixing to said packages a printed label on which the trademark is shown. CR's trademarks have been brought to the attention of the purchasing public so prominently

and repeatedly as to become well and favorably known as identifying marks of CR's goods.

9. The Opposer has been known as "CR" to its customers and to the public generally for a very long period of time. Because the expression "CHICAGO RAWHIDE" or "RAWHIDE" is not entirely appropriate to the activities of the Opposer, the company itself has been known to customers and others in a convenient shorthand form as "CR" for decades. The company identifies itself and its products as CR, particularly in publishing catalogues circulated throughout the world and prominently featuring the initials "CR".

10. In all the foregoing designs and logos, the CR theme has been prominently stressed and extensive good will has been developed in the CR name and in the various logotypes which commonly comprise the initials "CR".

11. Applicant's expression "CRFILTER" is essentially identical to CR's trademark "CR" which Opposer is and has been using on its products and in conjunction with its goods and corporate identity as set forth in paragraphs 2-10. The common use and registration of such identical marks on similar goods will unquestionably be likely to cause confusion, mistake or deception in the minds of the public.

12. Applicant's products, as set forth in said application, are membrane filters for industrial installations which are sold to the same class of purchasers as those who purchase goods and services offered and sold by Opposer. Registration by Applicant of the expression "CRFILTER" for the products set forth in said application will lead to confusion by the public as

between Applicant's and Opposer's respective products, or the sources thereof, and the public, which is familiar with Opposer's products identified by its "CR" trademark are likely to be confused as to the origin of Applicant's products.

13. Applicant is further not entitled to register the expression "CRFILTER" for use on its products as set out in said application because said mark also incorporates an abbreviated form of the dominant portion of the corporate name of Opposer and its divisions, CR Industries and CR Services and because it is the same as the trademark "CR" used by Opposer on related goods referred to herein.

14. Applicant is further not entitled to register the expression "CRFILTER" for the products set out in said application, because the expression, if registered by Applicant, would presumptively confer upon the Applicant prime exclusive ownership and rights to the same mark for the same products in the same class in which Opposer has long since been engaged.

15. Still further, Applicant's expression constitutes merely a common descriptive name of the articles identified by the mark, namely, membrane filters, to which is added the Opposer's trademark "CR", in which Opposer has extensive, exclusive rights.

16. A copy of each of the registrations set forth in paragraph 1 are attached hereto and identified as Opposer's Exhibits 1, 2, 3, 4, 5 and 6, respectively .

17. Pursuant to Section 31 of the Trademark Act, 15 U.S.C. § 1113, Opposer attaches hereto a check in the amount of \$300.00 to cover the cost of filing this opposition.

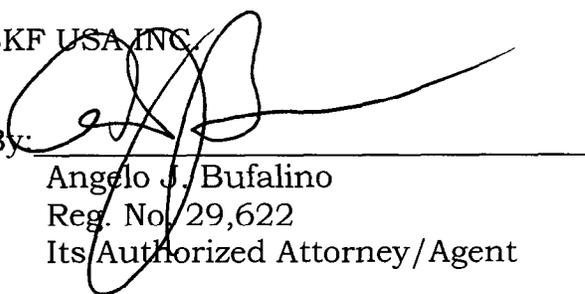
WHEREFORE, Opposer believes that it will be damaged in the manner set forth above, and otherwise, if the Applicant, RAISIO CHEMICALS OY, is allowed to register its alleged mark "CRFILTER" for membrane filters for industrial installations, and respectfully requests that registration of the above-identified expression of Applicant be denied.

All correspondence in connection with this matter should be directed to:

Angelo J. Bufalino, Esq.  
Vedder, Price, Kaufman &  
Kammholz  
222 North LaSalle Street  
Suite 2600  
Chicago, Illinois 60601-1003

Date: November 12, 2001

SKF USA INC.

By: 

Angelo J. Bufalino  
Reg. No. 29,622  
Its Authorized Attorney/Agent

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