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

IN THE MATTER OF APPLICATION SERIAL NO. 76/042020
Published for Opposition in the Official Gazette of June 18, 2002

HEXCEL CORPORATION,)	OPPOSITION NO.
)	
Opposer,)	
)	
vs.)	
)	
JEAN-MARIE LIEGEOIS.)	
)	
Applicant.)	



11-18-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

Hexcel Corporation, a Delaware corporation, located at Two Stamford Plaza, 281 Tressor Blvd., 16th Floor, Stamford, Connecticut, believes that it will be damaged by registration of the mark HEXCELITE, which is the subject of the above Application Serial No. 76/042020 in International Class 10 and hereby opposes such registration. The time for filing a Notice of Opposition was extended to November 16, 2002.

As grounds for opposition, it is alleged that:

1. Hexcel is a manufacturer of composite materials. Among the products that Hexcel has and/or does sell adhesives, and orthopedic casting materials including tape.
2. Hexcel, through its predecessors in interest, has been using the name and mark HEXCEL in connection with its business since at least as early as 1949.
3. Hexcel is the owner of the following incontestable US registrations for the mark HEXCEL: Reg. No. 556,247 covering panels composed of low density cellular

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- core material having structural strength for general construction and fabrication, said panels made of resin impregnated glass cloth, textile fabric paper and/or metal foil issue, which issued on March 18, 1952; Reg. No. 920,514 covering honeycomb-type cellular core material for structural and decorative uses in the construction arts, which issued on September 21, 1971; and Reg. No. 1,373,213 covering caulking joint sealing and encapsulating compounds, chemical products for use by industry, namely, resins, plastics in the form of powders, liquids and pastes, adhesives, and chemicals for use in manufacture of industrial cleaners and pharmaceutical and cosmetic products, which issued on December 3, 1985.
4. Hexcel has used and continues to use HEX formative marks in connection with its goods.
 5. Hexcel and/or its predecessors-in-interest is the owner of record of the following applications and registrations for HEX formative marks: Reg. No. 1,304,879 for the mark HEXCELITE; Reg. No. 1,052,742 for the mark HEXCELITE; Reg. No. 1,056,550 for the mark HEX-SOLAR-ATOR; Reg. No. 1,396,679 for the mark HEXGARD; Reg. No. 1,578,89 for the mark HEXFORM; Reg. No. 2,571,894 for the mark HEXWEB; App. No. 75/559,710 for the mark HEXAMP; App. No. 75/883,901 for the mark HEXFLOW; App. No. 76/351,660 for the mark HEXCOAT; App. No. 76/179,493 for the mark HEXFIT; and App. No. 76/117,925 for the mark HEX-3R.
 6. Mr. Liegeois filed the now opposed application, Ser. No. 76/042020 for the mark HEXCELITE for orthopedic casting, splinting and supporting materials on May 5,

2002. This application was based on an intent to use the mark HEXCELITE in commerce.
7. Mr. Liegeois, as President of Runtech S.A. licensed use of the marks HEXCELITE and HEXCELPLAST from Hexcel in 1987, for use in connection with orthopedic warm water casting.
8. The term of the agreement was five years. At the termination of the agreement, Runtech. S.A. agreed it would have no further right to use the trademarks HEXCELITE and HEXCELPLAST; and Runtech agreed not to use said trademarks, unless otherwise agreed in writing by Hexcel.
9. During the term of the license, Runtech's business was transferred to Runlite, S.A. The rights and obligations of the agreement were also transferred to Runlite. Mr. Liegeois was President of Runlite S.A.
10. Hexcel has not authorized Runtech, Runlite, or Mr. Liegeois to use the mark HEXCELITE.
11. Hexcel has not granted Liegeois any rights in the mark HEXCELITE.
12. Pursuant to his agreement with Hexcel, Mr. Liegeois cannot use the mark HEXCELITE. Therefore, Mr. Liegeois has no basis for filing or registering the mark HEXCELITE in the United States.
13. The mark HEXCELITE contains Hexcel's entire mark, with the suffix "ite."
14. The mark HEXCELITE is similar in sound and appearance to HEXCEL.

Opposition to App. No. 76/042020

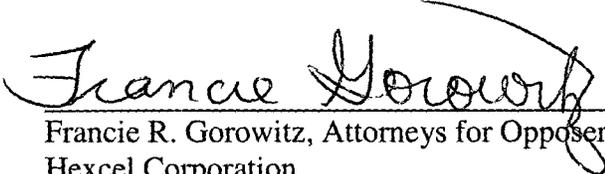
15. Mr. Liegeois' use and registration of the mark HEXCELITE, in connection with orthopedic casting, splinting and supporting materials is likely to cause confusion, mistake or deception and is also likely to create the erroneous impression that Hexcel and Liegeois are somehow related or associated, or that Hexcel sponsors or approves Mr. Liegeois' goods.

WHEREFORE, Hexcel requests that registration of the mark HEXCELITE be denied and that this Opposition be sustained.

Please charge any additional fees or credit overpayment to Deposit Account No. 500639.

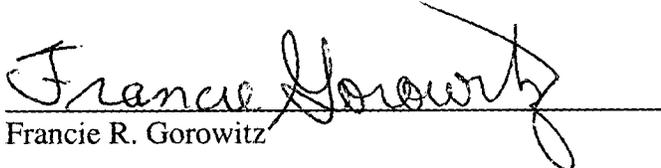
Dated: November 15, 2002

Respectfully submitted,


Francie R. Gorowitz, Attorneys for Opposer
Hexcel Corporation

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on November 15, 2002


Francie R. Gorowitz

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