

and/or distribution of audio and video equipment and accessories therefore, including CD players and recorders. Since at least as early as February, 2000, Opposer has also produced and distributed CDs containing audio and video information about its products as well as pre-recorded music for demonstration of its products. The SUPERSCOPE mark is displayed prominently on the CDs. Photocopies of representative CDs are attached hereto as Exhibit 1.

5. On or about October 12, 1993, a long time prior to the filing date of the Opposed Application, or any earlier dates of actual use of the mark shown in the Opposed Application upon which Applicant can rely, Opposer was incorporated and since that time has continuously operated and conducted business under the trade name Superscope Technologies, Inc.

6. Since a time long prior to the filing date of the Opposed Application, or any earlier dates of actual use of the mark shown in the Opposed Application upon which Applicant can rely, Opposer has continuously done business under and used SUPERSCOPE, as part of its trade name for its business.

7. Opposer is the owner by assignment of United States Trademark Registration No. 748,808 for the mark SUPERSCOPE for "magnetic tape recorders, reproducers, and parts therefore." This registration is valid and subsisting and belongs to Opposer. This registration has become incontestable. Attached hereto as Exhibit 2 are copies of pages downloaded from the Trademark.com website showing the history of this registration and that Opposer is the owner by assignment of this registration.

8. Opposer is the owner by assignment of United States Trademark Registration No. 1,172,114 for the mark SUPERSCOPE for "radio tuners, amplifiers, reamplifiers, receivers, loud speakers and headphones." This registration is valid and subsisting and belongs to Opposer. Attached hereto as Exhibit 3 are copies of pages downloaded from the Trademark.com website

showing the history of this registration and that Opposer is the owner by assignment of this registration.

9. Opposer owns United States Trademark Registration No. 2,674,939 for the mark SUPERSCOPE for "CD players; CD recorders and players; cassette recorders and players; audio mixers; microphones; remote controls for audio equipment; audio and video processors; and digital audio recorders and players." This registration is valid and subsisting and belongs to Opposer. Attached hereto as Exhibit 4 is a copy of the Certificate of Registration.

10. Through the long, continuous and extensive use of the SUPERSCOPE marks and trade name on and in connection with Opposer's goods and business, the marks and trade name have become well-known by the consuming public in the United States. Opposer has developed an exceedingly valuable goodwill with respect to its SUPERSCOPE marks and trade name, and has come to be recognized by consumers, the trade and the public at large as identifying and distinguishing Opposer as the source and origin of goods sold under those marks and name.

FIRST CLAIM FOR RELIEF
(Likelihood of Confusion with Opposer's Registered Marks)

11. Opposer repeats and realleges the allegations contained in preceding paragraphs 1-10, inclusive, as if fully set forth herein.

12. The mark shown in the Opposed Application so resembles Opposer's SUPERSCOPE marks as to be likely, when used on or in connection with the goods identified in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under § 2(d) of the United States Trademark Act, 15 U.S.C. § 1052(d), as amended.

13. Opposer will be damaged by registration of the mark shown in the Opposed Application because registration of the mark would give Applicant prima facie evidence of its

ownership of, and exclusive right to use in commerce, a mark that is confusingly similar to Opposer's marks.

SECOND CLAIM FOR RELIEF
(Likelihood of Confusion with Previously-Used Trademarks and Trade Name)

14. Opposer repeats and realleges the allegations contained in preceding paragraphs 1-10, inclusive, as if fully set forth herein.

15. The mark shown in the Opposed application so resembles Opposer's trademarks, as well as its trade name which incorporates SUPERSCOPE, as to be likely, when used on or in connection with the goods identified in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under § 2(d) of the United States Trademark Act, 15 U.S.C. § 1052(d), as amended.

16. Opposer will be damaged by registration of the mark shown in the Opposed Application because registration of the mark would give Applicant prima facie evidence of its ownership of, and exclusive right to use in commerce, a mark that is confusingly similar to Opposer's marks.

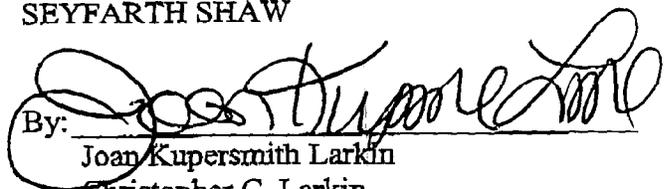
WHEREFORE, Opposer prays for the entry of judgment sustaining this opposition and refusing registration to Applicant of the mark shown in the Opposed Application.

A duplicate copy of this Notice of Opposition, with exhibits, and the filing fee of \$300 are enclosed. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2291 and direct all correspondence in connection with this opposition to the undersigned.

Respectfully submitted,

SEYFARTH SHAW

Dated: March 13, 2003

By: 
Joan Kupersmith Larkin
Christopher C. Larkin
Attorneys for Opposer
SUPERSCOPE TECHNOLOGIES, INC.

One Century Plaza
2029 Century Park East
Suite 3300
Los Angeles, California 90067







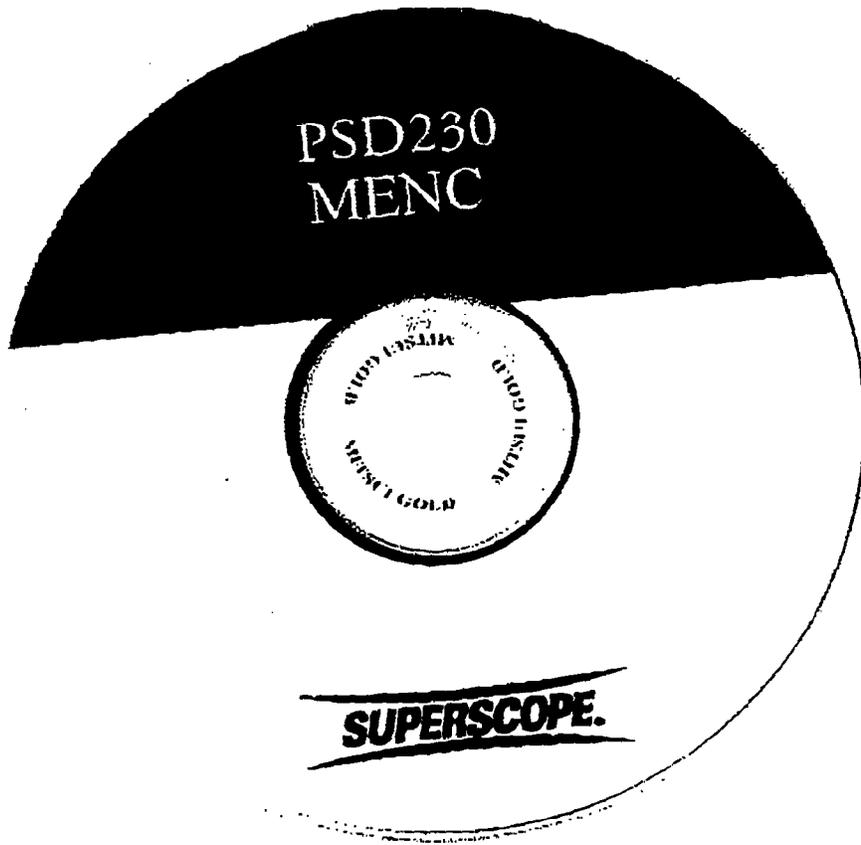
SUPERSCOPE®
Technologies, Inc.

Marantz
Professional
Products

Feb. 5, 2000

CAD DRAWINGS







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 Include in Report

© 2000 trademark.com **Record 9 of 11**
 Database(s): Federal
 Mark: SUPERSCOPE

Mark	SUPERSCOPE
Status	Renewed
Status Date	Apr 30, 1983
Register	Principal
Serial No.	72-129894
Registration No.	748808
U.S. Class	36 - Musical Instruments and Supplies
Goods/Services	MAGNETIC TAPE RECORDERS, REPRODUCERS, AND PARTS THEREFOR
Int'l Class	9
1st Use	Aug, 1957
Commerce Use	Aug, 1957
Filing Date	Oct 13, 1961
Registered	Apr 30, 1963
Renewed	Apr 30, 1983
Owns Reg. No.	618157
Affidavits	Sec. 8 accepted; Sec. 15 acknowledged
Registrant	SUPERSCOPE, INC. (CA CORP.) 8150 VINELAND AVE. CHATSWORTH, CA
Last Owner	CHATSWORTH CALIFORNIA

ASSIGNMENTS

Reel/Frame	0600/0292
Assignor	DELAWARE MARANTZ COMPANY, INC. (DE CORP.)
Assignee	MARANTZ COMPANY, INC. (CA CORP.)
Date Sgnd/Ack	Jul 18, 1986
Date Recorded	Apr 26, 1988
Brief	Merger effective Jul 18, 1986 DE
Reel/Frame	0600/0295
Assignor	SUPERSCOPE, INC. (CA CORP.)
Assignee	MARANTZ COMPANY, INC. (CA CORP.)
Date Sgnd/Ack	Aug 31, 1987
Date Recorded	Apr 26, 1988
Brief	Change of name effective Jun 21, 1984
Reel/Frame	0600/0297
Assignor	MARANTZ COMPANY, INC. (CA CORP.)
Assignee	DELAWARE MARANTZ COMPANY, INC. (DE CORP.)
Date Sgnd/Ack	Aug 31, 1987

Date Recorded Apr 26, 1988
Brief Merger effective Jul 18, 1986 CA

Reel/Frame 0818/0629
Assignor MARANTZ COMPANY, INC.
Assignee DYNASCAN CORPORATION (DE CORP.), 6460 WEST CORTLAND STREET, CHICAGO, IL, 60635

Correspondt BAKER & MCKENZIE, THIRTY-SEVENTH FLOOR, 777 SOUTH FIGUEROA STREET, LOS ANGELES, CA 90017-2513

Date Sgnd/Ack Sep 25, 1991
Date Recorded Sep 27, 1991
Brief ASSIGNS THE ENTIRE INTEREST AND THE GOODWIL EFFECTIVE AS OF MAY 1, 1989.

Reel/Frame 0912/0939
Assignor DYNASCAN CORPORATION (DE CORP.)
Assignee CONGRESS FINANCIAL CORPORATION (CENTRAL) (IL CORP.), 100 SOUTH WACKER DRIVE, CHICAGO, IL, 60606

Correspondt T. BRADY CARTER, LATHAM & WATKINS, 5800 SEARS TOWER, CHICAGO, IL 60606

Date Sgnd/Ack Nov 12, 1992
Date Recorded Nov 27, 1992
Brief Security Interest

Reel/Frame 1108/0336
Assignor DYNASCAN CORPORATION (DE CORP.)
Assignee COBRA ELECTRONICS CORPORATION (DE CORP.), 6460 WEST CORTLAND STREET, CHICAGO, IL, 60635

Correspondt SMALL LARKIN & KIDDE, JOAN KUPERSMITH LARKIN, 10940 WILSHIRE BOULEVARD, EIGHTEENTH FLOOR, LOS ANGELES, CA 90024

Date Sgnd/Ack Mar 25, 1993
Date Recorded Feb 14, 1994
Brief MERGER EFFECTIVE 3/29/93

Reel/Frame 1108/0352
Assignor COBRA ELECTRONIC CORPORATION (DE CORP.)
Assignee SUPERSCOPE TECHNOLOGIES, INC. (IL CORP.), 1000 CORPORATE BLVD., SUITE D, AURORA, IL, 60507

Correspondt SMALL LARKIN & KIDDE, JOAN KUPERSMITH LARKIN, 10940 WILSHIRE BOULEVARD, EIGHTEENTH FLOOR, LOS ANGELES, CA 90024

Date Sgnd/Ack Feb 7, 1994
Date Recorded Feb 14, 1994
Brief Assigns the entire interest and goodwill

Reel/Frame 1687/0312
Assignor CONGRESS FINANCIAL CORPORATION (CENTRAL)
Assignee COBRA ELECTRONICS CORPORATION (F/K/A DYNASCAN CORPORATION) (DE CORP.), 6500 WEST CORTLAND, CHICAGO, IL, 60635

Correspondt COBRA ELECTRONICS CORPORATION, KELLY MORGAN, 6500 WEST CORTLAND, CHICAGO, IL 60635

Date Sgnd/Ack Feb 3, 1998
Date Recorded Feb 17, 1998
Brief RELEASE





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© 2002 trademark.com **Record 1 of 1**
Database(s): Federal
Registration No.: 1172114

Mark SUPERSCOPE

Status Renewed
Status Date Dec 4, 2001
Register Principal

Ser./App. No. 73-280042
Registration No. 1172114

Int'l Class 9 - Electrical and Scientific Apparatus
Goods/Services [RADIO TUNERS,] AMPLIFIERS, PREAMPLIFIERS,
RECEIVERS, LOUD SPEAKERS AND HEADPHONES

U.S. Class 21, 23, 26, 36, 38
1st Use Jul 17, 1972
Commerce Use Jul 17, 1972

Filing Date Oct 1, 1980
Published (Last) Jul 14, 1981
Registered Oct 6, 1981
Renewed Oct 6, 2001

Affidavits Sec. 8 accepted

Correspondent JOAN KUPERSMITH LARKIN
SMALL LARKIN LLP
EIGHTEENTH FLOOR
10940 WILSHIRE BLVD.
LOS ANGELES, CA 90024-3945

Registrant SUPERSCOPE, INC. (CA CORP.)
20525 NORDHOFF ST.
CHATSWORTH, CA 91311

Last Owner SUPERSCOPE TECHNOLOGIES, INC. (IL CORP.)
2640 WHITE OAK CIRCLE
AURORA, IL 60504

ASSIGNMENTS

Reel/Frame 0600/0292
Assignor(s) DELAWARE MARANTZ COMPANY, INC. (DE CORP.)
Assignee(s) MARANTZ COMPANY, INC. (CA CORP.)
Date Sgnd/Ack Jul 18, 1986
Date Recorded Apr 26, 1988
Brief Merger effective Jul 18, 1986 DE

Reel/Frame 0600/0295
Assignor(s) SUPERSCOPE, INC. (CA CORP.)
Assignee(s) MARANTZ COMPANY, INC. (CA CORP.)
Date Sgnd/Ack Aug 31, 1987
Date Recorded Apr 26, 1988

Brief Change of name effective Jun 21, 1984

Reel/Frame 0600/0297
Assignor(s) MARANTZ COMPANY, INC. (CA CORP.)
Assignee(s) DELAWARE MARANTZ COMPANY, INC. (DE CORP.)
Date Sgnd/Ack Aug 31, 1987
Date Recorded Apr 26, 1988
Brief Merger effective Jul 18, 1986 CA

Reel/Frame 0818/0629
Assignor(s) MARANTZ COMPANY, INC.
Assignee(s) DYNASCAN CORPORATION (DE CORP.), 6460 WEST CORTLAND STREET, CHICAGO, IL, 60635
Correspondt BAKER & MCKENZIE, THIRTY-SEVENTH FLOOR, 777 SOUTH FIGUEROA STREET, LOS ANGELES, CA 90017-2513
Date Sgnd/Ack Sep 25, 1991
Date Recorded Sep 27, 1991
Brief ASSIGNS THE ENTIRE INTEREST AND THE GOODWIL EFFECTIVE AS OF MAY 1, 1989.

Reel/Frame 0912/0939
Assignor(s) DYNASCAN CORPORATION (DE CORP.)
Assignee(s) CONGRESS FINANCIAL CORPORATION (CENTRAL) (IL CORP.), 100 SOUTH WACKER DRIVE, CHICAGO, IL, 60606
Correspondt T. BRADY CARTER, LATHAM & WATKINS, 5800 SEARS TOWER, CHICAGO, IL 60606
Date Sgnd/Ack Nov 12, 1992
Date Recorded Nov 27, 1992
Brief Security Interest

Reel/Frame 1108/0336
Assignor(s) DYNASCAN CORPORATION (DE CORP.)
Assignee(s) COBRA ELECTRONICS CORPORATION (DE CORP.), 6460 WEST CORTLAND STREET, CHICAGO, IL, 60635
Correspondt SMALL LARKIN & KIDDE, JOAN KUPERSMITH LARKIN, 10940 WILSHIRE BOULEVARD, EIGHTEENTH FLOOR, LOS ANGELES, CA 90024
Date Sgnd/Ack Mar 25, 1993
Date Recorded Feb 14, 1994
Brief MERGER EFFECTIVE 3/29/93

Reel/Frame 1108/0352
Assignor(s) COBRA ELECTRONIC CORPORATION (DE CORP.)
Assignee(s) SUPERSCOPE TECHNOLOGIES, INC. (IL CORP.), 1000 CORPORATE BLVD., SUITE D, AURORA, IL, 60507
Correspondt SMALL LARKIN & KIDDE, JOAN KUPERSMITH LARKIN, 10940 WILSHIRE BOULEVARD, EIGHTEENTH FLOOR, LOS ANGELES, CA 90024
Date Sgnd/Ack Feb 7, 1994
Date Recorded Feb 14, 1994
Brief Assigns the entire interest and goodwill

Reel/Frame 1687/0312
Assignor(s) CONGRESS FINANCIAL CORPORATION (CENTRAL)
Assignee(s) COBRA ELECTRONICS CORPORATION (F/K/A DYNASCAN CORPORATION) (DE CORP.), 6500 WEST CORTLAND, CHICAGO, IL, 60635
Correspondt COBRA ELECTRONICS CORPORATION, KELLY MORGAN, 6500 WEST CORTLAND, CHICAGO, IL 60635
Date Sgnd/Ack Feb 3, 1998
Date Recorded Feb 17, 1998
Brief RELEASE



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Include in Report

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,674,939

United States Patent and Trademark Office

Registered Jan. 14, 2003

**TRADEMARK
PRINCIPAL REGISTER**

SUPERSCOPE

**SUPERSCOPE TECHNOLOGIES, INC. (ILLINOIS
CORPORATION)
2640 WHITE OAK CIRCLE, SUITE A
AURORA, IL 60504**

**FOR: CD PLAYERS; CD RECORDERS AND
PLAYERS; CASSETTE RECORDERS AND PLAY-
ERS; AUDIO MIXERS; MICROPHONES; REMOTE
CONTROLS FOR AUDIO EQUIPMENT; AUDIO
AND VIDEO PROCESSORS; AND DIGITAL AUDIO**

**RECORDERS AND PLAYERS, IN CLASS 9 (U.S. CLS.
21, 23, 26, 36 AND 38).**

FIRST USE 10-0-1996; IN COMMERCE 10-0-1996.

OWNER OF U.S. REG. NOS. 748,808 AND 1,172,114.

SER. NO. 76-392,670, FILED 4-8-2002.

DAVID GARDINER, EXAMINING ATTORNEY

SEYFARTH SHAW
2029 CENTURY PARK EAST STE. 3300
LOS ANGELES, CA 90067
310-277-7200

13252

1-8-1906/1220

DATE March 12, 2003

PAY TO THE ORDER OF DIRECTOR - U.S. PATENT AND TRADEMARK OFFICE*****

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Los Angeles, CA 90067

FOR

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Patricia Examiners

Receipt is hereby acknowledged by the To the Commissioner for Trademarks Before the Trademark Trial and Appeal Board of the enclosed **NOTICE OF OPPOSITION** in Triplicate sent via U.S. Mail as identified below:

SUPERSCOPE TECHNOLOGIES, INC.
v. TOM BUNCH
Applicant: Superscope Technologies, Inc.
File No.: 34413-001139
Date Mailed: March 13, 2003
JKL/ds

SEYFARTH ATTORNEYS SHAW

2029 Century Park East, Suite 3300
Los Angeles, California 90067-3063
(310) 277-7200
Fax (310) 201-5219
www.seyfarth.com

Facsimile Transmission

Date: June 2, 2003

RECIPIENT	COMPANY	PHONE NO.	FAX NO.
Henry Jefferson	U.S. Trademark Office	703 308-9300 Ext 142	703 308-9333

FROM: Joan Kupersmith Larkin
 PHONE: (310) 201-5240
 RE: Superscope Technologies, Inc. v. Tom Bunch
 Serial No.: 76/389,730

File No:	34413-001139	Number of Pages, Including Cover:	22
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| <input type="checkbox"/> Per your request | <input type="checkbox"/> Please review and revise if necessary |
| <input type="checkbox"/> Please telephone me | |

MESSAGE:

Per our discussion, please see attached.

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