

ESTTA Tracking number: **ESTTA82865**

Filing date: **05/30/2006**

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	Halliburton Energy Services, Inc.
Granted to Date of previous extension	05/31/2006
Address	2601 Beltline Road1-B-121 Carrollton, TX 75006 UNITED STATES

Attorney information	Jeffrey J. Look Look Law Firm PLLC P.O. Box 364 Eudora, AR 71640 UNITED STATES jefflook@trademarkguru.biz Phone:469-371-3082
----------------------	---

Applicant Information

Application No	78487448	Publication date	01/31/2006
Opposition Filing Date	05/30/2006	Opposition Period Ends	05/31/2006
Applicant	Smith International, Inc. Patent Services 16740 Hardy Street Houston, TX 77032 UNITED STATES		

Goods/Services Affected by Opposition

Class 007. All goods and services in the class are opposed, namely: Downhole well tools, namely circulating subs

Attachments	Optiflow notice of opposition.pdf (3 pages)(33581 bytes)
-------------	---

Signature	/jeffreyjlook/
Name	Jeffrey J. Look
Date	05/30/2006

3. Opposer is now, and has been, using the mark OPTIFLO, for an oxidizer chemical more specifically known as a delayed release breaker for use in oil and gas well drilling operations. The chemical is designed to break down long chain molecules in drilling fluids. Opposer first used the mark in commerce in 1991 for the goods and has continued to use the mark in commerce in connection with the identified goods in the oil and gas drilling industry to this day. Opposer's first use of the OPTIFLO mark predates the filing date of Applicant's intent-to-use application.

4. Applicant's OPTIFLO mark and Opposer's OPTIFLO mark are identical in spelling, sound and overall commercial. Applicant's goods as identified in its application are closely related to the goods sold by Opposer under its mark, OPTIFLO. More specifically, Applicant's circulating subs are sold to the same potential consumers through the same channels of trade that Opposer's oxidizer chemical is sold. Both products are for use in oil and gas well drilling operations. Because of the high degree of similarity in the commercial impression of the respective marks coupled with the fact that the products of the parties are for use in the oil and gas well drilling process, there is a substantial likelihood that consumers or users of Opposer's OPTIFLO goods and services and Applicant's OPTIFLO goods could be confused as to the source of the respective products or services.

Wherefore, Opposer requests that Applicant's pending trademark application Serial No. 78/487448 be denied registration in its entirety based on likelihood of confusion under Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d) and for such other and further relief as is deemed just and proper.

Respectfully submitted,

Date: May 30, 2006

/jeffreyjlook/
Jeffrey J. Look
Attorney for Opposer

LOOK LAW FIRM PLLC

P.O. Box 364

Eudora, AR 71640

Ph: (469) 371-3082

Fax: (870) 355-4812