

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

TTAB

In the matter of trademark application Serial No. 78821580  
For the mark: ARCTIC GEAR  
Published in the Official Gazette on: November 28, 2006

James A. Cottrell a sole proprietor doing business in Alaska under the following names:  
DBA JC Marketing  
DBA Alaskagift.com  
DBA Arctic Gear  
v.  
NX Inc. Corporation Virginia

NOTICE OF OPPOSITION

James A. Cottrell DBA JC Marketing, DBA Alaskagift.com and DBA Arctic Gear  
1020 E. 4<sup>th</sup> Ave. Anchorage, AK 99501-2716  
Phone: 907-522-6555 Fax: 907-522-6566 Email: [Jim@alaskagift.com](mailto:Jim@alaskagift.com)

The above-identified opposer believes that he will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

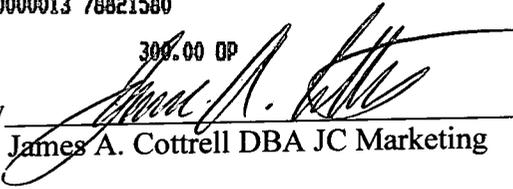
The grounds for opposition are as follows:

1. JC Marketing started selling a fleece hat, glove, scarf and backpack set with the brand name: ARCTIC GEAR fist used in commerce October 26, 2004. This first shipment was sent to Wal-Mart stores in Alaska.
2. JC Marketing and Alaskagift.com have developed the name ARCTIC GEAR to include Hats, Gloves, T-shirts, Fleece Jackets, Sweatshirts and backpacks mostly with Alaska souvenir designs. All items have been in commerce since January 5, 2005.
3. JC Marketing is listed at Wal-Mart with the name ARCTIC GEAR as the brand for all apparel sold to Wal-Mart. Listed with Wal-Mart under ARCTIC GEAR since October 15, 2004.
4. JC Marketing uses ARCTIC GEAR as the Brand name for all our Alaska apparel.
5. JC Marketing developed a special font for use with the name: **ARCTIC GEAR**

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By

  
James A. Cottrell DBA JC Marketing

Date

12/12/2006

12-12-2006

300<sup>00</sup> FILING CHK #18636 ENCLOSED  
JC MARKETING  
ALASKAGIFT.COM  
THANK YOU