

ESTTA Tracking number: **ESTTA189783**

Filing date: **01/30/2008**

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	Technology Advancement Group, Inc.
Granted to Date of previous extension	01/30/2008
Address	22355 TAG Way Dulles, VA 20004-2128 UNITED STATES

Attorney information	David L. May, Esq. Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, DC 20009 UNITED STATES nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, dmay@nixonpeabody.com, lmills@nixonpeabody.com, bhickman@nixonpeabody.com Phone:202-585-8000
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Applicant Information

Application No	76674686	Publication date	10/02/2007
Opposition Filing Date	01/30/2008	Opposition Period Ends	01/30/2008
Applicant	Transformation Advisors Group LLC 901 S 15th Street Suite 1602 Arlington, VA 22202 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. All goods and services in the class are opposed, namely: Business and business management consulting, namely, senior executive operational support services, transformation strategy and advisory services, requirements, definition and integration support services, mission area integration support services, service and component integration support services, and independent studies and analysis services

Applicant Information

Application No	76674830	Publication date	10/02/2007
Opposition Filing Date	01/30/2008	Opposition Period Ends	
Applicant	Transformation Advisors Group LLC 901 S 15th Street Suite 1602 Arlington, VA 22202 UNITED STATES		

Goods/Services Affected by Opposition

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All goods and services in the class are opposed, namely: Business and business management consulting, namely, senior executive operational support services, transformation strategy and advisory services, requirements, definition and integration support services, mission area integration support services, service and component integration support services, and independent studies and analysis services

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Likelihood of confusion under Trademark Act section 43(a); abandonment within meaning of 15 U.S.C. 1127.

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77303354	Application Date	10/12/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	T.A.G.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/01/01 First Use In Commerce: 2001/01/01 Operational analysis, information management, visual interface development and knowledge discovery services, namely, acquisition and warfighting support; wargaming; military and policy decision support; military and policy decision planning; military action analysis; data exploitation; operations modeling and simulation; operations research; military force assessments; information management; research and system design; data collection and exploitation; database administration and archive management; information tagging and retrieval; curriculum development; web portal development; computer software development; rapid prototyping; user interface design; spatial analysis of data; instructional material development; computer based training; web management, content creation and publishing; geographic information system services; data identification and collection; visual analytic tools design and implementation; data reporting; systems analysis and integration support; network analysis, counter-terrorism analysis; network topology development; tool rationalization; architecture analysis; unmanned ground combat vehicle route assessment and planning; business and business management consulting, including executive operational business support services, transformation and integration strategy and advisory services, requirements, development and support services, project and mission integration support services, service and component integration support services with independent review and service analysis		

Attachments	77303354#TMSN.jpeg (1 page)(bytes) FIRM_DM-#10888484-v1-Notice_of_Opposition__Transformation_Advisors_Group_.pdf (5 pages)(15758 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/david l. may/
Name	David L. May, Esq.
Date	01/30/2008

“Operational analysis, information management, visual interface development and knowledge discovery services, namely, acquisition and warfighting support; wargaming; military and policy decision support; military and policy decision planning; military action analysis; data exploitation; operations modeling and simulation; operations research; military force assessments; information management; research and system design; data collection and exploitation; database administration and archive management; information tagging and retrieval; curriculum development; web portal development; computer software development; rapid prototyping; user interface design; spatial analysis of data; instructional material development; computer based training; web management, content creation and publishing; geographic information system services; data identification and collection; visual analytic tools design and implementation; data reporting; systems analysis and integration support; network analysis, counter-terrorism analysis; network topology development; tool rationalization; architecture analysis; unmanned ground combat vehicle route assessment and planning; business and business management consulting, including executive operational business support services, transformation and integration strategy and advisory services, requirements, development and support services, project and mission integration support services, service and component integration support services with independent review and service analysis.”

2. Opposer or its licensees has used the mark T.A.G. in commerce in connection with the goods and services described in ¶ 1 since at least January 1, 2001.

3. On March 27, 2007, Applicant filed U.S. Trademark Application Serial No. 76/674,686 for registration of the mark TAG pursuant to Trademark Act § 1(b) for use in connection with *“Business and business management consulting, namely, senior executive operational support services, transformation strategy and advisory services, requirements,*

definition and integration support services, mission area integration support services, service and component integration support services, and independent studies and analysis services.”

4. On March 29, 2007 Applicant filed U.S. Trademark Application Serial No. 76/674,830 for registration of the mark TAG TRANSFORMATION ADVISORS GROUP (Stylized) pursuant to Trademark Act § 1(b) for use in connection with “*Business and business management consulting, namely, senior executive operational support services, transformation strategy and advisory services, requirements, definition and integration support services, mission area integration support services, service and component integration support services, and independent studies and analysis services.”*

5. This Consolidated Notice of Opposition will refer herein to the subject marks of U.S. Trademark Applications Serial Nos. 76/674,686 and 76/674,830 collectively as the “Opposed Marks.”

6. A consolidated notice of opposition is appropriate in this case, because the claims set forth herein against Applicant’s subject applications involve common questions of law and fact. TBMP § 305.

7. Opposer has used in commerce, and has established prior rights in and to the mark T.A.G., in connection with at least the goods and services set forth within its aforementioned application, long prior to any date Applicant can rely on for use of the Opposed Marks.

8. Opposer and/or its licensees has spent significant revenue and resources in the marketing and sale of goods and services on and/or in connection with the mark T.A.G. and, through these efforts, has established valuable consumer recognition and goodwill in and to the mark T.A.G.

9. Applicant's registration of the Opposed Marks, as shown in herein opposed U.S. Trademark Applications Serial Nos. 76/674,686 and 76/674,830 will create a likelihood of confusion, mistake and/or deception amongst consumers within the meaning of Trademark Act § 2(d), 15 U.S.C. 1052(d), all to the detriment of Opposer.

10. Applicant's registration of the Opposed Marks, as shown in herein opposed U.S. Trademark Applications Serial Nos. 76/674,686 and 76/674,830, will create a likelihood of confusion, mistake and/or deception amongst consumers within the meaning of Trademark Act § 43(a)(1)(A), 15 U.S.C. § 1125(a)(1)(A), all to the detriment of Opposer.

11. On information and belief, Applicant intended to abandon and did abandon any rights it may have had in and to the Opposed Marks within the meaning of 15 U.S.C. § 1127.

12. On information and belief, the Opposed Marks have lost any significance as indicators of source due to Applicant's non-use.

13. In view of the foregoing, Opposer believes that it has been damaged and will continue to be damaged by virtue of Applicant's attempted registration of the Opposed Marks as set forth in U.S. Trademark Applications Serial Nos. 76/674,686 and 76/674,830.

WHEREFORE, Opposer prays that this Opposition be sustained and that Trademark Applications Serial Nos. 76/674,686 and 76/674,830 be denied and refused.

Dated: January 30, 2008

Respectfully submitted,

TECHNOLOGY ADVANCEMENT GROUP,
INC.

/david l. may/

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