

ESTTA Tracking number: **ESTTA367492**

Filing date: **09/09/2010**

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	Penske System, Inc.
Granted to Date of previous extension	10/20/2010
Address	2555 Telegraph Road Bloomfield Hills, MI 48302 UNITED STATES
Attorney information	Ann K Ford DLA Piper LLP (US) 500 8th Street, NW Washington, DC 20004 UNITED STATES Ann.Ford@dlapiper.com, Ryan.Compton@dlapiper.com, Radiance.Walters@dlapiper.com, David.Huff@dlapiper.com Phone:2027994000

Applicant Information

Application No	77883789	Publication date	06/22/2010
Opposition Filing Date	09/09/2010	Opposition Period Ends	10/20/2010
Applicant	NAGUIT, JONATHAN A. 389 ARDEN AVE, UNIT #1 GLENDALE, CA 91203 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 007. All goods and services in the class are opposed, namely: Drilling machines; Drilling machines and parts therefor; Electric chain saws; Electric drills; Electric hammers; Electric hand-held drills; Electric screwdrivers; Electrical drills; Extension bars for power tools; Extensions for power drill bits; Extensions for power tools; Impact wrenches; Machine tool holders; Machines and machine tools for the cutting and forming of materials; Pneumatic drills; Pneumatic hammers; Power drill accessories, namely, non-electrical adapters for use in joining extensions and power drill bits; Power drill bit extensions; Power drill bits; Power drills; Power operated tools, namely, drill hammers; Power saw blades; Power tools, namely, hammer drills; Power tools, namely, hammer drivers; Power-driven wrenches; Power-operated ratchet wrenches; Power-operated rivet guns; Power-operated saws; Power-operated screwdrivers; Tool bits for machines; Tool grinding machines; Wood drilling machines</p>
<p>Class 008. All goods and services in the class are opposed, namely: Hammers; Hand tool, namely, rigid and rod hand benders for use on pipes and conduits; Hand tools, namely, bolt cutters; Hand tools, namely, clamps; Hand tools, namely, crimping irons; Hand tools, namely, drills; Hand tools, namely, files; Hand tools, namely, hammers; Hand tools, namely, hand benders for use on pipes and conduits;</p>

Hand tools, namely, hand jacks; Hand tools, namely, hand-operated device to aid with tying and untying knots; Hand tools, namely, hand-operated pumps; Hand tools, namely, hatchets; Hand tools, namely, hex keys wrenches; Hand tools, namely, manually-operated grindstones; Hand tools, namely, manually-operated sharpening wheels; Hand tools, namely, mauls; Hand tools, namely, miter boxes; Hand tools, namely, mitre boxes; Hand tools, namely, nail sets; Hand tools, namely, nippers; Hand tools, namely, nut drivers; Hand tools, namely, paint scrapers; Hand tools, namely, picks; Hand tools, namely, pikes; Hand tools, namely, diggers; Hand tools, namely, planers; Hand tools, namely, planes; Hand tools, namely, post hole diggers; Hand tools, namely, pruners; Hand tools, namely, pruning saws; Hand tools, namely, punches; Hand tools, namely, putty knives; Hand tools, namely, rammers; Hand tools, namely, rasps; Hand tools, namely, ratchet wrenches; Hand tools, namely, reamers; Hand tools, namely, ripping bars; Hand tools, namely, sanders; Hand tools, namely, saws; Hand tools, namely, scrapers; Hand tools, namely, screwdrivers; Hand tools, namely, socket sets; Hand tools, namely, socket wrenches; Hand tools, namely, tools for placing a rope or other flexible member through an eye or around a target object; Hand tools, namely, vices; Hand tools, namely, wedges; Hand tools, namely, wire cutters; Hand tools, namely, wire nippers; Hand tools, namely, wire strippers; Hand tools, namely, wrecking bars, stripping bars, small bars and nail pullers, San Angelo bars, tamper bars, wedge point bars, pitch point bars; Hand tools, namely, wrenches; Hand-operated cutting tools; Hand-operated cutting tools, namely, box cutters; Hand-operated cutting tools, namely, safety cutters; Hand-operated riveting tools; Hand-operated sharpening tools and instruments; Hand-operated tools, namely, chisels; Hand-powered ice augers used for ice fishing; Hand-powered staple guns; Hand-tools, namely, wire crimpers; Ice hammers; Manual drills; Manually-powered hole openers used to enlarge holes in the ground; Nut wrenches; Pipe wrenches; Ratchet handles; Roll-up fabric container for hand tools; Sanding pads for non-electric, hand-operated sanders; Screw wrenches; Sculpting tools, namely, loops; Spark wrenches; Tool aprons; Tool belts; Tool holders; Tool pouches for attachment to tool belts; Torque wrenches; Wrenches

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2132515	Application Date	02/04/1997
Registration Date	01/27/1998	Foreign Priority Date	NONE
Word Mark	PENSKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1982/04/02 First Use In Commerce: 1982/04/02 truck rental and leasing services		

U.S. Registration	2047592	Application Date	04/03/1996
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No.			
Registration Date	03/25/1997	Foreign Priority Date	NONE
Word Mark	PENSKE RACING SHOCKS		
Design Mark	 <p>The logo features the word "PENSKE" in a large, bold, italicized sans-serif font. Below it, the words "RACING SHOCKS" are written in a smaller, bold, sans-serif font, flanked by three horizontal bars on each side.</p>		
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1987/00/00 First Use In Commerce: 1987/00/00 motor vehicle racing shock absorbers		

U.S. Registration No.	2566860	Application Date	08/31/2000
Registration Date	05/07/2002	Foreign Priority Date	NONE
Word Mark	PENSKE RACING AUTHENTICS		
Design Mark	 <p>The logo consists of the words "PENSKE RACING AUTHENTICS" in a bold, sans-serif font, centered within a rectangular border.</p>		
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2000/08/04 First Use In Commerce: 2000/08/04 toys, namely, die cast CARS		

U.S. Registration No.	3142911	Application Date	11/24/2003
Registration Date	09/12/2006	Foreign Priority Date	NONE
Word Mark	PENSKE PRECISION PLUS		
Design Mark	 <p>The logo features the words "PENSKE PRECISION PLUS" in a bold, serif font, with "PLUS" positioned below "PRECISION".</p>		
Description of Mark	NONE		

Goods/Services	<p>Class 037. First use: First Use: 2004/02/29 First Use In Commerce: 2004/02/29 Repair and maintenance of vehicles</p> <p>Class 039. First use: First Use: 2004/02/29 First Use In Commerce: 2004/02/29 Full-services leasing of vehicles equipped with global positioning systems that track the location of vehicles; full-service leasing of vehicles equipped with on-board computers that track vehicle performance and driver habits</p>
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U.S. Registration No.	3139819	Application Date	11/24/2003
Registration Date	09/05/2006	Foreign Priority Date	NONE
Word Mark	PENSKE PRECISION MAINTENANCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2004/02/29 First Use In Commerce: 2004/02/29 business services, namely, providing fuel and fuel tax reporting services for others</p> <p>Class 037. First use: First Use: 2004/02/29 First Use In Commerce: 2004/02/29 contract maintenance and repair services for third-party owners of vehicle fleets; maintaining fleets of vehicles for others</p>		

U.S. Registration No.	3040449	Application Date	05/19/2004
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	PENSKE PRECISION LEASE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2004/01/12 First Use In Commerce: 2004/01/12		

	full-service truck leasing services which include leasing vehicles equipped with global positioning systems that track location of vehicles; full service truck leasing services which include leasing vehicles equipped with on-board computers which track vehicle performance and driver habits
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U.S. Registration No.	1795304	Application Date	11/05/1990
Registration Date	09/28/1993	Foreign Priority Date	NONE
Word Mark	PENSKE TRUCK LEASING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1982/04/02 First Use In Commerce: 1982/04/02 truck rental and leasing services		

U.S. Registration No.	3844022	Application Date	09/03/2009
Registration Date	09/07/2010	Foreign Priority Date	NONE
Word Mark	TEAM PENSKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 014. First use: First Use: 1992/12/31 First Use In Commerce: 1992/12/31 Jewelry, ornamental pins and watches</p> <p>Class 016. First use: First Use: 1990/12/31 First Use In Commerce: 1990/12/31 Magazines and newsletters featuring motor sports; stationery, pens, decals, stickers and posters</p> <p>Class 025. First use: First Use: 1992/12/31 First Use In Commerce: 1992/12/31 Clothes, namely, shirts, T-shirts, hats, jackets, caps, sweatshirts</p>		

	Class 028. First use: First Use: 2008/05/31 First Use In Commerce: 2008/05/31 Toys and games, namely, model cars, die cast cars		
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U.S. Application No.	77798841	Application Date	08/06/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TEAM PENSKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: Metal key chain, metal license plates Class 012. First use: Metal holders for license plates Class 021. First use: Mugs, insulating jackets for use with beverage cans; stained glass decorations Class 024. First use: Cloth flags		

U.S. Application No.	77942641	Application Date	02/23/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TEAM PENSKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: Entertainment services in the nature of automobile racing		

U.S. Registration No.	3843937	Application Date	08/06/2009
Registration Date	09/07/2010	Foreign Priority Date	NONE
Word Mark	PENSKE RACING		
Design Mark			
Description of Mark	The mark consists of miscellaneous design called turn 4 icon design with the words "PENSKE RACING" to the right of the design.		
Goods/Services	<p>Class 006. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Metal key chain, metal license plates</p> <p>Class 012. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Metal holders for license plates</p> <p>Class 014. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Jewelry, ornamental pins and watches</p> <p>Class 016. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Magazines and newsletters featuring motorsports; stationery, pens, decals, stickers and posters</p> <p>Class 021. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Mugs, insulating jackets for use with beverage cans; stained glass decorations</p> <p>Class 024. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Cloth flags</p> <p>Class 025. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Clothes, namely, shirts, t-shirts, hats, jackets, caps, sweatshirts</p> <p>Class 028. First use: First Use: 1996/09/19 First Use In Commerce: 1996/09/19 Toys and games, namely, model cars, die cast cars</p>		

U.S. Application No.	77942610	Application Date	02/23/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PENSKE RACING		
Design Mark			
Description of Mark	The mark consists of a stylized turn of a race track with a checkerboard pattern and the wording "PENSKE RACING".		
Goods/Services	Class 041. First use: Entertainment services in the nature of automobile racing		

Attachments	75235974#TMSN.gif (1 page)(bytes)
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	75083099#TMSN.gif (1 page)(bytes) 76119922#TMSN.gif (1 page)(bytes) 78332060#TMSN.jpeg (1 page)(bytes) 78332043#TMSN.jpeg (1 page)(bytes) 78421709#TMSN.jpeg (1 page)(bytes) 74112297#TMSN.gif (1 page)(bytes) 77819730#TMSN.jpeg (1 page)(bytes) 77798841#TMSN.jpeg (1 page)(bytes) 77942641#TMSN.jpeg (1 page)(bytes) 77798855#TMSN.jpeg (1 page)(bytes) 77942610#TMSN.jpeg (1 page)(bytes) PENSKEI TOOLS - Notice of Opposition - Penske System v Jonathan A Naguit - Part A.pdf (46 pages)(8862558 bytes) PENSKEI TOOLS - Notice of Opposition - Penske Systme Inc v. Jonathan A Naguit - Part B.pdf (37 pages)(7333215 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	/Ann K. Ford/
Name	Ann K Ford
Date	09/09/2010

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

In the matter of Trademark
Application Serial No. 77/883789
Filing Date: December 1, 2009
Mark: PENSKEI TOOLS
Published for Opposition: June 22, 2010

Penske System, Inc.)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
Jonathan A. Naguit)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Opposer Penske System, Inc. (hereinafter "Penske") believes that it is or will be damaged by registration of Application Serial No. 77/883789, as filed with the U.S. Patent and Trademark Office (hereinafter "PTO") on December 1, 2009 by Jonathan A. Naguit (hereinafter "Applicant"), for the trademark PENSKEI TOOLS (hereinafter the "Mark") in connection with the goods as follows:

Drilling machines; Drilling machines and parts therefor; Electric chain saws; Electric drills; Electric hammers; Electric hand-held drills; Electric screwdrivers; Electrical drills; Extension bars for power tools; Extensions for power drill bits; Extensions for power tools; Impact wrenches; Machine tool holders; Machines and machine tools for the cutting and forming of materials; Pneumatic drills; Pneumatic hammers; Power drill accessories, namely, non-electrical adapters for use in joining extensions and power drill bits; Power drill bit extensions; Power drill bits; Power drills; Power operated tools, namely, drill hammers; Power saw blades; Power tools, namely,

hammer drills; Power tools, namely, hammer drivers; Power-driven wrenches; Power-operated ratchet wrenches; Power-operated rivet guns; Power-operated saws; Power-operated screwdrivers; Tool bits for machines; Tool grinding machines; Wood drilling machines, in International Class 7; and

Hammers; Hand tool, namely, rigid and rod hand benders for use on pipes and conduits; Hand tools, namely, bolt cutters; Hand tools, namely, clamps; Hand tools, namely, crimping irons; Hand tools, namely, drills; Hand tools, namely, files; Hand tools, namely, hammers; Hand tools, namely, hand benders for use on pipes and conduits; Hand tools, namely, hand jacks; Hand tools, namely, hand-operated device to aid with tying and untying knots; Hand tools, namely, hand-operated pumps; Hand tools, namely, hatchets; Hand tools, namely, hex keys wrenches; Hand tools, namely, manually-operated grindstones; Hand tools, namely, manually-operated sharpening wheels; Hand tools, namely, mauls; Hand tools, namely, miter boxes; Hand tools, namely, mitre boxes; Hand tools, namely, nail sets; Hand tools, namely, nippers; Hand tools, namely, nut drivers; Hand tools, namely, paint scrapers; Hand tools, namely, picks; Hand tools, namely, pikes; Hand tools, namely, pincers; Hand tools, namely, planers; Hand tools, namely, planes; Hand tools, namely, post hole diggers; Hand tools, namely, pruners; Hand tools, namely, pruning saws; Hand tools, namely, punches; Hand tools, namely, putty knives; Hand tools, namely, rammers; Hand tools, namely, rasps; Hand tools, namely, ratchet wrenches; Hand tools, namely, reamers; Hand tools, namely, ripping bars; Hand tools, namely, sanders; Hand tools, namely, saws; Hand tools, namely, scrapers; Hand tools, namely, screwdrivers; Hand tools, namely, socket sets; Hand tools, namely, socket wrenches; Hand tools, namely, tools for placing a rope or other flexible member through an eye or around a target object; Hand tools, namely, vices; Hand tools, namely, wedges; Hand tools, namely, wire cutters; Hand tools, namely, wire nippers;

Hand tools, namely, wire strippers; Hand tools, namely, wrecking bars, stripping bars, small bars and nail pullers, San Angelo bars, tamper bars, wedge point bars, pitch point bars; Hand tools, namely, wrenches; Hand-operated cutting tools; Hand-operated cutting tools, namely, box cutters; Hand-operated cutting tools, namely, safety cutters; Hand-operated riveting tools; Hand-operated sharpening tools and instruments; Hand-operated tools, namely, chisels; Hand-powered ice augers used for ice fishing; Hand-powered staple guns; Hand-tools, namely, wire crimpers; Ice hammers; Manual drills; Manually-powered hole openers used to enlarge holes in the ground; Nut wrenches; Pipe wrenches; Ratchet handles; Roll-up fabric container for hand tools; Sanding pads for non-electric, hand-operated sanders; Screw wrenches; Sculpting tools, namely, loops; Spark wrenches; Tool aprons; Tool belts; Tool holders; Tool pouches for attachment to tool belts; Torque wrenches; Wrenches, in International Class 8.

Penske hereby opposes said application under the provisions of Section 13 of the Trademark Act of 1946, 15 U.S.C. §1063. As grounds for opposition, it is alleged that:

1. Penske is a Delaware Corporation with a principal place of business at 2555 Telegraph Road, Bloomfield Hills, Michigan 48302.

2. Penske has longstanding trademark rights in PENSKE and other PENSKE-formative marks in the United States and other foreign jurisdictions, including the U.S. federally-registered marks PENSKE (U.S. Reg. No. 2132515), PENSKE RACING SHOCKS (U.S. Reg. No. 2047592), PENSKE RACING AUTHENTICS (U.S. Reg. No. 2566860), PENSKE PRECISION PLUS (U.S. Reg. No. 3142911), PENSKE PRECISION MAINTENANCE (U.S. Reg. No. 3139819), PENSKE PRECISION LEASE (U.S. Reg. No. 3040449) and PENSKE TRUCK LEASING (U.S. Reg. No. 1795304) (collectively the "PENSKE Marks") and pending applications for marks TEAM PENSKE (Ser. Nos. 77819730, 77798841, and 77942641) and PENSKE RACING (Ser. Nos. 77798855 and 77942610). Attached hereto and made part of the record are

true and correct copies of the United States Certificates of Registration and TARR and TESS print-outs for these Registrations and Applications. See Exhibit A.

3. The Registrations are valid, subsisting and provide conclusive evidence of Penske's right to use the trademark in commerce.

4. Since as early as April 1982, Penske has prominently used the PENSKE Marks in connection with high-performance professional motorsports, retail automotive sales and services, truck leasing, transportation components manufacturing, and transportation logistics. Penske was founded by Roger S. Penske, a renowned winning racer in the late 1950s, an International Motorsports Hall of Fame and Motorsports Hall of Fame of America inductee, the creator of one of the most successful automobile racing teams in history, Penske Racing, and presently one of the United States' leading business entrepreneurs, having also created Penske Automotive Group and Penske Truck Leasing.

5. Penske additionally uses its PENSKE Marks in connection with shock absorbers, parts, tools and accessories. See Exhibit B.

6. Penske's customers have come to know and recognize the PENSKE Marks and associate the same with Penske, and Penske has thus built up extensive and invaluable goodwill in connection with the sale of goods and services under the PENSKE Marks. By virtue of the wide renown of the PENSKE Marks, and the wide geographic availability and extensive notoriety of Penske's goods and services, the PENSKE Marks have become famous and distinctive in the minds of the purchasing public.

7. Applicant, an individual having an address at 389 Arden Ave, Unit #1, Glendale, CA 91203, filed two prior applications for PENSKE TOOLS (Ser. No. 77/863250) and PENSKE OIL (Ser. No. 77/847600), which are facing Final Office Actions issued by the United States Patent and Trademark Office based on likelihood of confusion with the PENSKE Marks and the fame accompanied therewith.

8. Penske, through counsel, sent a letter correspondence via courier and facsimile to Applicant on November 25, 2009 informing Applicant of Penske's prior established rights in and to the PENSKE Marks and demanding that Applicant voluntarily abandon the infringing trademark applications for PENSKE TOOLS and PENSKE OIL. On December 15, 2009, Penske received a letter correspondence from counsel via courier for Applicant confirming receipt of the letter dated November 25, 2009, and denying infringement of the PENSKE Marks. Thereafter, on January 11, 2010, Applicant, through counsel, extended an offer via telephone to Penske, through counsel, to purchase Applicant's oil business. Penske turned down this offer and again demanded the abandonment of those applications. As a result, Applicant knew of the PENSKE Marks when Applicant filed the present application.

9. Notwithstanding Applicant's knowledge of Penske's prior established rights in and to the PENSKE Marks, Applicant filed a subsequent intent-to-use application for the trademark PENSKEI TOOLS in the United States. Said application was assigned Serial No. 77/883789. Therefore, no issue as to priority exists as Penske enjoys prior rights.

10. Penske has used its PENSKE Marks continuously on or in connection with its goods and services in interstate commerce prior to the filing date of Applicant's application.

11. The Mark that Applicant seeks to register so resembles the PENSKE Marks in appearance, sound, meaning, and commercial impression that the use and registration thereof is likely to cause confusion, mistake and deception as to the source or origin of Applicant's goods and services and will injure and damage Penske and the goodwill and reputation symbolized by the PENSKE Marks.

12. Applicant's goods are so related to the goods sold under the PENSKE Marks that the public is likely to be confused, to be deceived and to assume erroneously that Applicant's goods and services are those of Penske and that Applicant is in some way connected with, licensed or sponsored by or affiliated with Penske or Roger S. Penske, all to Penske's irreparable damage.

13. Applicant's application is also diluting or will dilute the distinctive symbol of Penske's trademarks and the goodwill associated therewith in violation of 15 U.S.C. § 1125(c).

14. Likelihood of tarnishment and damage to Penske's goodwill is enhanced by the fact that prospective customers who encounter defects in the quality of Applicant's goods will attribute those defects to Penske, which in turn will tarnish Penske's goodwill.

15. Use or registration of Applicant's alleged Mark will lessen the capacity of Penske's PENSKE Marks to identify and distinguish Penske's goods.

If Applicant obtains such rights as conferred under the Principal Register of the Trademark Act of 1946, he will obtain at least a *prima facie* exclusive right to use his alleged trademark, and Penske will be subjected to great and irreparable damage, and Applicant will enjoy unlawful gain and advantage to which it is not entitled under the Trademark Act of 1946.

WHEREFORE, Penske believes and avers that it is being, and will continue to be, damaged by registration of the Mark, and respectfully requests that said Application Serial No. 77/883789 be rejected, that no registration be issued thereon to Applicant, and that the Opposition be sustained in favor of Penske.

Penske hereby appoints Ann K. Ford, a member of the Bar of the District of Columbia; Thomas E. Zutic, a member of the Bar of the District of Columbia; Ryan C. Compton, a member of the Bar of the District of Columbia; John M. Nading, a member of the Bar of the District of Columbia; David Kramer, a member of the Bar of the District of Columbia; Radiance A. Walters, a member of the Bar of Maryland; and all of the law firm of DLA Piper LLP (US) to transact all business in the Patent and Trademark Office in connection with the above opposition proceeding and hereby revokes all previous powers of attorney herein.

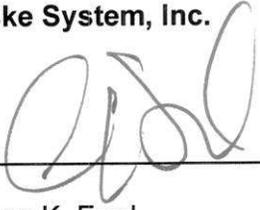
Please address all correspondence to:

Ann K. Ford, Esq.
DLA Piper LLP (US)
500 Eighth Street, NW
Washington, DC 20004
ann.ford@dlapiper.com
dctrademarks@dlapiper.com

The filing fee for this opposition, in the amount of \$600.00, is hereby electronically transferred with the submission of the Notice of Opposition.

Penske System, Inc.

By: _____


Ann K. Ford
Thomas E. Zutic
Ryan C. Compton
DLA Piper LLP (US)
500 Eighth Street, NW
Washington, DC 20004
T. 202.799.4140
F. 202.799.5140

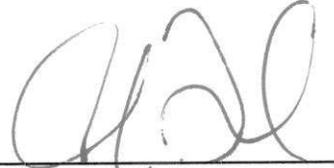
Attorneys for Penske

Dated: September 9, 2010

CERTIFICATE OF SERVICE

I, Ann K. Ford, do hereby certify that I have this 9th day of September, 2010, served a copy of the foregoing NOTICE OF OPPOSITION upon Jonathan A. Naguit via U.S. First Class Mail, postage prepaid, and addressed to:

Jonathan A. Naguit
389 Arden Avenue Unit 1
Glendale, California 91203-4070

A handwritten signature in black ink, appearing to read 'AKF', written over a horizontal line.

Ann K. Ford
Attorney for Penske

EXHIBIT A

Int. Cl.: 39

Prior U.S. Cls.: 100 and 105

Reg. No. 2,132,515

United States Patent and Trademark Office

Registered Jan. 27, 1998

**SERVICE MARK
PRINCIPAL REGISTER**



PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
13400 OUTER DRIVE, WEST
DETROIT, MI 482394001

FOR: TRUCK RENTAL AND LEASING
SERVICES, IN CLASS 39 (U.S. CLS. 100 AND
105).

FIRST USE 4-2-1982; IN COMMERCE
4-2-1982.
OWNER OF U.S. REG. NOS. 987,507 AND
1,795,304.
SEC. 2(F) AS TO "PENSKE".

SER. NO. 75-235,974, FILED 2-4-1997.
MARY ROSSMAN, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-06-29 13:44:10 ET

Serial Number: 75235974 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2132515

Mark



(words only): PENSKE

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2008-02-02

Filing Date: 1997-02-04

Transformed into a National Application: No

Registration Date: 1998-01-27

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-02-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:
Penske System, Inc.
2555 TELEGRAPH ROAD

BLOOMFIELD HILLS, MI 48302
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 039
Class Status: Active
truck rental and leasing services
Basis: 1(a)
First Use Date: 1982-04-02
First Use in Commerce Date: 1982-04-02

ADDITIONAL INFORMATION

Section 2(f), in part, as to "PENSKE"

Design Search Code(s):
26.11.20 - Rectangles inside one another
26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):
987507
1795304

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-10-31 - Notice Of Design Search Code Mailed
2008-02-02 - First renewal 10 year
2008-02-02 - Section 8 (10-year) accepted/ Section 9 granted
2008-01-31 - Assigned To Paralegal
2008-01-24 - TEAS Section 8 & 9 Received
2007-04-11 - Case File In TICRS
2004-10-20 - TEAS Change Of Correspondence Received

2004-03-03 - Section 8 (6-year) accepted & Section 15 acknowledged

2004-01-13 - Section 8 (6-year) and Section 15 Filed

1998-01-27 - Registered - Principal Register

1997-11-04 - Published for opposition

1997-10-03 - Notice of publication

1997-09-02 - Approved for Pub - Principal Register (Initial exam)

1997-08-28 - Examiner's amendment mailed

1997-06-19 - Non-final action mailed

1997-05-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

LAWRENCE N. BLUTH

PENSKE SYSTEM, INC.

2555 TELEGRAPH ROAD

BLOOMFIELD HILLS, MI 48302

Phone Number: 202-861-3900

Fax Number: 202-223-2085



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Word Mark	PENSKE
Goods and Services	IC 039. US 100 105. G & S: truck rental and leasing services. FIRST USE: 19820402. FIRST USE IN COMMERCE: 19820402
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded
Serial Number	75235974
Filing Date	February 4, 1997
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	November 4, 1997
Registration Number	2132515
Registration Date	January 27, 1998
Owner	(REGISTRANT) Penske System, Inc. CORPORATION DELAWARE 2555 TELEGRAPH ROAD BLOOMFIELD HILLS MICHIGAN 48302
Prior Registrations	0987507;1795304
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)-IN PART
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080202.
Renewal	1ST RENEWAL 20080202
Live/Dead Indicator	LIVE

Distinctiveness Limitation Statement as to "PENSKE"

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Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,047,592

United States Patent and Trademark Office

Registered Mar. 25, 1997

**TRADEMARK
PRINCIPAL REGISTER**

PENSKE
RACING SHOCKS

PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET, SUITE 1300
WILMINGTON, DE 19801

FOR: MOTOR VEHICLE RACING SHOCK
ABSORBERS, IN CLASS 12 (U.S. CLS. 19, 21, 23,
31, 35 AND 44).

FIRST USE 0-0-1987; IN COMMERCE
0-0-1987.

OWNER OF U.S. REG. NOS. 987,507 AND
1,795,304.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RACING SHOCKS", APART
FROM THE MARK AS SHOWN.

THE LINING IS A FEATURE OF THE MARK
AND DOES NOT INDICATE COLOR.

SER. NO. 75-083,099, FILED 4-3-1996.

WON TEAK OH, EXAMINING ATTORNEY

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Serial Number: 75083099 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2047592

Mark



(words only): PENSKE RACING SHOCKS

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2007-05-07

Filing Date: 1996-04-03

Transformed into a National Application: No

Registration Date: 1997-03-25

Register: Principal

Law Office Assigned: LAW OFFICE 104

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2007-05-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PENSKE SYSTEM, INC.

Address:
PENSKE SYSTEM, INC.
2555 TELEGRAPH ROAD

BLOMFIELD HILLS, MI 48302

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 012

Class Status: Active

motor vehicle racing shock absorbers

Basis: 1(a)

First Use Date: 1987-00-00

First Use in Commerce Date: 1987-00-00

ADDITIONAL INFORMATION

Disclaimer: "RACING SHOCKS"

Lining and Stippling: The lining is a feature of the mark and does not indicate color.

Design Search Code(s):

26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)

26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Prior Registration Number(s):

987507

1795304

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-11-19 - TEAS Change Of Correspondence Received

2008-11-27 - Notice Of Design Search Code Mailed

2007-05-07 - First renewal 10 year

2007-05-07 - Section 8 (10-year) accepted/ Section 9 granted

2007-04-25 - Assigned To Paralegal

2007-03-26 - Combined Section 8 (10-year)/Section 9 filed

2007-03-26 - TEAS Section 8 & 9 Received
2006-12-18 - Case File In TICRS
2004-10-20 - TEAS Change Of Correspondence Received
2002-10-21 - TEAS Change Of Correspondence Received
2002-10-03 - Section 8 (6-year) accepted & Section 15 acknowledged
2002-08-28 - Section 8 (6-year) and Section 15 Filed
2002-08-28 - PAPER RECEIVED
2002-07-19 - TEAS Change Of Correspondence Received
1997-03-25 - Registered - Principal Register
1996-12-31 - Published for opposition
1996-11-29 - Notice of publication
1996-10-09 - Approved for Pub - Principal Register (Initial exam)
1996-09-20 - Examiner's amendment mailed
1996-09-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford
DLA Piper LLP (US)
500 8th Street
Washington DC 20004
Phone Number: 202-799-4000
Fax Number: 202-799-5000



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Word Mark PENSKE RACING SHOCKS
Goods and Services IC 012. US 019 021 023 031 035 044. G & S: motor vehicle racing shock absorbers. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
Serial Number 75083099
Filing Date April 3, 1996
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition December 31, 1996
Registration Number 2047592
Registration Date March 25, 1997
Owner (REGISTRANT) PENSKE SYSTEM, INC. CORPORATION DELAWARE 2555 TELEGRAPH ROAD BLOMFIELD HILLS MICHIGAN 48302
Attorney of Record Ann K. Ford
Prior Registrations 0987507;1795304
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING SHOCKS" APART

FROM THE MARK AS SHOWN

Description of Mark The lining is a feature of the mark and does not indicate color.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070507.
Renewal 1ST RENEWAL 20070507
Live/Dead Indicator LIVE

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Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,566,860

Registered May 7, 2002

**TRADEMARK
PRINCIPAL REGISTER**

PENSKE RACING AUTHENTICS

PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
13400 OUTER DRIVE, WEST
DETROIT, MI 482394001

FOR: TOYS, NAMELY, DIE CAST CARS, IN
CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 8-4-2000; IN COMMERCE 8-4-2000.

OWNER OF U.S. REG. NOS. 987,507, 2,132,515 AND
OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RACING", APART FROM THE
MARK AS SHOWN.

SER. NO. 76-119,922, FILED 8-31-2000.

LAURA KOVAISKY, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-06-29 13:45:02 ET

Serial Number: 76119922 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2566860

Mark (words only): PENSKE RACING AUTHENTICS

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2008-12-20

Filing Date: 2000-08-31

Transformed into a National Application: No

Registration Date: 2002-05-07

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-12-20

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:

Penske System, Inc.
2555 Telegraph Road
Bloomfield Hills, MI 48302
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

toys, namely, die cast CARS

Basis: 1(a)

First Use Date: 2000-08-04

First Use in Commerce Date: 2000-08-04

ADDITIONAL INFORMATION

Disclaimer: "RACING"

Prior Registration Number(s):

987507

2047592

2132515

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-12-20 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-11-24 - Response received to Post Registration action - Sections 8 & 15

2008-11-24 - PAPER RECEIVED

2008-11-13 - Post Registration action mailed Section 8 & 15

2008-10-29 - TEAS Section 8 & 15 Received

2007-08-22 - Case File In TICRS

2004-10-20 - TEAS Change Of Correspondence Received

2002-05-07 - Registered - Principal Register

2002-02-12 - Published for opposition

2002-01-23 - Notice of publication

2001-10-10 - Approved for Pub - Principal Register (Initial exam)

2001-08-15 - Communication received from applicant

2001-02-15 - Non-final action mailed

2001-02-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

Ann K. Ford

DLA PIPER LLP (US)

500 8th Street, NW

Washington DC 20004

Phone Number: 202-799-4000

Fax Number: 202-799-5000



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Typed Drawing

Word Mark PENSKE RACING AUTHENTICS
Goods and Services IC 028. US 022 023 038 050. G & S: toys, namely, die cast CARS. FIRST USE: 20000804. FIRST USE IN COMMERCE: 20000804
Mark Drawing Code (1) TYPED DRAWING
Serial Number 76119922
Filing Date August 31, 2000
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition February 12, 2002
Registration Number 2566860
Registration Date May 7, 2002
Owner (REGISTRANT) Penske System, Inc. CORPORATION DELAWARE 2555 Telegraph Road Bloomfield Hills MICHIGAN 48302
Attorney of Record Ann K. Ford
Prior Registrations 0987507;2047592;2132515;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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Int. Cls.: 37 and 39

Prior U.S. Cls.: 100, 103, 105, and 106

Reg. No. 3,142,911

United States Patent and Trademark Office

Registered Sep. 12, 2006

SERVICE MARK
PRINCIPAL REGISTER

PENSKE PRECISION
PLUS

PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET, SUITE 1300
WILMINGTON, DE 19899

FOR: REPAIR AND MAINTENANCE OF VEHICLES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

FOR: FULL-SERVICES LEASING OF VEHICLES EQUIPPED WITH GLOBAL POSITIONING SYSTEMS THAT TRACK THE LOCATION OF VEHICLES; FULL-SERVICE LEASING OF VEHICLES EQUIPPED WITH ON-BOARD COMPUTERS THAT

TRACK VEHICLE PERFORMANCE AND DRIVER HABITS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,795,304 AND 2,132,515.

SN 78-332,060, FILED 11-24-2003.

AMY GEARIN, EXAMINING ATTORNEY

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Serial Number: 78332060 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3142911

Mark

**PENSKE PRECISION
PLUS**

(words only): PENSKE PRECISION PLUS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-09-12

Filing Date: 2003-11-24

Transformed into a National Application: No

Registration Date: 2006-09-12

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-08-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PENSKE SYSTEM, INC.

Address:

PENSKE SYSTEM, INC.
1105 NORTH MARKET STREET, SUITE 1300

WILMINGTON, DE 19899

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 037

Class Status: Active

Repair and maintenance of vehicles

Basis: 1(a)

First Use Date: 2004-02-29

First Use in Commerce Date: 2004-02-29

International Class: 039

Class Status: Active

Full-services leasing of vehicles equipped with global positioning systems that track the location of vehicles; full-service leasing of vehicles equipped with on-board computers that track vehicle performance and driver habits

Basis: 1(a)

First Use Date: 2004-02-29

First Use in Commerce Date: 2004-02-29

ADDITIONAL INFORMATION

Prior Registration Number(s):

1795304

2132515

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-09-12 - Registered - Principal Register

2006-07-29 - Law Office Registration Review Completed

2006-07-28 - Assigned To LIE

2006-07-21 - Allowed for Registration - Principal Register (SOU accepted)

2006-07-19 - NON-FINAL ACTION E-MAILED

2006-07-19 - SU - Non-Final Action - Written
2006-07-19 - Statement Of Use Processing Complete
2006-06-20 - Use Amendment Filed
2006-06-20 - TEAS Statement of Use Received
2005-12-20 - Noa Mailed - SOU Required From Applicant
2005-09-27 - Published for opposition
2005-09-07 - Notice of publication
2005-08-15 - Law Office Publication Review Completed
2005-08-15 - Assigned To LIE
2005-07-29 - Approved For Pub - Principal Register
2005-07-29 - EXAMINERS AMENDMENT E-MAILED
2005-07-29 - Examiners Amendment -Written
2005-07-21 - LIE Checked Susp - To Atty For Action
2005-01-10 - LETTER OF SUSPENSION E-MAILED
2005-01-10 - Suspension Letter Written
2005-01-08 - Amendment From Applicant Entered
2004-12-21 - Communication received from applicant
2005-01-08 - Assigned To LIE
2004-12-21 - PAPER RECEIVED
2004-06-24 - Non-final action e-mailed
2004-06-23 - Assigned To Examiner
2003-12-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Catherine Mennenga

Correspondent

CATHERINE MENNENGA
GENERAL ELECTRIC COMPANY
3135 EASTON TURNPIKE
FAIRFIELD, CT 06828
Phone Number: 203-373-2895
Fax Number: 203-373-2181



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PENSKE PRECISION PLUS

Word Mark **PENSKE PRECISION PLUS**
Goods and Services IC 037. US 100 103 106. G & S: Repair and maintenance of vehicles. FIRST USE: 20040229. FIRST USE IN COMMERCE: 20040229

IC 039. US 100 105. G & S: Full-services leasing of vehicles equipped with global positioning systems that track the location of vehicles; full-service leasing of vehicles equipped with on-board computers that track vehicle performance and driver habits. FIRST USE: 20040229. FIRST USE IN COMMERCE: 20040229

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78332060
Filing Date November 24, 2003
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition September 27, 2005
Registration Number 3142911

Registration Date September 12, 2006
Owner (REGISTRANT) PENSKE SYSTEM, INC. CORPORATION DELAWARE 1105 NORTH MARKET STREET, SUITE 1300 WILMINGTON DELAWARE 19899
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Catherine Mennenga
Prior Registrations 1795304;2132515
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Int. Cls.: 35 and 37

Prior U.S. Cls.: 100, 101, 102, 103, and 106

Reg. No. 3,139,819

United States Patent and Trademark Office

Registered Sep. 5, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

**PENSKE PRECISION
MAINTENANCE**

PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET, SUITE 1300
WILMINGTON, DE 19899

FOR: BUSINESS SERVICES, NAMELY, PROVIDING FUEL AND FUEL TAX REPORTING SERVICES FOR OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

FOR: CONTRACT MAINTENANCE AND REPAIR SERVICES FOR THIRD-PARTY OWNERS OF VEHICLE FLEETS; MAINTAINING FLEETS OF VEHICLES FOR OTHERS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,795,304 AND 2,132,515.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MAINTENANCE", APART FROM THE MARK AS SHOWN.

SN 78-332,043, FILED 11-24-2003.

AMY GEARIN, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

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Serial Number: 78332043 Assignment Information Trademark Document Retrieval

Registration Number: 3139819

Mark

**PENSKE PRECISION
MAINTENANCE**

(words only): PENSKE PRECISION MAINTENANCE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-09-05

Filing Date: 2003-11-24

Transformed into a National Application: No

Registration Date: 2006-09-05

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-07-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PENSKE SYSTEM, INC.

Address:
PENSKE SYSTEM, INC.
1105 NORTH MARKET STREET, SUITE 1300

WILMINGTON, DE 19899

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

business services, namely, providing fuel and fuel tax reporting services for others

Basis: 1(a)

First Use Date: 2004-02-29

First Use in Commerce Date: 2004-02-29

International Class: 037

Class Status: Active

contract maintenance and repair services for third-party owners of vehicle fleets; maintaining fleets of vehicles for others

Basis: 1(a)

First Use Date: 2004-02-29

First Use in Commerce Date: 2004-02-29

ADDITIONAL INFORMATION

Disclaimer: "MAINTENANCE"

Prior Registration Number(s):

1795304

2132515

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-09-05 - Registered - Principal Register

2006-07-24 - Law Office Registration Review Completed

2006-07-21 - Assigned To LIE

2006-07-15 - Allowed for Registration - Principal Register (SOU accepted)

2006-07-15 - Statement Of Use Processing Complete

2006-06-20 - Use Amendment Filed
2006-06-20 - TEAS Statement of Use Received
2005-12-20 - Noa Mailed - SOU Required From Applicant
2005-09-27 - Published for opposition
2005-09-07 - Notice of publication
2005-08-15 - Law Office Publication Review Completed
2005-08-15 - Assigned To LIE
2005-07-29 - Approved For Pub - Principal Register
2005-07-29 - EXAMINERS AMENDMENT E-MAILED
2005-07-29 - Examiners Amendment -Written
2005-07-21 - LIE Checked Susp - To Atty For Action
2005-01-10 - LETTER OF SUSPENSION E-MAILED
2005-01-10 - Suspension Letter Written
2005-01-08 - Amendment From Applicant Entered
2004-12-21 - Communication received from applicant
2005-01-08 - Assigned To LIE
2004-12-21 - PAPER RECEIVED
2004-06-24 - Non-final action e-mailed
2004-06-23 - Assigned To Examiner
2003-12-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Catherine Mennenga

Correspondent
CATHERINE MENNENGA
GENERAL ELECTRIC COMPANY
3135 EASTON TURNPIKE

FAIRFIELD, CT 06828
Phone Number: 203-373-2895
Fax Number: 203-373-2181



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PENSKE PRECISION MAINTENANCE

Word Mark **PENSKE PRECISION MAINTENANCE**
Goods and Services IC 035. US 100 101 102. G & S: business services, namely, providing fuel and fuel tax reporting services for others. FIRST USE: 20040229. FIRST USE IN COMMERCE: 20040229

IC 037. US 100 103 106. G & S: contract maintenance and repair services for third-party owners of vehicle fleets; maintaining fleets of vehicles for others. FIRST USE: 20040229. FIRST USE IN COMMERCE: 20040229

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78332043

Filing Date November 24, 2003

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition September 27, 2005

Registration Number 3139819

Registration Date September 5, 2006

Owner (REGISTRANT) PENSKE SYSTEM, INC. CORPORATION DELAWARE 1105 NORTH

MARKET STREET, SUITE 1300 WILMINGTON DELAWARE 19899

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Catherine Mennenga

Prior Registrations 1795304;2132515

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MAINTENANCE" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Int. Cl.: 39

Prior U.S. Cls.: 100 and 105

United States Patent and Trademark Office

Reg. No. 3,040,449

Registered Jan. 10, 2006

SERVICE MARK
PRINCIPAL REGISTER

PENSKE PRECISION
LEASE

PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET, SUITE 1300
WILMINGTON, DE 19899

FOR: FULL-SERVICE TRUCK LEASING SERVICES WHICH INCLUDE LEASING VEHICLES EQUIPPED WITH GLOBAL POSITIONING SYSTEMS THAT TRACK LOCATION OF VEHICLES; FULL SERVICE TRUCK LEASING SERVICES WHICH INCLUDE LEASING VEHICLES EQUIPPED WITH ON-BOARD COMPUTERS WHICH TRACK VEHICLE PERFORMANCE AND DRIVER HABITS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 1-12-2004; IN COMMERCE 1-12-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,795,304 AND 2,132,515.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEASE", APART FROM THE MARK AS SHOWN.

SER. NO. 78-421,709, FILED 5-19-2004.

AMY GEARIN, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-06-29 15:49:06 ET

Serial Number: 78421709 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3040449

Mark

**PENSKE PRECISION
LEASE**

(words only): PENSKE PRECISION LEASE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2004-05-19

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PENSKE SYSTEM, INC.

Address:

PENSKE SYSTEM, INC.
1105 NORTH MARKET STREET, SUITE 1300

WILMINGTON, DE 19899

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 039

Class Status: Active

full-service truck leasing services which include leasing vehicles equipped with global positioning systems that track location of vehicles; full service truck leasing services which include leasing vehicles equipped with on-board computers which track vehicle performance and driver habits

Basis: 1(a)

First Use Date: 2004-01-12

First Use in Commerce Date: 2004-01-12

ADDITIONAL INFORMATION

Disclaimer: "LEASE"

Prior Registration Number(s):

1795304

2132515

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-01-10 - Registered - Principal Register

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-08-15 - Law Office Publication Review Completed

2005-08-15 - Assigned To LIE

2005-07-29 - Approved for Pub - Principal Register (Initial exam)

2005-07-29 - EXAMINERS AMENDMENT E-MAILED

2005-07-29 - Examiners Amendment - Written

2005-07-21 - LIE Checked Susp - To Atty For Action
2005-01-09 - LETTER OF SUSPENSION E-MAILED
2005-01-09 - Suspension Letter Written
2005-01-08 - Amendment From Applicant Entered
2004-12-21 - Communication received from applicant
2005-01-08 - Assigned To LIE
2004-12-21 - PAPER RECEIVED
2004-06-25 - Non-final action e-mailed
2004-06-24 - Assigned To Examiner
2004-05-26 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Catherine Mennenga

Correspondent

CATHERINE MENNENGA
GENERAL ELECTRIC COMPANY
3135 EASTON TPKE
FAIRFIELD CT 06828-0001
Phone Number: 203-373-2895
Fax Number: 203-373-2181



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PENSKE PRECISION LEASE

Word Mark	PENSKE PRECISION LEASE
Goods and Services	IC 039. US 100 105. G & S: full-service truck leasing services which include leasing vehicles equipped with global positioning systems that track location of vehicles; full service truck leasing services which include leasing vehicles equipped with on-board computers which track vehicle performance and driver habits. FIRST USE: 20040112. FIRST USE IN COMMERCE: 20040112
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78421709
Filing Date	May 19, 2004
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	October 18, 2005
Registration Number	3040449
Registration Date	January 10, 2006
Owner	(REGISTRANT) PENSKE SYSTEM, INC. CORPORATION DELAWARE 1105 NORTH MARKET

STREET, SUITE 1300 WILMINGTON DELAWARE 19899

**Assignment
Recorded**

ASSIGNMENT RECORDED

**Attorney of
Record**

Catherine Mennenga

**Prior
Registrations**

1795304;2132515

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LEASE" APART FROM THE MARK AS SHOWN

Type of Mark

SERVICE MARK

Register

PRINCIPAL

**Live/Dead
Indicator**

LIVE

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Int. Cl.: 39

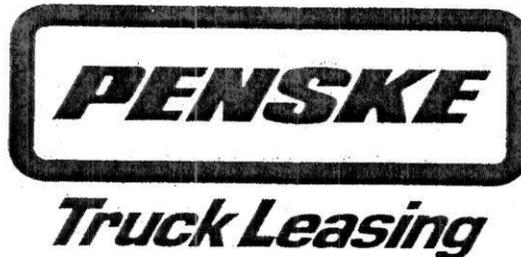
Prior U.S. Cls.: 100 and 105

United States Patent and Trademark Office

Reg. No. 1,795,304

Registered Sep. 28, 1993

**SERVICE MARK
PRINCIPAL REGISTER**



PENSKE SYSTEM, INC. (DELAWARE CORPORATION)
176 RIVERSIDE AVENUE
RED BANK, NJ 07701

FOR: TRUCK RENTAL AND LEASING SERVICES, IN CLASS 39 (U.S. CLS. 105 AND 100).

FIRST USE 4-2-1982, FIRST USED IN ANOTHER FORM IN 1971; IN COMMERCE 4-2-1982, FIRST USED IN COMMERCE IN ANOTHER FORM IN 1971 .

OWNER OF U.S. REG. NO. 987,507.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRUCK LEASING", APART FROM THE MARK AS SHOWN.

SEC. 2(F) AS TO "PENSKE".

SER. NO. 74-112,297, FILED 11-5-1990.

PATRICIA HORRALL, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2010-06-29 13:45:33 ET

Serial Number: 74112297 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 1795304

Mark



(words only): PENSKE TRUCK LEASING

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2003-06-20

Filing Date: 1990-11-05

Transformed into a National Application: No

Registration Date: 1993-09-28

Register: Principal

Law Office Assigned: LAW OFFICE 5

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2007-09-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:

Penske System, Inc.
13400 OUTER DRIVE WEST

DETROIT, MI 48239-400

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 039

Class Status: Active

truck rental and leasing services

Basis: 1(a)

First Use Date: 1982-04-02

First Use in Commerce Date: 1982-04-02

Used Anywhere in Another Form: First used in another form in 1971

Used in Commerce in Another Form: First used in commerce in another form in 1971

ADDITIONAL INFORMATION

Disclaimer: "TRUCK LEASING"

Section 2(f), in part, as to "PENSKE"

Design Search Code(s):

26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

Prior Registration Number(s):

987507

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-11-19 - TEAS Change Of Correspondence Received

2007-09-17 - Case File In TICRS

2004-10-20 - TEAS Change Of Correspondence Received

2003-06-20 - First renewal 10 year

2003-06-20 - Section 8 (10-year) accepted/ Section 9 granted

2003-04-17 - Combined Section 8 (10-year)/Section 9 filed
2003-04-17 - PAPER RECEIVED
1999-12-03 - Section 8 (6-year) accepted & Section 15 acknowledged
1999-08-13 - Section 8 (6-year) and Section 15 Filed
1993-09-28 - Registered - Principal Register
1993-07-06 - Published for opposition
1993-06-04 - Notice of publication
1992-12-14 - Approved for Pub - Principal Register (Initial exam)
1992-12-07 - Communication received from applicant
1992-09-04 - Letter of suspension mailed
1992-02-27 - Final refusal mailed
1991-05-24 - Non-final action mailed
1991-04-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

ANN K FORD

Correspondent

Ann K. Ford
DLA Piper LLP (US)
500 8th Street
Washington DC 20004
Phone Number: 202-799-4000
Fax Number: 202-799-5000



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Word Mark	PENSKE TRUCK LEASING
Goods and Services	IC 039. US 105 100. G & S: truck rental and leasing services. FIRST USE: 19820402. USED IN ANOTHER FORM First used in another form in 1971. FIRST USE IN COMMERCE: 19820402
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders
Serial Number	74112297
Filing Date	November 5, 1990
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 6, 1993
Registration Number	1795304
Registration Date	September 28, 1993
Owner	(REGISTRANT) Penske System, Inc. CORPORATION DELAWARE 13400 OUTER DRIVE WEST DETROIT MICHIGAN 48239-400
Attorney of Record	ANN K FORD
Prior Registrations	0987507
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRUCK LEASING" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)-IN PART

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030620.
Renewal 1ST RENEWAL 20030620
Live/Dead Indicator **LIVE**
Distinctiveness
Limitation Statement as to "PENSKE"

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Serial Number: 77819730 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

TEAM PENSKE

(words only): TEAM PENSKE

Standard Character claim: Yes

Current Status: Application has been published for opposition.

Date of Status: 2010-06-22

Filing Date: 2009-09-03

The Information will be/was published in the Official Gazette on 2010-06-22

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
DINALLO KEVIN M

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-05-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:
Penske System, Inc.
2555 Telegraph Road

Bloomfield Hills, MI 48302

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 014

Class Status: Active

Jewelry, ornamental pins and watches

Basis: 1(a)

First Use Date: 1992-12-31

First Use in Commerce Date: 1992-12-31

International Class: 016

Class Status: Active

Magazines and newsletters featuring motor sports; stationery, pens, decals, stickers and posters

Basis: 1(a)

First Use Date: 1990-12-31

First Use in Commerce Date: 1990-12-31

International Class: 025

Class Status: Active

Clothes, namely, shirts, T-shirts, hats, jackets, caps, sweatshirts

Basis: 1(a)

First Use Date: 1992-12-31

First Use in Commerce Date: 1992-12-31

International Class: 028

Class Status: Active

Toys and games, namely, model cars, die cast cars

Basis: 1(a)

First Use Date: 2008-05-31

First Use in Commerce Date: 2008-05-31

ADDITIONAL INFORMATION

Prior Registration Number(s):

2132515

2566860

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0018930

International Registration Number: 1037692

International Registration Date: 2010-03-03

Original Filing Date with USPTO: 2010-03-03

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2010-05-20

International Registration Renewal Date: 2020-03-03

Irregularity Reply by Date: (DATE NOT AVAILABLE)**Madrid History:**

05-20-2010 - 16:24:30 - Application For IR Registered By IB
03-03-2010 - 21:01:07 - IR Certified And Sent To IB
03-03-2010 - 17:01:56 - New Application For IR Received
03-03-2010 - 17:01:56 - Automatically Certified

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-22 - Notice Of Publication E-Mailed
2010-06-22 - Published for opposition
2010-05-19 - Law Office Publication Review Completed
2010-05-19 - Assigned To LIE
2010-05-11 - Approved for Pub - Principal Register (Initial exam)
2010-05-10 - Teas/Email Correspondence Entered
2010-05-10 - Communication received from applicant
2010-05-10 - TEAS Response to Office Action Received
2009-11-10 - Notification Of Non-Final Action E-Mailed
2009-11-10 - Non-final action e-mailed
2009-11-10 - Non-Final Action Written
2009-11-10 - Assigned To Examiner
2009-09-08 - New Application Office Supplied Data Entered In Tram
2009-09-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

ANN K. FORD
DLA PIPER LLP (US)
500 8TH ST NW
WASHINGTON, DC 20004-2131

Phone Number: 202-799-4000
Fax Number: 202-799-5000



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TEAM PENSKE

Word Mark TEAM PENSKE

Goods and Services IC 014. US 002 027 028 050. G & S: Jewelry, ornamental pins and watches. FIRST USE: 19921231. FIRST USE IN COMMERCE: 19921231

IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines and newsletters featuring motor sports; stationery, pens, decals, stickers and posters. FIRST USE: 19901231. FIRST USE IN COMMERCE: 19901231

IC 025. US 022 039. G & S: Clothes, namely, shirts, T-shirts, hats, jackets, caps, sweatshirts. FIRST USE: 19921231. FIRST USE IN COMMERCE: 19921231

IC 028. US 022 023 038 050. G & S: Toys and games, namely, model cars, die cast cars. FIRST USE: 20080531. FIRST USE IN COMMERCE: 20080531

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77819730

Filing Date September 3, 2009

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition June 22, 2010

International Registration Number 1037692

Owner (APPLICANT) **Penske System, Inc.** CORPORATION DELAWARE 2555 Telegraph Road
Bloomfield Hills MICHIGAN 48302

Attorney of Record Ann K. Ford

Prior Registrations 2132515;2566860;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 77798841 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

TEAM PENSKE

(words only): TEAM PENSKE

Standard Character claim: Yes

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2010-04-06

Filing Date: 2009-08-06

The Notice of Allowance Date is: 2010-04-06

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
DINALLO KEVIN M

Current Location: 700 -Intent To Use Section

Date In Location: 2010-04-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:
Penske System, Inc.
2555 Telegraph Road

Bloomfield Hills, MI 48302

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 006

Class Status: Active

Metal key chain, metal license plates

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 012

Class Status: Active

Metal holders for license plates

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 021

Class Status: Active

Mugs, insulating jackets for use with beverage cans; stained glass decorations

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 024

Class Status: Active

Cloth flags

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

2132515

2566860

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-04-06 - Noa Mailed - SOU Required From Applicant
2010-01-12 - Notice Of Publication E-Mailed
2010-01-12 - Published for opposition
2009-12-08 - Law Office Publication Review Completed
2009-12-08 - Assigned To LIE
2009-11-19 - Approved For Pub - Principal Register
2009-11-18 - Teas/Email Correspondence Entered
2009-11-18 - Communication received from applicant
2009-11-18 - TEAS Response to Office Action Received
2009-11-10 - Notification Of Non-Final Action E-Mailed
2009-11-10 - Non-final action e-mailed
2009-11-10 - Non-Final Action Written
2009-11-10 - Assigned To Examiner
2009-08-10 - New Application Office Supplied Data Entered In Tram
2009-08-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

ANN K. FORD
DLA PIPER LLP (US)
500 8TH ST NW
WASHINGTON, DC 20004-2131
Phone Number: 202-799-4000
Fax Number: 202-799-5000



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TEAM PENSKE

Word Mark	TEAM PENSKE
Goods and Services	IC 006. US 002 012 013 014 023 025 050. G & S: Metal key chain, metal license plates
	IC 012. US 019 021 023 031 035 044. G & S: Metal holders for license plates
	IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs, insulating jackets for use with beverage cans; stained glass decorations
	IC 024. US 042 050. G & S: Cloth flags
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77798841
Filing Date	August 6, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	January 12, 2010
Owner	(APPLICANT) Penske System, Inc. CORPORATION DELAWARE 2555 Telegraph Road Bloomfield Hills MICHIGAN 48302
Attorney of Record	Ann K. Ford
Prior Registrations	2132515;2566860;AND OTHERS
Type of Mark	TRADEMARK

Register PRINCIPAL
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Serial Number: 77942641 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

TEAM PENSKE

(words only): TEAM PENSKE

Standard Character claim: Yes

Current Status: Final review prior to publication has been completed, application will be published for opposition.

Date of Status: 2010-06-13

Filing Date: 2010-02-23

The Information will be/was published in the Official Gazette on 2010-07-20

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
VERHOSEK WILLIAM T

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:
Penske System, Inc.

2555 Telegraph Road
Bloomfield Hills, MI 48302
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

Entertainment services in the nature of automobile racing

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "TEAM"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-13 - Law Office Publication Review Completed

2010-06-13 - Assigned To LIE

2010-05-27 - Approved For Pub - Principal Register

2010-05-27 - Examiner's Amendment Entered

2010-05-27 - Notification Of Examiners Amendment E-Mailed

2010-05-27 - Examiners amendment e-mailed

2010-05-27 - Examiners Amendment -Written

2010-05-26 - Assigned To Examiner

2010-03-01 - New Application Office Supplied Data Entered In Tram

2010-02-26 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford, Esq.

Correspondent

ANN K. FORD, ESQ.

DLA PIPER LLP (US)

500 8TH ST NW

WASHINGTON, DC 20004-2131

Phone Number: 202-799-4000

Fax Number: 202-799-5000



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TEAM PENSKE

Word Mark TEAM PENSKE
 Goods and Services IC 041. US 100 101 107. G & S: Entertainment services in the nature of automobile racing
 Standard Characters Claimed
 Mark Drawing Code (4) STANDARD CHARACTER MARK
 Serial Number 77942641
 Filing Date February 23, 2010
 Current Filing Basis 1B
 Original Filing Basis 1B
 Published for Opposition July 20, 2010
 Owner (APPLICANT) Penske System, Inc. CORPORATION DELAWARE 2555 Telegraph Road Bloomfield Hills MICHIGAN 48302
 Attorney of Record Ann K. Ford, Esq.
 Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEAM" APART FROM THE MARK AS SHOWN
 Type of Mark SERVICE MARK
 Register PRINCIPAL
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Serial Number: 77798855 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark



(words only): PENSKE RACING

Standard Character claim: No

Current Status: Application has been published for opposition.

Date of Status: 2010-06-22

Filing Date: 2009-08-06

The Information will be/was published in the Official Gazette on 2010-06-22

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
DINALLO KEVIN M

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-05-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:

Penske System, Inc.
2555 Telegraph Road
Bloomfield Hills, MI 48302
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 006

Class Status: Active

Metal key chain, metal license plates

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 012

Class Status: Active

Metal holders for license plates

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 014

Class Status: Active

Jewelry, ornamental pins and watches

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 016

Class Status: Active

Magazines and newsletters featuring motorsports; stationery, pens, decals, stickers and posters

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 021

Class Status: Active

Mugs, insulating jackets for use with beverage cans; stained glass decorations

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 024

Class Status: Active

Cloth flags

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 025

Class Status: Active

Clothes, namely, shirts, t-shirts, hats, jackets, caps, sweatshirts

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

International Class: 028

Class Status: Active

Toys and games, namely, model cars, die cast cars

Basis: 1(a)

First Use Date: 1996-09-19

First Use in Commerce Date: 1996-09-19

ADDITIONAL INFORMATION

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "RACING"

Description of Mark: The mark consists of miscellaneous design called turn 4 icon design with the words "PENSKE RACING" to the right of the design.

Design Search Code(s):

07.11.11 - Highways without lines or dividers; Roads without lines or dividers; Streets without lines or dividers; intersections (roads) without lines or dividers

25.03.01 - Checker board pattern; Checkerboard patterns

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Prior Registration Number(s):

2132515

2566860

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0018634

International Registration Number: 1030919

International Registration Date: 2010-02-04

Original Filing Date with USPTO: 2010-02-04

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2010-03-18

International Registration Renewal Date: 2020-02-04

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

03-18-2010 - 13:40:23 - Application For IR Registered By IB

02-05-2010 - 21:02:38 - IR Certified And Sent To IB

02-05-2010 - 13:42:22 - Manually Certified

02-05-2010 - 05:48:45 - New Application For IR Received

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-22 - Notice Of Publication E-Mailed

2010-06-22 - Published for opposition
2010-05-19 - Law Office Publication Review Completed
2010-05-19 - Assigned To LIE
2010-05-11 - Approved for Pub - Principal Register (Initial exam)
2010-05-10 - Teas/Email Correspondence Entered
2010-05-10 - Communication received from applicant
2010-05-10 - TEAS Response to Office Action Received
2009-11-10 - Notification Of Non-Final Action E-Mailed
2009-11-10 - Non-final action e-mailed
2009-11-10 - Non-Final Action Written
2009-11-10 - Assigned To Examiner
2009-08-11 - Notice Of Design Search Code Mailed
2009-08-10 - New Application Office Supplied Data Entered In Tram
2009-08-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford

Correspondent

ANN K. FORD

DLA PIPER LLP (US)

500 8TH ST NW

WASHINGTON, DC 20004-2131

Phone Number: 202-799-4000

Fax Number: 202-799-5000



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Word Mark PENSKE RACING

Goods and Services IC 006. US 002 012 013 014 023 025 050. G & S: Metal key chain, metal license plates. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 012. US 019 021 023 031 035 044. G & S: Metal holders for license plates. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 014. US 002 027 028 050. G & S: Jewelry, ornamental pins and watches. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines and newsletters featuring motorsports; stationery, pens, decals, stickers and posters. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs, insulating jackets for use with beverage cans; stained glass decorations. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 024. US 042 050. G & S: Cloth flags. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 025. US 022 039. G & S: Clothes, namely, shirts, t-shirts, hats, jackets, caps, sweatshirts. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

IC 028. US 022 023 038 050. G & S: Toys and games, namely, model cars, die cast cars. FIRST USE: 19960919. FIRST USE IN COMMERCE: 19960919

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 07.11.11 - Highways without lines or dividers; intersections (roads) without lines or dividers; Roads without lines or dividers; Streets without lines or dividers

25.03.01 - Checker board pattern; Checkerboard patterns
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Serial Number 77798855
Filing Date August 6, 2009
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition June 22, 2010
International Registration Number 1030919
Owner (APPLICANT) **Penske System, Inc.** CORPORATION DELAWARE 2555 Telegraph Road Bloomfield Hills MICHIGAN 48302
Attorney of Record Ann K. Ford
Prior Registrations 2132515;2566860;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of miscellaneous design called turn 4 icon design with the words "PENSKE RACING" to the right of the design.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 77942610 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark



(words only): PENSKE RACING

Standard Character claim: No

Current Status: Final review prior to publication has been completed, application will be published for opposition.

Date of Status: 2010-06-13

Filing Date: 2010-02-23

The Information will be/was published in the Official Gazette on 2010-07-20

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
VERHOSEK WILLIAM T

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Penske System, Inc.

Address:
Penske System, Inc.
2555 Telegraph Road
Bloomfield Hills, MI 48302
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 041
Class Status: Active
Entertainment services in the nature of automobile racing
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "RACING"

Description of Mark: The mark consists of a stylized turn of a race track with a checkerboard pattern and the wording "PENSKE RACING".

Design Search Code(s):

07.11.07 - Highways with lines or dividers; Roads with lines or dividers; Streets with lines or dividers; intersections (roads) with lines or dividers
25.03.01 - Checker board pattern; Checkerboard patterns

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-13 - Law Office Publication Review Completed
2010-06-13 - Assigned To LIE
2010-05-27 - Approved For Pub - Principal Register
2010-05-27 - Examiner's Amendment Entered
2010-05-27 - Notification Of Examiners Amendment E-Mailed
2010-05-27 - Examiners amendment e-mailed
2010-05-27 - Examiners Amendment -Written

2010-05-26 - Assigned To Examiner

2010-03-02 - Notice Of Design Search Code Mailed

2010-03-01 - New Application Office Supplied Data Entered In Tram

2010-02-26 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ann K. Ford, Esq.

Correspondent

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500 8TH ST NW

WASHINGTON, DC 20004-2131

Phone Number: 202-799-4000

Fax Number: 202-799-5000



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Word Mark	PENSKE RACING
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services in the nature of automobile racing
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	07.11.07 - Highways with lines or dividers; intersections (roads) with lines or dividers; Roads with lines or dividers; Streets with lines or dividers 25.03.01 - Checker board pattern; Checkerboard patterns
Serial Number	77942610
Filing Date	February 23, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	July 20, 2010
Owner	(APPLICANT) Penske System, Inc. CORPORATION DELAWARE 2555 Telegraph Road Bloomfield Hills MICHIGAN 48302
Attorney of Record	Ann K. Ford, Esq.
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING" APART FROM THE MARK AS SHOWN
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a stylized turn of a race track with a checkerboard pattern and the wording "PENSKE RACING".
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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