

ESTTA Tracking number: **ESTTA392144**

Filing date: **02/07/2011**

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	Honda Motor Co., Ltd.
Granted to Date of previous extension	02/06/2011
Address	No. 1-1, 2-Chome, Minami-Aoyama, Minato-ku Tokyo, 107-8556 JAPAN

Attorney information	Erin M. Hickey Fish & Richardson P.C. P.O. Box 1022 Minneapolis, MN 55440-1022 UNITED STATES tmdoctc@fr.com, hickey@fr.com, fletcher@fr.com, dylan-hyde@fr.com Phone:(212) 765-5070
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Applicant Information

Application No	77846200	Publication date	08/10/2010
Opposition Filing Date	02/07/2011	Opposition Period Ends	02/06/2011
Applicant	Vantium Capital, Inc. Suite 1500 6500 International Pkwy. Plano, TX 750938235 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. First Use: 2008/04/07 First Use In Commerce: 2008/04/07 All goods and services in the class are opposed, namely: Financial services, namely, providing consultancy services in the areas of existing mortgage solutions and loan modifications
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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.	2365656	Application Date	05/08/1998
Registration Date	07/11/2000	Foreign Priority Date	NONE
Word Mark	ACURA CARE		

Design Mark	ACURA CARE
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Description of Mark	NONE
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Goods/Services	<p>Class 016. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 [coupons, incentive coupons, voucher books, printed forms, memorandum books, posters, and] printed matter about vehicles of all types, namely, automobiles, all-terrain vehicles, four-wheel land vehicles, namely newsletters, magazines, brochures and pamphlets</p> <p>Class 035. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 [advertising agencies, namely, promoting the services of vehicle dealerships through the distribution of printed and audio promotional materials and by rendering sales promotion advice; developing campaigns for dealers; promoting the sale of vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles by dealers through the administration of incentive award programs; business services provided to dealers, namely preparing business reports,] service transactions analysis, namely reports, which analyze services rendered to vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles, vehicle aging reports to determine the wear and tear of vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles, cost and income analysis of vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles, parts, accessories and servicing thereof</p> <p>Class 036. First use: First Use: 1997/01/01 First Use In Commerce: 1997/01/01 underwriting vehicle service contracts for vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles</p> <p>Class 037. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 service station services for vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles, namely repair, maintenance, detailing, greasing, painting and polishing of vehicles; emergency roadside assistance</p> <p>Class 039. First use: First Use: 1994/04/18 First Use In Commerce: 1994/04/18 vehicle towing service</p> <p>Class 042. First use: First Use: 1994/04/18 First Use In Commerce: 1994/04/18 toll-free telephone support provided to dealers and others for the repair, servicing and maintenance of vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles, and parts and accessories thereof; inspections of vehicles of all types, namely automobiles, all-terrain vehicles, four-wheel land vehicles</p>
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U.S. Registration No.	1407602	Application Date	09/04/1984
Registration Date	09/02/1986	Foreign Priority Date	NONE
Word Mark	ACURA		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 012. First use: First Use: 1984/08/31 First Use In Commerce: 1984/08/31 AUTOMOBILES

U.S. Registration No.	1484673	Application Date	02/27/1987
Registration Date	04/12/1988	Foreign Priority Date	NONE
Word Mark	ACURA ADVANTAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1986/10/15 First Use In Commerce: 1986/10/15 EDUCATIONAL SERVICES, NAMELY CONDUCTING SEMINARS AND WORKSHOPS CONCERNING THE OPERATION OF AUTOMOBILE DEALERSHIPS		

U.S. Registration No.	1644580	Application Date	11/15/1989
Registration Date	05/14/1991	Foreign Priority Date	NONE
Word Mark	ACURA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1984/08/31 First Use In Commerce: 1984/08/31 BUSINESS MANAGEMENT CONSULTING SERVICES IN THE FIELD OF AUTOMOBILE DEALERSHIPS		

U.S. Registration No.	2080993	Application Date	02/28/1996
Registration Date	07/22/1997	Foreign Priority Date	NONE
Word Mark	ACURA PRECISION TEAM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1994/01/01 First Use In Commerce: 1994/01/01 conducting employee and dealership incentive award programs to promote on-the-job quality service, productivity, performance, and sales in the field of automobile dealerships		

U.S. Registration No.	2646476	Application Date	05/12/2000
Registration Date	11/05/2002	Foreign Priority Date	NONE
Word Mark	ACURA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 2001/05/00 First Use In Commerce: 2001/05/00 Leather bags, umbrellas Class 025. First use: First Use: 2001/05/00 First Use In Commerce: 2001/05/00 Clothing, namely t-shirts, shirts, hats, neckties, caps, and leather belts

U.S. Registration No.	2675400	Application Date	05/12/2000
Registration Date	01/14/2003	Foreign Priority Date	NONE

Word Mark	ACURA
Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 2001/05/00 First Use In Commerce: 2001/05/00 [Leather bags,] umbrellas Class 025. First use: First Use: 2001/05/00 First Use In Commerce: 2001/05/00 Clothing, namely t-shirts, shirts, hats, [neckties,] caps [, and leather belts]

U.S. Registration No.	2490387	Application Date	05/12/2000
Registration Date	09/18/2001	Foreign Priority Date	NONE

Word Mark	ACURA
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00 Providing information to automobile dealers on the subject of advertising Class 038. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00

	<p>Electronic transmission of data, namely information to customers about product history, technology, and comparison to competitor products; and sales and marketing bulletins, press releases, and service information to sales, service, and management staff</p> <p>Class 041. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00 Computer-based training classes in the field of automobile sales, service, and management</p>
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U.S. Registration No.	2514550	Application Date	05/12/2000
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Registration Date	12/04/2001	Foreign Priority Date	NONE
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Word Mark	ACURA		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	<p>Class 035. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00 business consultation provided to automobile dealers; providing consumer product information via the Internet; providing dealership support information to sales and management staff via the Internet, specifically, marketing bulletins and press releases</p> <p>Class 037. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00 Providing dealership support information to service and management staff via the Internet, specifically, service bulletins</p> <p>Class 041. First use: First Use: 2000/02/00 First Use In Commerce: 2000/02/00 Computer-based training classes in the field of automobile sales, service, and management</p>		
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U.S. Registration No.	2875172	Application Date	05/12/2000
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Registration Date	08/17/2004	Foreign Priority Date	NONE
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Word Mark	ACURA		
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2001/01/01 First Use In Commerce: 2001/01/01 [Computer game cartridges, computer game cassettes,] computer game discs, computer game programs, computer game software, [computer game tapes] Class 026. First use: First Use: 2000/12/01 First Use In Commerce: 2000/12/01 Belt buckles not of precious metal Class 028. First use: First Use: 2001/01/03 First Use In Commerce: 2001/01/03 toy replicas of vehicles

U.S. Registration No.	2989794	Application Date	11/03/2004
Registration Date	08/30/2005	Foreign Priority Date	NONE
Word Mark	A ACURA		
Design Mark			
Description of Mark	The mark consists of the word ACURA with a vertical "A" in a circle before the first letter "A" in the word ACURA.		
Goods/Services	Class 022. First use: First Use: 2004/05/00 First Use In Commerce: 2004/05/00 Lanyards made of cotton for holding eyeglasses		

U.S. Registration No.	2964305	Application Date	11/10/2004
Registration Date	06/28/2005	Foreign Priority Date	NONE
Word Mark	A ACURA		
Design Mark			

Description of Mark	The mark consists of the word ACURA with a vertical Stylized "A" in a circle over the letter "U" in the word ACURA.
Goods/Services	Class 009. First use: First Use: 2004/05/00 First Use In Commerce: 2004/05/00 Sunglasses and cases for sunglasses

U.S. Registration No.	2964304	Application Date	11/03/2004
Registration Date	06/28/2005	Foreign Priority Date	NONE

Word Mark	ACURA
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Description of Mark	The mark consists of the word ACURA with a vertical "A" in a circle over the letter "U" in the word ACURA.
Goods/Services	Class 012. First use: First Use: 2004/05/00 First Use In Commerce: 2004/05/00 Automobile windshield sunshade

U.S. Registration No.	3702836	Application Date	07/02/2008
Registration Date	10/27/2009	Foreign Priority Date	NONE

Word Mark	ACURA FINANCIAL SERVICES
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Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2009/04/20 First Use In Commerce: 2009/04/20 Motor vehicle retail and wholesale financing services in the form of installment loans, and leases, financing dealer vehicle inventories, vehicle service contracts and GAP (Guaranteed Asset Protection) services

U.S. Application No.	77524601	Application Date	07/17/2008
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Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ACURA ADVANCE.		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 012. First use: Non-electric prime movers for land vehicles, not including their parts, namely, internal combustion engines, drive shafts for land vehicles, axles for land vehicles, axle bearings for land vehicles, shaft couplings and connectors for land vehicles, power transmissions and gearings for land vehicles, shock absorbers and shock absorbing springs for land vehicles, automobiles and their parts and fittings sold together as a unit, aircraft and their parts and fittings sold together as a unit, two-wheeled motor vehicles and their parts and fittings sold together as a unit</p>		

U.S. Application No.	77729037	Application Date	05/05/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ACURA CONCIERGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: Automobile dealerships featuring retail store services in the field of automobiles and retail automobile parts and accessories stores; customer relationship management</p> <p>Class 036. First use: Financing relating to automobiles</p> <p>Class 037. First use: Vehicle repair and maintenance</p>		

	Class 039. First use: Leasing of vehicles		
U.S. Application No.	77781366	Application Date	07/15/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ACURA CONCIERGE EXPERIENCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Automotive vehicle dealerships featuring retail store services in the field of automobiles and SUVs, retail automotive vehicle parts and accessories stores; customer relationship management Class 036. First use: Automotive vehicle financing services Class 037. First use: Automotive vehicle maintenance and repair services Class 039. First use: Leasing of automotive vehicles		

Attachments	75482203#TMSN.gif (1 page)(bytes) 75982583#TMSN.gif (1 page)(bytes) 75982584#TMSN.gif (1 page)(bytes) 76047331#TMSN.gif (1 page)(bytes) 76047314#TMSN.gif (1 page)(bytes) 76051025#TMSN.gif (1 page)(bytes) 78510770#TMSN.jpeg (1 page)(bytes) 78514771#TMSN.jpeg (1 page)(bytes) 78510794#TMSN.jpeg (1 page)(bytes) 77513688#TMSN.jpeg (1 page)(bytes) 77524601#TMSN.jpeg (1 page)(bytes) 77729037#TMSN.jpeg (1 page)(bytes) 77781366#TMSN.jpeg (1 page)(bytes) ACQURA - NOO.pdf (11 pages)(2877523 bytes) ACQURA - Ex. A.pdf (4 pages)(942837 bytes) ACQURA - Ex. B.pdf (28 pages)(6204018 bytes) ACQURA - Ex. C.pdf (2 pages)(398787 bytes) ACQURA - Ex. D.pdf (14 pages)(3182455 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	/Erin M. Hickey/
Name	Erin M. Hickey
Date	02/07/2011

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

In the matter of application Serial No. 77/846,200
For the designation ACQURA
Published in the *Trademark Official Gazette* on August 10, 2010

HONDA MOTOR CO., LTD.,

Opposer,

v.

VANTIUM CAPITAL, INC. d/b/a ACQURA
LOAN SERVICES,

Applicant.

Opposition No.

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

Honda Motor Co., Ltd., a corporation duly organized and existing under the laws of Japan, and having an address of 1-1, 2-Chome, Minami-Aoyama, Minato-ku, Tokyo, Japan 107-8556, believes that it will be damaged by the registration of the designation ACQURA identified in the application herein opposed, and, having previously filed for, and been granted, three extensions of time to oppose the designation ACQURA identified in the application herein opposed, hereby opposes the same.

As grounds therefor, it is alleged that:

1. The above-identified opposer, itself and through subsidiaries, affiliates, and related companies, including authorized licensees or sub-licensees (collectively, "Opposer"),

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manufactures, markets, and sells automotive vehicles throughout the world under a number of Honda-owned marks, including the mark ACURA.

2. As part of its business, Opposer uses the mark ACURA on a wide range of other products and services, including services in connection with the financing and leasing of its automotive vehicles, including its ACURA-branded automotive vehicles.

3. Since long before April 7, 2008, the date upon which Applicant claims to have first used the mark identified in the application herein opposed, and since long before any priority date that could be afforded to a registration resulting from the application herein opposed, Opposer has adopted, used, and registered a family of marks, comprised, in whole or in part, of ACURA for a wide range of goods and services, including finance-related services used in connection with Honda-authorized dealerships and consumers purchasing ACURA-branded automotive vehicles.

4. In particular, since at least as early as January 1, 1997, and since long before April 7, 2008, the date upon which Applicant claims to have first used the mark identified in the application herein opposed, and since long before any priority date that could be afforded to a registration resulting from the application herein opposed, Opposer adopted and used the mark ACURA CARE for, among other goods and services, underwriting vehicle service contracts for ACURA-branded automotive vehicles. Opposer owns Registration No. 2,365,656 for the mark ACURA CARE for these services, which issued July 11, 2000. The registration is incontestable, valid and subsisting, and is in full force and effect. Opposer is the owner of the registration and

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the mark shown therein, and of the entire business and goodwill connected therewith and symbolized thereby. A copy of the Certificate of Registration for Registration No. 2,365,656, as well as the United States Patent and Trademark Office's record showing its current status, are annexed hereto as Exhibit A.

5. Since long before April 7, 2008, the date upon which Applicant claims to have first used the mark identified in the application herein opposed, and since long before any priority date that could be afforded to a registration resulting from the application herein opposed, Opposer adopted, used, and registered the following marks in its family of ACURA marks in connection with a wide range of goods and services:

Mark	Reg. No.	Goods/Services	Registration Date
ACURA	1,407,602	automobiles	September 2, 1986
ACURA ADVANTAGE	1,484,673	educational services, namely, conducting seminars and workshops concerning the operation of automobile dealerships	April 12, 1988
ACURA	1,644,580	business management consulting services in the field of automobile dealerships	May 14, 1991
ACURA PRECISION TEAM	2,080,993	conducting employee and dealership incentive award programs to promote on-the-job quality service, productivity, performance, and sales in the field of automobile dealerships	July 22, 1997

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ACURA and A Design	2,646,476	<p>leather bags, umbrellas</p> <p>clothing, namely t-shirts, shirts, hats, neckties, caps, and leather belts</p>	November 5, 2002
ACURA and A Design	2,675,400	umbrellas	January 14, 2003
ACURA and A Design	2,490,387	<p>providing information to automobile dealers on the subject of advertising</p> <p>electronic transmission of data, namely information to customers about product history, technology, and comparison to competitor products; and sales and marketing bulletins, press releases, and service information to sales, service, and management staff</p> <p>computer-based training classes in the field of automobile sales, service, and management</p>	September 18, 2001
ACURA and A Design	2,514,550	<p>providing information to automobile dealers on the subject of advertising</p> <p>electronic transmission of data, namely information to customers about product history, technology, and comparison to competitor products; and sales and marketing bulletins, press releases, and service information to sales, service, and management staff</p> <p>computer-based training classes in the field of automobile sales, service, and management</p>	December 4, 2001

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ACURA and A Design	2,875,172	computer game discs, computer game programs, computer game software belt buckles not of precious metal toy replicas of vehicles	August 17, 2004
ACURA and A Design	2,989,794	lanyards made of cotton for holding eyeglasses	August 30, 2005
ACURA and A Design	2,964,305	sunglasses and cases for sunglasses	June 28, 2005
ACURA and A Design	2,964,304	automobile windshield sunshade	June 28, 2005

The above-identified registrations are valid and subsisting, and are in full force and effect.

Opposer is the owner of the registrations and the marks shown therein, and of the entire business and goodwill connected therewith and symbolized thereby. Copies of the Certificates of Registration and, where applicable, the United States Patent and Trademark Office's record showing the registration's current status, are annexed here to as Exhibit B.

6. Since long before April 7, 2008, the date upon which Applicant claims to have first used the mark identified in the application herein opposed, and since long before any priority date that could be afforded to a registration resulting from the application herein opposed, Opposer has advertised and promoted extensively its family of ACURA marks in connection with a wide range of goods and services, including services in connection with the financing and leasing of its ACURA-branded automotive vehicles, and has achieved significant

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sales of such goods and services under and in connection with its family of ACURA marks throughout the United States.

7. By virtue of such advertising and promotion, together with the long and continuous use of its family of ACURA marks, and the quality of the goods and services rendered under and in connection with its family of ACURA marks, Opposer's family of ACURA marks is famous in the United States.

8. Opposer also owns Registration No. 3,702,836 for the mark ACURA FINANCIAL SERVICES in connection with "[m]otor vehicle retail and wholesale financing services in the form of installment loans, and leases, financing dealer vehicle inventories, vehicle service contracts and GAP (Guaranteed Asset Protection) services" in International Class 36. Registration No. 3,702,836 issued October 27, 2009, with a priority filing date of July 2, 2008, and with a claimed date of first use in United States commerce of April 20, 2009. The registration is valid and subsisting, and is in full force and effect. Opposer is the owner of the registration and the mark shown therein, and of the entire business and goodwill connected therewith and symbolized thereby. A copy of the Certificate of Registration for Registration No. 3,702,836 is annexed hereto as Exhibit C.

9. In addition to the foregoing registrations, Opposer also owns a few pending applications for marks in its family of ACURA marks, including pending application Serial No. 77/524,601 for the mark ACURA ADVANCE. (Stylized), which was filed July 17, 2008, with a foreign priority filing date of January 1, 2008, in connection with a number of automotive-

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vehicle goods. A copy from the United States Patent and Trademark Office's Trademark Electronic Search System's database showing the current status of application Serial No. 77/524,601, as well as the application claiming the foreign priority date, are annexed hereto as Exhibit D. Among the other pending applications Opposer owns are Serial Nos. 77/729,037 and 77/781,366 for the marks ACURA CONCIERGE and ACURA CONCIERGE EXPERIENCE, respectively, for financing and leasing services for vehicles in International Class 36.

10. On October 11, 2009, Applicant applied to register the designation ACQURA identified in the application herein opposed in connection with "[f]inancial services, namely, providing consultancy services in the areas of existing mortgage solutions and loan modifications" in International Class 36, claiming use of the mark in connection with such services in United States commerce since at least as early as April 7, 2008.

11. Opposer's common law and statutory priority rights in and to its famous family of ACURA marks precedes April 7, 2008, the date upon which Applicant claims to have first used the mark identified in the application herein opposed, and precedes any priority date that could be afforded to a registration resulting from the application herein opposed.

12. Opposer's family of ACURA marks is distinctive, well known, and famous, and became distinctive, well known, and famous long before April 7, 2008, the date upon which Applicant claims to have first used the designation identified in the application herein opposed, and since long before any priority date that could be afforded to a registration resulting from the application herein opposed.

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13. Applicant's designation ACQURA identified in the application herein opposed is nearly identical – in sight, sound, and commercial impression – to Opposer's previously used, registered, and famous family of ACURA marks.

14. Opposer has offered and provided for years past, and currently offers and provides, services in connection with real estate loans under its HONDA trade name and mark.

14. Applicant seeks to register the designation ACQURA for financial services that are related to the financial services that Opposer currently provides under its previously used, registered, and famous family of ACURA marks, and that are within the zone of natural expansion of the financial services that Opposer currently provides under its previously used, registered, and famous family of ACURA marks.

15. Applicant seeks to register the designation ACQURA for financial services that are likely to be advertised and sold in the same or similar types of media and trade channels as Opposer's financial services, and are likely to be offered and provided to the customers who are similar to the customers who purchase Opposer's financial services offered and provided under its previously used, registered, and famous family of ACURA marks.

16. Registration of the designation ACQURA identified in the application herein opposed should be refused under Section 2(d) of the United States Trademark Act, 15 U.S.C. § 1052, on the grounds that Applicant's designation ACQURA so closely resembles Opposer's previously used and registered family of ACURA marks as to be likely, when used in connection

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with the services identified in the application herein opposed, to cause confusion, to cause mistake, and to deceive, resulting in injury to Opposer, the trade, and to the public.

17. Registration of the designation ACQURA identified in the application herein opposed should be refused under Section 43(c) of the United States Trademark Act, 15 U.S.C. § 1125(c), on the grounds that the designation ACQURA so closely resembles Opposer's previously used, registered, and famous family of ACURA marks that it is likely to cause dilution, by blurring and/or tarnishment, of Opposer's previously used, registered, and famous family of ACURA marks, resulting in injury to Opposer, the trade, and to the public.

18. Opposer will be damaged by the registration sought herein by Applicant because such registration will support and assist Applicant in the confusing, misleading, and deceptive use of the designation ACQURA identified in the application herein opposed, and will give color of exclusive statutory rights in Applicant in violation and derogation of the prior and superior rights of Opposer in its previously used, registered, and famous family of ACURA marks.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's designation ACQURA, and prays that it not be allowed.

Please charge Deposit Account No. 06-1050, Order No. 10691-0445PP1 for the filing fee for this Notice of Opposition, and for any other fees that may be due.

Applicant : Vantium Capital, Inc. d/b/a Acqura Loan Services
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Dated: February 7, 2011

Respectfully submitted,

FISH & RICHARDSON P.C.

By: 
Anthony L. Fletcher
Erin M. Hickey

601 Lexington Avenue, 52nd Floor
New York, New York 10022
Telephone: (212) 765-5070
Facsimile: (212) 258-2291
E-mail: fletcher@fr.com, hickey@fr.com, and
tmdoctc@fr.com

Attorneys for Opposer,
HONDA MOTOR CO., LTD.

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CERTIFICATE OF SERVICE

This is to certify that, on February 7, 2011, a true copy of the foregoing **NOTICE OF OPPOSITION** was sent by first-class mail, postage prepaid, as well as electronic mail, to Applicant's attorneys of record:

Darin M. Klemchuk, Esq.
Shannon W. Bates, Esq.
KLEMCHUK KUBASTA LLP
8150 N. Central Expressway, Suite 1150
Dallas, Texas 75206
darin@kk-llp.com
shannon.bates@kk-llp.com

FISH & RICHARDSON P.C.

By: 
Erin M. Hickey

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In the matter of application Serial No. 77/846,200
For the designation ACQURA
Published in the *Trademark Official Gazette* on August 10, 2010

HONDA MOTOR CO., LTD.,

Opposer,

v.

VANTIUM CAPITAL, INC. d/b/a ACQURA
LOAN SERVICES,

Applicant.

Opposition No.

EXHIBIT A

Int. Cls.: 16, 35, 36, 37, 39 and 42

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100,
101, 102, 103, 105 and 106

Reg. No. 2,365,656

United States Patent and Trademark Office

Registered July 11, 2000

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ACURA CARE

HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN CORPORATION)
2-1-1 MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN

FOR: COUPONS, INCENTIVE COUPONS, VOUCHER BOOKS, PRINTED FORMS, MEMORANDUM BOOKS, POSTERS, AND PRINTED MATTER ABOUT VEHICLES OF ALL TYPES, NAMELY, AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, NAMELY NEWSLETTERS, MAGAZINES, BROCHURES AND PAMPHLETS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-1-1998; IN COMMERCE 1-1-1998.

FOR: ADVERTISING AGENCIES, NAMELY, PROMOTING THE SERVICES OF VEHICLE DEALERSHIPS THROUGH THE DISTRIBUTION OF PRINTED AND AUDIO PROMOTIONAL MATERIALS AND BY RENDERING SALES PROMOTION ADVICE; DEVELOPING CAMPAIGNS FOR DEALERS; PROMOTING THE SALE OF VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES BY DEALERS THROUGH THE ADMINISTRATION OF INCENTIVE AWARD PROGRAMS; BUSINESS SERVICES PROVIDED TO DEALERS, NAMELY PREPARING BUSINESS REPORTS, SERVICE TRANSACTIONS ANALYSIS, NAMELY REPORTS, WHICH ANALYZE SERVICES RENDERED TO VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, VEHICLE AGING REPORTS TO DETERMINE THE WEAR AND TEAR OF VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL

LAND VEHICLES, COST AND INCOME ANALYSIS OF VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, PARTS, ACCESSORIES AND SERVICING THEREOF, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-1-1998; IN COMMERCE 1-1-1998.

FOR: UNDERWRITING VEHICLE SERVICE CONTRACTS FOR VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: SERVICE STATION SERVICES FOR VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, NAMELY REPAIR, MAINTENANCE, DETAILING, GREASING, PAINTING AND POLISHING OF VEHICLES; EMERGENCY ROADSIDE ASSISTANCE, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-1-1998; IN COMMERCE 1-1-1998.

FOR: VEHICLE TOWING SERVICE, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 4-18-1994; IN COMMERCE 4-18-1994.

FOR: TOLL-FREE TELEPHONE SUPPORT PROVIDED TO DEALERS AND OTHERS FOR THE REPAIR, SERVICING AND MAINTENANCE OF VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES; AND PARTS AND ACCESSORIES THEREOF; INSPECTIONS OF VEHICLES OF ALL TYPES, NAMELY AUTOMOBILES, ALL-TERRAIN VEHICLES, FOUR-WHEEL LAND VEHICLES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 4-18-1994; IN COMMERCE 4-18-1994.

2,365,656

OWNER OF U.S. REG. NOS. 1,407,602 AND
1,644,580.

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

SER. NO. 75-482,203, FILED 5-8-1998.

PATRICIA HERRALL, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE OF §8
DECLARATION AND §9 RENEWAL
MAILING DATE: May 6, 2010**

The declaration and renewal application filed in connection with the registration identified below meets the requirements of Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. The declaration is accepted and renewal is granted. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2365656
MARK: ACURA CARE
OWNER: HONDA GIKEN KOGYO KABUSHIKI KAISHA (HOND

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S POSTAGE
PAID

DAVID N MAKOUS
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 North Figueroa Street
Suite 1200
LOS ANGELES, CA 90012

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

In the matter of application Serial No. 77/846,200
For the designation ACQURA
Published in the *Trademark Official Gazette* on August 10, 2010

HONDA MOTOR CO., LTD.,

Opposer,

v.

VANTIUM CAPITAL, INC. d/b/a ACQURA
LOAN SERVICES,

Applicant.

Opposition No.

EXHIBIT B

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

Reg. No. 1,407,602

Registered Sep. 2, 1986

TRADEMARK
PRINCIPAL REGISTER

ACURA

HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)
NO. 27-8, 6-CHOME
JINGUMAE, SHIBUYA-KU, TOKYO, JAPAN

FIRST USE 8-31-1984; IN COMMERCE
8-31-1984.

SER. NO. 497,797, FILED 9-4-1984.

FOR: AUTOMOBILES, IN CLASS 12 (U.S. CL.
19).

DAVID H. STINE, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 1407602 SERIAL NO: 73/497797 MAILING DATE: 01/20/2006
REGISTRATION DATE: 09/02/1986
MARK: ACURA
REGISTRATION OWNER: HONDA GIKEN KOGYO KABUSHIKI KAISHA (HOND

CORRESPONDENCE ADDRESS:

David N. Makous
LEWIS BRISBOIS BISGAARD AND SMITH LLP
221 N. FIGUEROA ST., SUITE 1200
LOS ANGELES, CA 90012

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058. ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059. ACCORDINGLY, THE REGISTRATION IS RENEWED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
012.

AHMED, DEBORAH Y
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION
ORIGINAL

REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION) SECTION 8: AFFIDAVIT

OF CONTINUED USE The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration. **Failure to file the Application for Renewal will result in the expiration of the registration.**

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office

Reg. No. 1,484,673

Registered Apr. 12, 1988

**SERVICE MARK
PRINCIPAL REGISTER**

ACURA ADVANTAGE

HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)
NO. 1-1, 2-CHOME, MINAMI-AOYAMA
MINATO-KU, TOKYO, JAPAN 107

FOR: EDUCATIONAL SERVICES, NAMELY
CONDUCTING SEMINARS AND WORKSHOPS
CONCERNING THE OPERATION OF AUTO-

MOBILE DEALERSHIPS, IN CLASS 41 (U.S. CL.
107).

FIRST USE 10-15-1986; IN COMMERCE
10-15-1986.

OWNER OF U.S. REG. NO. 1,407,602.

SER. NO. 646,938, FILED 2-27-1987.

DAVID H. STINE, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 1484673 SERIAL NO: 73/646938 MAILING DATE: 11/05/2007
REGISTRATION DATE: 04/12/1988
MARK: ACURA ADVANTAGE
REGISTRATION OWNER: HONDA GIKEN KOGYO KABUSHIKI KAISHA (HOND

CORRESPONDENCE ADDRESS:

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
LOS ANGELES CA 90012

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058. **ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.**

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059. **ACCORDINGLY, THE REGISTRATION IS RENEWED.**

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
041.

COPELAND, VICKY LEN
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION**
ORIGINAL

REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION) SECTION 8: AFFIDAVIT OF CONTINUED USE The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration. **Failure to file the Application for Renewal will result in the expiration of the registration.**

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Int. Cl.: 35

Prior U.S. Cl.: 101

United States Patent and Trademark Office **Reg. No. 1,644,580**
Registered May 14, 1991

**SERVICE MARK
PRINCIPAL REGISTER**

ACURA

HONDA GIKEN KOGYO KABUSHIKI KAISHA
(JAPAN CORPORATION)
NO. 1-1
2-CHOME, MINAMI-AOYAMA
MINATO-KU, TOKYO, JAPAN 107

FOR: BUSINESS MANAGEMENT CONSULT-
ING SERVICES IN THE FIELD OF AUTOMO-
BILE DEALERSHIPS, IN CLASS 35 (U.S. CL.
101).

FIRST USE 8-31-1984; IN COMMERCE
8-31-1984.

OWNER OF U.S. REG. NOS. 1,537,455 AND
1,573,215.

SER. NO. 73-839,426, FILED 11-15-1989.

JENNIFER BRUST, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE OF §8
DECLARATION AND §9 RENEWAL
MAILING DATE: Nov 18, 2010**

The declaration and renewal application filed in connection with the registration identified below meets the requirements of Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. The declaration is accepted and renewal is granted. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 1644580
MARK: ACURA
OWNER: HONDA GIKEN KOGYO KABUSHIKI KAISHA

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

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David N. Makous
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 North Figueroa Street
Suite 1200
LOS ANGELES, CA 90012

Int. Cl.: 35

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

Reg. No. 2,080,993

United States Patent and Trademark Office

Registered July 22, 1997

**SERVICE MARK
PRINCIPAL REGISTER**

ACURA PRECISION TEAM

HONDA GIKEN KOGYO KABUSHIKI KAISHA
(JAPAN CORPORATION)
2-1-1 MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN

FOR: CONDUCTING EMPLOYEE AND
DEALERSHIP INCENTIVE AWARD PRO-
GRAMS TO PROMOTE ON-THE-JOB QUALITY
SERVICE, PRODUCTIVITY, PERFORMANCE,
AND SALES IN THE FIELD OF AUTOMOBILE

DEALERSHIPS, IN CLASS 35 (U.S. CLS. 100, 101
AND 102).

FIRST USE 1-1-1994; IN COMMERCE
1-1-1994.

OWNER OF U.S. REG. NOS. 1,407,602,
1,484,673, AND 1,644,580.

SER. NO. 75-064,826, FILED 2-28-1996.

STEVEN R. FOSTER, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 2080993 SERIAL NO: 75/064826 MAILING DATE: 04/28/2007
REGISTRATION DATE: 07/22/1997
MARK: ACURA PRECISION TEAM
REGISTRATION OWNER: HONDA GIKEN KOGYO KABUSHIKI KAISHA

CORRESPONDENCE ADDRESS:

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
Los Angeles CA 90012

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058. **ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.**

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059. **ACCORDINGLY, THE REGISTRATION IS RENEWED.**

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
035.

GILLIS, BURNIE A
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION
ORIGINAL**

REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION I) SECTION 8: AFFIDAVIT OF CONTINUED USE The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration. **Failure to file the Application for Renewal will result in the expiration of the registration.**

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Int. Cls.: 18 and 25

Prior U.S. Cls.: 1, 2, 3, 22, 39, and 41

United States Patent and Trademark Office

Reg. No. 2,646,476

Registered Nov. 5, 2002

**TRADEMARK
PRINCIPAL REGISTER**



HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)

2-1-1- MINAMI-AOYAMA

MINATO-KU, TOKYO 107, JAPAN

FOR: LEATHER BAGS, UMBRELLAS, IN CLASS
18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2001; IN COMMERCE 5-0-2001.

FOR: CLOTHING, NAMELY T-SHIRTS, SHIRTS,
HATS, NECKTIES, CAPS, AND LEATHER BELTS,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-0-2001; IN COMMERCE 5-0-2001.

OWNER OF U.S. REG. NOS. 1,407,602, 2,365,656,
AND OTHERS.

SN 75-982,583, FILED 5-12-2000.

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE AND
ACKNOWLEDGEMENT OF §§8 & 15
DECLARATION
MAILING DATE: Nov 18, 2008**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2646476
MARK: ACURA AND DESIGN
OWNER: Honda Giken Kogyo Kabushiki Kaisha (Hond

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

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MAIL
U.S POSTAGE
PAID

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
221 North Figueroa Street
Suite 1200
Los Angeles, CA 90012

Int. Cls.: 18 and 25

Prior U.S. Cls.: 1, 2, 3, 22, 39, and 41

Reg. No. 2,675,400

United States Patent and Trademark Office

Registered Jan. 14, 2003

**TRADEMARK
PRINCIPAL REGISTER**



HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)

2-1-1- MINAMI-AOYAMA

MINATO-KU, TOKYO 107, JAPAN

FOR: LEATHER BAGS, UMBRELLAS, IN CLASS
18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2001; IN COMMERCE 5-0-2001.

FOR: CLOTHING, NAMELY T-SHIRTS, SHIRTS,
HATS, NECKTIES, CAPS, AND LEATHER BELTS,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-0-2001; IN COMMERCE 5-0-2001.

OWNER OF U.S. REG. NOS. 1,407,602, 2,365,656,
AND OTHERS.

SN 75-982,584, FILED 5-12-2000.

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE AND
ACKNOWLEDGEMENT OF §§8 & 15
DECLARATION
MAILING DATE: Nov 18, 2008**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2675400
MARK: ACURA AND DESIGN
OWNER: Honda Giken Kogyo Kabushiki Kaisha (Hond

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S POSTAGE
PAID

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
Los Angeles, CA 90012

Int. Cls.: 35, 38 and 41

Prior U.S. Cls.: 100, 101, 102, 104 and 107

United States Patent and Trademark Office

Reg. No. 2,490,387

Registered Sep. 18, 2001

**SERVICE MARK
PRINCIPAL REGISTER**



HONDA GIKEN KOGYO KABUSHIKI KAISHA
(JAPAN CORPORATION)
2-1-1 MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN

FOR: PROVIDING INFORMATION TO AUTO-
MOBILE DEALERS ON THE SUBJECT OF ADVER-
TISING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

FOR: ELECTRONIC TRANSMISSION OF DATA,
NAMELY INFORMATION TO CUSTOMERS
ABOUT PRODUCT HISTORY, TECHNOLOGY,
AND COMPARISON TO COMPETITOR PRODUCTS;
AND SALES AND MARKETING BULLETINS,
PRESS RELEASES, AND SERVICE INFORMATION
TO SALES, SERVICE, AND MANAGEMENT STAFF,
IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

FOR: COMPUTER-BASED TRAINING CLASSES
IN THE FIELD OF AUTOMOBILE SALES, SERVICE,
AND MANAGEMENT, IN CLASS 41 (U.S. CLS. 100,
101 AND 107).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

OWNER OF U.S. REG. NOS. 1,407,602, 2,365,656
AND OTHERS.

SER. NO. 76-047,331, FILED 5-12-2000.

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 2490387 SERIAL NO: 76/047331 MAILING DATE: 02/02/2007
REGISTRATION DATE: 09/18/2001
MARK: ACURA AND DESIGN
REGISTRATION OWNER: Honda Giken Kogyo Kabushiki Kaisha

CORRESPONDENCE ADDRESS:

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
Los Angeles CA 90012

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(1)

THE COMBINED AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058. ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF ACKNOWLEDGEMENT

15 U.S.C. Sec. 1065

THE AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 15 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1065. ACCORDINGLY, THE SECTION 15 AFFIDAVIT IS ACKNOWLEDGED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):

035, 038, 041.

GILLIS, BURNIE A
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION**

ORIGINAL

**REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION) SECTION 8: AFFIDAVIT
OF CONTINUED USE** The registration shall remain in force for 10 years, except that the registration

shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration. **Failure to file the Application for Renewal will result in the expiration of the registration.**

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Int. Cls.: 35, 37 and 41

Prior U.S. Cls.: 100, 101, 102, 103, 106 and 107

United States Patent and Trademark Office

Reg. No. 2,514,550

Registered Dec. 4, 2001

**SERVICE MARK
PRINCIPAL REGISTER**



HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN COR-
PORATION)

2-1-1-MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN

FOR: BUSINESS CONSULTATION PROVIDED TO
AUTOMOBILE DEALERS; PROVIDING CONSU-
MER PRODUCT INFORMATION VIA THE INTER-
NET; PROVIDING DEALERSHIP SUPPORT
INFORMATION TO SALES AND MANAGEMENT
STAFF VIA THE INTERNET, SPECIFICALLY, MAR-
KETING BULLETINS AND PRESS RELEASES, IN
CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

FOR: PROVIDING DEALERSHIP SUPPORT IN-
FORMATION TO SERVICE AND MANAGEMENT
STAFF VIA THE INTERNET, SPECIFICALLY, SER-

VICE BULLETINS, IN CLASS 37 (U.S. CLS. 100, 103
AND 106).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

FOR: COMPUTER-BASED TRAINING CLASSES
IN THE FIELD OF AUTOMOBILE SALES, SERVICE,
AND MANAGEMENT, IN CLASS 41 (U.S. CLS. 100,
101 AND 107).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

OWNER OF U.S. REG. NOS. 1,407,602, 2,365,656
AND OTHERS.

SER. NO. 76-047,314, FILED 5-12-2000.

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 2514550 SERIAL NO: 76/047314 MAILING DATE: 03/05/2007
REGISTRATION DATE: 12/04/2001
MARK: ACURA AND DESIGN
REGISTRATION OWNER: Honda Giken Kogyo Kabushiki Kaisha (Hond

CORRESPONDENCE ADDRESS:

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
Los Angeles CA 90012

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(1)

THE COMBINED AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058. ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF ACKNOWLEDGEMENT

15 U.S.C. Sec. 1065

THE AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 15 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1065. ACCORDINGLY, THE SECTION 15 AFFIDAVIT IS ACKNOWLEDGED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
035, 041, 037.

ROBERSON, FAITH
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION
ORIGINAL**

**REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION) SECTION 8: AFFIDAVIT
OF CONTINUED USE** The registration shall remain in force for 10 years, except that the registration

shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

Failure to file the Section 8 Affidavit will result in the cancellation of the registration.

II) SECTION 9: APPLICATION FOR RENEWAL The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration. **Failure to file the Application for Renewal will result in the expiration of the registration.**

NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.

Int. Cls.: 9, 26, and 28

Prior U.S. Cls.: 21, 22, 23, 26, 36, 37, 38, 39, 40, 42, and 50

United States Patent and Trademark Office

Reg. No. 2,875,172

Registered Aug. 17, 2004

**TRADEMARK
PRINCIPAL REGISTER**



HONDA GIKEN KOGYO KABUSHIKI KAISHA
(HONDA MOTOR CO., LTD.) (JAPAN CORPORATION)

2-1-1- MINAMI-AOYAMA
MINATO-KU, TOKYO 107, JAPAN

FOR: COMPUTER GAME CARTRIDGES, COMPUTER GAME CASSETTES, COMPUTER GAME DISCS, COMPUTER GAME PROGRAMS, COMPUTER GAME SOFTWARE, COMPUTER GAME TAPES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-2001; IN COMMERCE 1-1-2001.

FOR: BELT BUCKLES NOT OF PRECIOUS METAL, IN CLASS 26 (U.S. CLS. 37, 39, 40, 42 AND 50).

FIRST USE 12-1-2000; IN COMMERCE 12-1-2000.

FOR: TOY REPLICAS OF VEHICLES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-3-2001; IN COMMERCE 1-3-2001.

OWNER OF U.S. REG. NOS. 1,407,602, 2,365,656, AND OTHERS.

SN 76-051,025, FILED 5-12-2000.

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE AND
ACKNOWLEDGEMENT OF §§8 & 15
DECLARATION
MAILING DATE: Sep 1, 2009**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2875172
MARK: ACURA AND DESIGN
OWNER: Honda Giken Kogyo Kabushiki Kaisha (Honda)

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
MAIL
U.S POSTAGE
PAID

David N. Makous
Lewis Brisbois Bisgaard & Smith LLP
Suite 1200
221 North Figueroa Street
Los Angeles, CA 90012

Int. Cl.: 22

Prior U.S. Cls.: 1, 2, 7, 19, 22, 42 and 50

United States Patent and Trademark Office

Reg. No. 2,989,794

Registered Aug. 30, 2005

**TRADEMARK
PRINCIPAL REGISTER**



HONDA MOTOR CO., LTD. (JAPAN CORPORATION)
NO. 1-1, 2-CHOME, MINAMIAOYAMA
MINATO-KU
TOKYO, JAPAN 107-8556

FOR: LANYARDS MADE OF COTTON FOR
HOLDING EYEGLASSES, IN CLASS 22 (U.S. CLS. 1,
2, 7, 19, 22, 42 AND 50).

FIRST USE 5-0-2004; IN COMMERCE 5-0-2004.

OWNER OF U.S. REG. NOS. 2,514,550, 2,882,041
AND OTHERS.

THE MARK CONSISTS OF THE WORD ACURA
WITH A VERTICAL "A" IN A CIRCLE BEFORE THE
FIRST LETTER "A" IN THE WORD ACURA.

SER. NO. 78-510,770, FILED 11-3-2004.

RON FAIRBANKS, EXAMINING ATTORNEY

Int. Cl.: 9

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

United States Patent and Trademark Office

Reg. No. 2,964,305

Registered June 28, 2005

**TRADEMARK
PRINCIPAL REGISTER**



HONDA MOTOR CO., LTD. (JAPAN CORPORATION)

NO. 1-1, 2-CHOME

MINAMIAOYAMA, MINATO-KU

TOKYO, JAPAN 107-8556

OWNER OF U.S. REG. NOS. 2,514,550, 2,882,041 AND OTHERS.

THE MARK CONSISTS OF THE WORD ACURA WITH A VERTICAL STYLIZED "A" IN A CIRCLE OVER THE LETTER "U" IN THE WORD ACURA.

FOR: SUNGLASSES AND CASES FOR SUNGLASSES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SER. NO. 78-514,771, FILED 11-10-2004.

FIRST USE 5-0-2004; IN COMMERCE 5-0-2004.

RON FAIRBANKS, EXAMINING ATTORNEY

Int. Cl.: 12

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

United States Patent and Trademark Office

Reg. No. 2,964,304

Registered June 28, 2005

TRADEMARK
PRINCIPAL REGISTER



HONDA MOTOR CO., LTD. (JAPAN CORPORATION)

NO. 1-1, 2-CHOME, MINAMIAOYAMA

MINATO-KU

TOKYO, JAPAN 107-8556

FOR: AUTOMOBILE WINDSHIELD SUNSHADE,
IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 5-0-2004; IN COMMERCE 5-0-2004.

OWNER OF U.S. REG. NOS. 2,514,550, 2,882,041
AND OTHERS.

THE MARK CONSISTS OF THE WORD ACURA
WITH A VERTICAL "A" IN A CIRCLE OVER THE
LETTER "U" IN THE WORD ACURA.

SER. NO. 78-510,794, FILED 11-3-2004.

RON FAIRBANKS, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE AND
ACKNOWLEDGEMENT OF §§8 & 15
DECLARATION
MAILING DATE: Sep 17, 2010**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force. For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

REG NUMBER: 2964304
MARK: ACURA AND DESIGN
OWNER: HONDA MOTOR CO., LTD.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS
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Anthony L. Fletcher
FISH & RICHARDSON P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022

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

In the matter of application Serial No. 77/846,200
For the designation ACQURA
Published in the *Trademark Official Gazette* on August 10, 2010

HONDA MOTOR CO., LTD.,

Opposer,

v.

VANTIUM CAPITAL, INC. d/b/a ACQURA
LOAN SERVICES,

Applicant.

Opposition No.

EXHIBIT C

United States of America

United States Patent and Trademark Office

ACURA FINANCIAL SERVICES

Reg. No. 3,702,836 HONDA MOTOR CO., LTD. (JAPAN CORPORATION)
Registered Oct. 27, 2009 1-1, MINAMI-AOYAMA 2-CHOME
MINATO-KU, TOKYO, JAPAN 107-8556

Int. Cl.: 36 FOR: MOTOR VEHICLE RETAIL AND WHOLESALE FINANCING SERVICES IN THE FORM OF INSTALLMENT LOANS, AND LEASES, FINANCING DEALER VEHICLE INVENTORIES, VEHICLE SERVICE CONTRACTS AND GAP (GUARANTEED ASSET PROTECTION) SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 4-20-2009; IN COMMERCE 4-20-2009.

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

OWNER OF U.S. REG. NOS. 1,407,602, 2,490,387, AND OTHERS.

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

SN 77-513,688, FILED 7-2-2008.

JANICE L. MCMORROW, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

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

In the matter of application Serial No. 77/846,200
For the designation ACQURA
Published in the *Trademark Official Gazette* on August 10, 2010

HONDA MOTOR CO., LTD.,

Opposer,

v.

VANTIUM CAPITAL, INC. d/b/a ACQURA
LOAN SERVICES,

Applicant.

Opposition No.

EXHIBIT D



United States Patent and Trademark Office

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Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TARR Status	ASSIGN Status	TDR	TTAB Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

ACURA

ADVANCE.

Word Mark ACURA ADVANCE.

Goods and Services IC 012. US 019 021 023 031 035 044. G & S: Non-electric prime movers for land vehicles, not including their parts, namely, internal combustion engines, drive shafts for land vehicles, axles for land vehicles, axle bearings for land vehicles, shaft couplings and connectors for land vehicles, power transmissions and gearings for land vehicles, shock absorbers and shock absorbing springs for land vehicles, automobiles and their parts and fittings sold together as a unit, aircraft and their parts and fittings sold together as a unit, two-wheeled motor vehicles and their parts and fittings sold together as a unit

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 77524601

Filing Date July 17, 2008

Current Filing Basis 1B;44E

Original Filing Basis 1B;44D

Published for Opposition June 16, 2009

Owner (APPLICANT) Honda Motor Co., Ltd. CORPORATION JAPAN 1-1, 2-chome, Minami-Aoyama Minato-ku, Tokyo JAPAN 107-8556

Attorney of Record Michael J. Bevilacqua, Esquire

Prior Registrations 1407602;2964305

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL
Live/Dead Indicator LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)

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Serial Number: 77524601 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

ACURA
A D V A N C E .

(words only): ACURA ADVANCE.

Standard Character claim: No

Current Status: A second request for extension of time to file a Statement of Use has been granted.

Date of Status: 2010-09-27

Filing Date: 2008-07-17

The Notice of Allowance Date is: 2009-09-08.

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
MCMORROW JANICE LEE

Current Location: 700 -Intent To Use Section

Date In Location: 2010-09-24

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

1. Honda Motor Co., Ltd.

Address:

Honda Motor Co., Ltd.
1-1, 2-chome, Minami-Aoyama
Minato-ku, Tokyo 107-8556
Japan

Legal Entity Type: Corporation**State or Country of Incorporation:** Japan

GOODS AND/OR SERVICES

International Class: 012**Class Status:** Active

Non-electric prime movers for land vehicles, not including their parts, namely, internal combustion engines, drive shafts for land vehicles, axles for land vehicles, axle bearings for land vehicles, shaft couplings and connectors for land vehicles, power transmissions and gearings for land vehicles, shock absorbers and shock absorbing springs for land vehicles, automobiles and their parts and fittings sold together as a unit, aircraft and their parts and fittings sold together as a unit, two-wheeled motor vehicles and their parts and fittings sold together as a unit

Basis: 1(b), 44(e)**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.**Prior Registration Number(s):**

1407602

2964305

Foreign Registration Number: 5158608**Foreign Registration Date:** 2009-01-16**Country:** Japan**Foreign Expiration Date:** 2019-01-16

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.

2010-09-28 - Notice Of Approval Of Extension Request E-Mailed

2010-09-27 - Extension 2 granted

2010-09-01 - Extension 2 filed
2010-09-24 - Case Assigned To Intent To Use Paralegal
2010-09-01 - TEAS Extension Received
2010-03-05 - Extension 1 granted
2010-03-05 - Extension 1 filed
2010-03-05 - TEAS Extension Received
2009-09-08 - NOA Mailed - SOU Required From Applicant
2009-06-16 - Published for opposition
2009-05-27 - Notice of publication
2009-05-11 - Law Office Publication Review Completed
2009-05-06 - Approved For Pub - Principal Register
2009-04-16 - Teas/Email Correspondence Entered
2009-04-16 - Communication received from applicant
2009-03-31 - Assigned To LIE
2009-03-31 - TEAS Response to Office Action Received
2008-10-08 - Notification Of Non-Final Action E-Mailed
2008-10-08 - Non-final action e-mailed
2008-10-08 - Non-Final Action Written
2008-10-08 - Assigned To Examiner
2008-07-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael J. Bevilacqua, Esquire

Correspondent

Michael J. Bevilacqua, Esquire
WILMER CUTLER PICKERING HALE AND DORR LLP
60 STATE STREET

BOSTON MA 02109
Phone Number: 617-526-6448
Fax Number: 617-526-5000

Domestic Representative

Michael J. Bevilacqua, Esquire
Phone Number: 617-526-6448
Fax Number: 617-526-5000

Trademark/Service Mark Application, Principal Register

Serial Number: 77524601

Filing Date: 07/17/2008

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77524601
MARK INFORMATION	
*MARK	\\TICRS\EXPORT2\IMAGEOUT2 \775\246\77524601\xml1\AP P0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	ACURA ADVANCE.
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	800 x 310
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Honda Motor Co., Ltd.
*STREET	1-1, 2-chome, Minami-Aoyama
*CITY	Minato-ku, Tokyo
*COUNTRY	Japan
*ZIP/POSTAL CODE (Required for U.S. applicants only)	107-8556
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Japan

GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	012
*IDENTIFICATION	Non-electric prime movers for land vehicles (not including "their parts"), shafts, axles or spindles, bearings, shaft couplings or connectors, bearings, power transmissions and gearings, shock absorbers, springs, aircraft and their parts and fittings, automobiles and their parts and fittings, two-wheeled motor vehicles and their parts and fittings
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2008-2580
FOREIGN APPLICATION COUNTRY	Japan
FOREIGN FILING DATE	01/17/2008
ATTORNEY INFORMATION	
NAME	Michael J. Bevilacqua, Esquire
ATTORNEY DOCKET NUMBER	2001.345.124
FIRM NAME	Wilmer Cutler Pickering Hale and Dorr LLP
STREET	60 State Street
CITY	Boston
STATE	Massachusetts
COUNTRY	United States
ZIP/POSTAL CODE	02109
PHONE	617-526-6448
FAX	617-526-5000
EMAIL ADDRESS	michael.bevilacqua@wilmerhale.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Barbara A. Barakat, Esquire and James B. Lampert, Esquire
DOMESTIC REPRESENTATIVE INFORMATION	

NAME	Michael J. Bevilacqua, Esquire
FIRM NAME	Wilmer Cutler Pickering Hale and Dorr LLP
STREET	60 State Street
CITY	Boston
STATE	Massachusetts
COUNTRY	United States
ZIP CODE	02109
PHONE	617-526-6448
FAX	617-526-5000
EMAIL ADDRESS	michael.bevilacqua@wilmerhale.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Michael J. Bevilacqua, Esquire
FIRM NAME	Wilmer Cutler Pickering Hale and Dorr LLP
STREET	60 State Street
CITY	Boston
STATE	Massachusetts
COUNTRY	United States
ZIP/POSTAL CODE	02109
PHONE	617-526-6448
FAX	617-526-5000
EMAIL ADDRESS	michael.bevilacqua@wilmerhale.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	

SIGNATURE	/michael j. bevilacqua/
SIGNATORY'S NAME	Michael J. Bevilacqua
SIGNATORY'S POSITION	Counsel to Applicant
DATE SIGNED	07/17/2008

PTO Form 1473 (Rev. 07/2006)
OMB No. 0651-9909 (Exp. 12/31/2009)

Trademark/Service Mark Application, Principal Register

Serial Number: 77524601

Filing Date: 07/17/2008

To the Commissioner for Trademarks:

MARK: ACURA ADVANCE. (stylized and/or with design, see mark)

The literal element of the mark consists of ACURA ADVANCE..

The applicant is not claiming color as a feature of the mark.

The applicant, Honda Motor Co., Ltd., a corporation of Japan, having an address of

1-1, 2-chome, Minami-Aoyama

Minato-ku, Tokyo 107-8556

Japan

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 012: Non-electric prime movers for land vehicles (not including "their parts"), shafts, axles or spindles, bearings, shaft couplings or connectors, bearings, power transmissions and gears, shock absorbers, springs, aircraft and their parts and fittings, automobiles and their parts and fittings, two-wheeled motor vehicles and their parts and fittings

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

Priority based on foreign filing: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services and asserts a claim of priority based on Japan application number 2008-2580, filed 01/17/2008. 15 U.S.C. Section 1126(d), as amended.

The applicant hereby appoints Michael J. Bevilacqua, Esquire and Barbara A. Barakat, Esquire and James B. Lampert, Esquire of Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, Massachusetts 02109

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is 2001.345.124.

The applicant hereby appoints Michael J. Bevilacqua, Esquire of Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston Massachusetts 02109

United States

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

Correspondence Information: Michael J. Bevilacqua, Esquire

60 State Street

Boston, Massachusetts 02109

617-526-6448(phone)

617-526-5000(fax)

michael.bevilacqua@wilmerhale.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /michael j. bevilacqua/ Date Signed: 07/17/2008

Signatory's Name: Michael J. Bevilacqua

Signatory's Position: Counsel to Applicant

RAM Sale Number: 9073
RAM Accounting Date: 07/17/2008

Serial Number: 77524601
Internet Transmission Date: Thu Jul 17 13:08:53 EDT 2008
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