

ESTTA Tracking number: **ESTTA427773**

Filing date: **08/30/2011**

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	Signature Flight Support UK Regions Limited
Granted to Date of previous extension	08/31/2011
Address	20 Balderton Street London, England, W1K6TL UNITED KINGDOM
Attorney information	Herbert L. Allen Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A. 255 South Orange Avenue, Suite 1401 Orlando, FL 32801 UNITED STATES hallen@addmg.com, mrodriguez@addmg.com Phone:407-841-2330

### Applicant Information

Application No	85175893	Publication date	05/03/2011
Opposition Filing Date	08/30/2011	Opposition Period Ends	08/31/2011
Applicant	SIGNATURE TRAVEL NETWORK COOPERATIVE INC. 4640 Admiralty Way, Suite 306 Marina Del Rey, CA 90292 UNITED STATES		

### Goods/Services Affected by Opposition

<p>Class 035. First Use: 2004/01/00 First Use In Commerce: 2004/01/00 All goods and services in the class are opposed, namely: Advertising and advertisement services in the field of travel and lodging; Advertising on the Internet for others in the field of travel and lodging; Email marketing services; Direct mail advertising services; Distribution of advertising materials; Promoting, advertising and marketing of travel and lodging services of others; Advertising and marketing for others, namely, providing information about the goods and services of others in the travel industry, including information regarding special terms, amenities and discounts; Advertising and marketing for others, namely, providing information regarding travel concierge services provided by others</p>
<p>Class 039. First Use: 2004/01/00 First Use In Commerce: 2004/01/00 All goods and services in the class are opposed, namely: Providing a website featuring information on travel; providing an on-line computer database in the field of travel; Providing links to web sites of others featuring travel; Provision of travel information</p>
<p>Class 200. First Use: 2004/01/00 First Use In Commerce: 2004/01/00 All goods and services in the class are opposed, namely: Indicating membership in a cooperative organization of travel agencies</p>

## Grounds for Opposition

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

## Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	1998482	Application Date	03/16/1992
Registration Date	09/03/1996	Foreign Priority Date	NONE
Word Mark	SIGNATURE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1992/10/02 First Use In Commerce: 1992/10/02 [ business management in the field of aviation; aircraft fuel facility management for others ]</p> <p>Class 037. First use: First Use: 1992/10/02 First Use In Commerce: 1992/10/02 aircraft repair and maintenance, aircraft engine and airframe maintenance, aircraft fueling, aircraft exterior finishing, avionics installation and repair, aircraft engine overhaul; installation of aircraft navigation, communications and cabin entertainment systems; automotive maintenance associated with airport services; ground support equipment maintenance; janitorial services in the field of aviation; aircraft fueling; airport maintenance, namely, de-icing; refurbishment and modification of ground support equipment for aircraft; and repair and refurbishment of aircraft windows</p> <p>Class 039. First use: First Use: 1992/10/02 First Use In Commerce: 1992/10/02 aircraft dispatching, loading and unloading; skycapping; ground transportation of passengers and goods by various means; airport wheelchair services; rental of cars in the field of aviation and FBOs; rental of hangar space; and mislanded baggage delivery services</p> <p>Class 042. First use: First Use: 1992/10/02 First Use In Commerce: 1992/10/02 distributorships in the field of aircraft parts and aircraft ground support equipment; aircraft testing, namely, testing the safety of aircraft controls, aircraft instrument calibration; aircraft inspection; jet engine testing; and aircraft fuel facility quality control for others</p>		

Attachments	Notice of Opposition.pdf ( 8 pages )(1265183 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	/Herbert L. Allen/
Name	Herbert L. Allen
Date	08/30/2011

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

In the matter of Service Mark Application Serial No. 85/175893  
For the Mark **SIGNATURE**  
Published in the Official Gazette on May 3, 2011

Signature Flight Support UK Regions Limited

Opposer,

Opposition No. \_\_\_\_\_

vs.

Signature Travel Network Cooperative, Inc.,

Applicant.

\_\_\_\_\_ /

**NOTICE OF OPPOSITION**

Signature Flight Support UK Regions Limited, a corporation organized under the laws of the United Kingdom and located at 20 Balderon Street, London, England ("Opposer"), believes that it will be damaged by the registration of the mark **SIGNATURE**, as shown in Application Serial No. 85/175893 and being used by Signature Travel Network Cooperative, Inc. ("Applicant") for travel-related services in International Classes 35, 39 and 200, as published in the Official Gazette on May 3, 2011, and Opposer hereby opposes the same pursuant to extensions of time granted earlier to Opposer.

The grounds for the opposition are as follows:

1. Since at least as early as October 1992, Opposer has been engaged in offering a variety of services in interstate commerce employing the mark **SIGNATURE**, used alone or in combination with other names and designs.

2. Opposer engages in the following services under its **SIGNATURE** service mark:

a. In International Class 37: aircraft repair and maintenance, aircraft engine and airframe maintenance, aircraft fueling, aircraft exterior finishing, avionics installation and repair, aircraft engine overhaul; installation of aircraft

navigation, communications and cabin entertainment systems; automotive maintenance associated with airport services; ground support equipment maintenance; janitorial services in the field of aviation; aircraft fueling; airport maintenance, namely, de-icing; refurbishment and modification of ground support equipment for aircraft; and repair and refurbishment of aircraft windows.

b. In International Class 39: aircraft dispatching, loading and unloading; skycapping; ground transportation of passengers and goods by various means; airport wheelchair services; rental of cars in the field of aviation and FBOs; rental of hangar space; and mislabeled baggage delivery services.

c. In International Class 42: distributorships in the field of aircraft parts and aircraft ground support equipment; aircraft testing, namely, testing the safety of aircraft controls, aircraft instrument calibration; aircraft inspection; jet engine testing; and aircraft fuel facility quality control for others.

3. Opposer's services described in paragraph 2 above are conducted, inter alia, in and around airports across the United States and in foreign countries and through Opposer's websites, as discussed in paragraph 7 below.

4. Many of Opposer's services described in paragraph 2 above involve direct contacts with airline passengers.

5. Opposer's direct contacts with airline passengers arise from but are not limited to Opposer's Class 39 service activities including loading and unloading passengers; providing skycapping services for passengers; providing ground transportation for passengers and goods by various means; providing airport wheelchair services; providing car rental services; and providing baggage delivery services.

6. There is a strong potential for airline passengers using one of Applicant's cooperative members for travel-related services under the service mark **SIGNATURE** will be confused into believing that those services are being provided by Opposer.

7. Opposer advertises many of its services under the **SIGNATURE** service mark on its websites at [www.signatureflight.com](http://www.signatureflight.com) and [www.signatureflightssupport.com](http://www.signatureflightssupport.com), including hotel, airline and car reservation services.

8. Upon information and belief, Applicant promotes its travel-related services using the **SIGNATURE** mark on Applicant's website at [www.signaturetravelnetwork.com](http://www.signaturetravelnetwork.com), including many of the same reservation services performed by Opposer.

9. Opposer owns Registration No. 1,998,482 for its **SIGNATURE** service mark. A true and correct copy of Registration No. 1,998,482 is appended as Exhibit 1.

10. Registration No. 1,998,482 (Exhibit 1) enjoys incontestable status under 15 U.S.C. Section 1065.

11. The service mark **SIGNATURE** is not descriptive of any of Opposer's services set out in Registration No. 1,998,482 in Exhibit 1.

12. The service mark **SIGNATURE** has become distinctive of Opposer's services set out in Registration No. 1,998,482, Exhibit 1.

13. The service mark **SIGNATURE** is not descriptive of any of Applicant's services.

14. Opposer has developed considerable and valuable goodwill with respect to its **SIGNATURE** service mark.

15. Opposer has spent considerable sums in advertising and promoting its services offered in interstate commerce under the **SIGNATURE** service mark resulting in widespread and favorable acceptance and recognition in interstate commerce.

16. Applicant filed Application Serial No. 85/175893 on November 12, 2010, claiming a first use of January 2004, seeking registration for travel-related services in Classes 35, 39 and 200.

17. A true and correct copy of Applicant's Application Serial No. 85/175893 is appended as Exhibit 2.

18. However, upon information and belief, Applicant does not utilize the service mark **SIGNATURE** alone, but rather utilizes the word "Signature" in combination with other descriptors, such as "Travel Network," as shown in Applicant's Registration No. 3,052,215.

19. Applicant's application for registration of the service mark **SIGNATURE** identifies a mark that is identical in sight, sound, connotation and commercial impression to Opposer's **SIGNATURE** service mark. Applicant's application for the mark **SIGNATURE** identifies travel-related services offered in interstate commerce through the same channels of trade and to the same classes of customers that use Opposer's services offered under the service mark **SIGNATURE**.

20. Opposer's **SIGNATURE** service mark was first used in interstate commerce long before either Applicant's alleged first use or Applicant's filing date, and Applicant had actual or constructive notice of the existence of Opposer's **SIGNATURE** mark at the time Applicant's application was filed.

21. Applicant's subject application should be denied registration because Applicant's mark is likely to cause confusion with Opposer's **SIGNATURE** mark; and Applicant's mark is deceptively similar to Opposer's **SIGNATURE** mark.

22. Applicant's application should also be denied registration because Applicant's mark is likely to dilute the ability of Opposer's **SIGNATURE** service mark to identify and distinguish Opposer as the source of its services. The distinctiveness and reputation of Opposer's **SIGNATURE** service mark is likely to be impaired and diluted by virtue of an association arising from the identical nature of Opposer's **SIGNATURE** mark and Applicant's mark proposed for registration. Any defect, objection or fault found with Applicant's services offered under the service mark **SIGNATURE** is likely to reflect upon Opposer, and expose Opposer to liability, thereby seriously injuring the goodwill and superior reputation that Opposer has established for its services.

23. If Applicant is granted the registration herein opposed, it would obtain at least a *prima facie* exclusive right to use the **SIGNATURE** service mark for the services listed in its application, thereby causing damage and injury to Opposer.

WHEREFORE, Opposer respectfully requests that this opposition be sustained, and Applicant's application be denied registration.

Respectfully submitted,

Dated: August 30 2011

/s/Herbert L. Allen  
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[cramsey@addmq.com](mailto:cramsey@addmq.com)

**Attorneys for Opposer  
Signature Flight Support UK Regions Limited**

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U. S. Mail on this 30<sup>th</sup> day of August, 2011 to the following:

Tal Grinblat, Esquire  
Lewitt, Hackman, Shapiro, Marshall & Har  
16633 Ventura Blvd., Suite 1100  
Encino, CA 91436-1865

/s/Herbert L. Allen

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

Prior U.S. Cls.: 100, 101, 102, 103, 105, and 106

United States Patent and Trademark Office

Reg. No. 1,998,482

Registered Sep. 3, 1996

SERVICE MARK  
PRINCIPAL REGISTER

SIGNATURE

SIGNATURE FLIGHT SUPPORT CORPORATION (DELAWARE CORPORATION)  
SIGNATURE PLAZA  
201 SOUTH ORANGE AVENUE  
ORLANDO, FL 32827 BY CHANGE OF NAME  
FROM PAGE AVJET AIRPORT SERVICES,  
INC. (DELAWARE CORPORATION) ORLANDO,  
FL 32827

FOR: BUSINESS MANAGEMENT IN THE  
FIELD OF AVIATION; AIRCRAFT FUEL FACILITY  
MANAGEMENT FOR OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-2-1992; IN COMMERCE  
10-2-1992.

FOR: AIRCRAFT REPAIR AND MAINTENANCE,  
AIRCRAFT ENGINE AND AIRFRAME MAINTENANCE,  
AIRCRAFT FUELING, AIRCRAFT EXTERIOR  
FINISHING, AVIONICS INSTALLATION AND  
REPAIR, AIRCRAFT ENGINE OVERHAUL;  
INSTALLATION OF AIRCRAFT NAVIGATION,  
COMMUNICATIONS AND CABIN ENTERTAINMENT  
SYSTEMS; AUTOMOTIVE MAINTENANCE  
ASSOCIATED WITH AIRPORT SERVICES;  
GROUND SUPPORT EQUIPMENT MAINTENANCE;  
JANITORIAL SERVICES IN THE FIELD OF  
AVIATION; AIRCRAFT FUELING; AIRPORT  
MAINTENANCE, NAMELY, DE-ICING;  
REFURBISHMENT AND MODIFICATION OF  
GROUND SUPPORT EQUIPMENT FOR AIRCRAFT;  
AND REPAIR AND REFURBISHMENT OF AIR-

CRAFT WINDOWS, IN CLASS 37 (U.S. CLS. 100,  
103 AND 106).

FIRST USE 10-2-1992; IN COMMERCE  
10-2-1992.

FOR: AIRCRAFT DISPATCHING, LOADING  
AND UNLOADING; SKYCAPPING; GROUND  
TRANSPORTATION OF PASSENGERS AND  
GOODS BY VARIOUS MEANS; AIRPORT  
WHEELCHAIR SERVICES; RENTAL OF CARS  
IN THE FIELD OF AVIATION AND FBOS;  
RENTAL OF HANGAR SPACE; AND MIS-  
LANDED BAGGAGE DELIVERY SERVICES,  
IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 10-2-1992; IN COMMERCE  
10-2-1992.

FOR: DISTRIBUTORSHIPS IN THE FIELD  
OF AIRCRAFT PARTS AND AIRCRAFT  
GROUND SUPPORT EQUIPMENT; AIRCRAFT  
TESTING, NAMELY, TESTING THE SAFETY  
OF AIRCRAFT CONTROLS, AIRCRAFT  
INSTRUMENT CALIBRATION; AIRCRAFT  
INSPECTION; JET ENGINE TESTING; AND  
AIRCRAFT FUEL FACILITY QUALITY CONTROL  
FOR OTHERS, IN CLASS 42 (U.S. CLS. 100  
AND 101).

FIRST USE 10-2-1992; IN COMMERCE  
10-2-1992.

SN 74-255,665, FILED 3-16-1992.

ESTHER BELENKER, EXAMINING ATTORNEY

EXHIBIT 1



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# SIGNATURE

Word Mark SIGNATURE

Goods and Services IC 035. US 100 101 102. G & S: Advertising and advertisement services in the field of travel and lodging; Advertising on the Internet for others in the field of travel and lodging; Email marketing services; Direct mail advertising services; Distribution of advertising materials; Promoting, advertising and marketing of travel and lodging services of others; Advertising and marketing for others, namely, providing information about the goods and services of others in the travel industry, including information regarding special terms, amenities and discounts; Advertising and marketing for others, namely, providing information regarding travel concierge services provided by others. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

IC 039. US 100 105. G & S: Providing a website featuring information on travel; providing an on-line computer database in the field of travel; Providing links to web sites of others featuring travel; Provision of travel information. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

IC 200. US 200. G & S: Indicating membership in a cooperative organization of travel agencies. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85175893

Filing Date November 12, 2010

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition May 3, 2011

Owner (APPLICANT) SIGNATURE TRAVEL NETWORK COOPERATIVE INC. CORPORATION CALIFORNIA 4640 Admiralty Way, Suite 306 Marina Del Rey CALIFORNIA 90292

Attorney of Tal Grinblat

**EXHIBIT 2**

Record

Prior Registrations 3052215  
Type of Mark SERVICE MARK, COLLECTIVE MEMBERSHIP MARK  
Register PRINCIPAL  
Live/Dead Indicator LIVE

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