

ESTTA Tracking number: **ESTTA584228**

Filing date: **01/28/2014**

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	Horizon Hobby, Inc.
Granted to Date of previous extension	01/29/2014
Address	4105 Fieldstone Road Champaign, IL 61822 UNITED STATES

Attorney information	Ryan C. Clark McDonnell Boehnen Hulbert & Berghoff, LLP 300 South Wacker Drive Chicago, IL 60606 UNITED STATES docketing@mbhb.com, clark@mbhb.com Phone:3129130001
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Applicant Information

Application No	85607883	Publication date	10/01/2013
Opposition Filing Date	01/28/2014	Opposition Period Ends	01/29/2014
Applicant	Premier Accessory Group, LLC 11-11 44th Drive Long Island City, NY 11101 NY		

Goods/Services Affected by Opposition

Class 009. First Use: 2011/04/01 First Use In Commerce: 2011/04/01 Opposed goods and services in the class: Battery chargers;
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Applicant Information

Application No	85602658	Publication date	10/01/2013
Opposition Filing Date	01/28/2014	Opposition Period Ends	
Applicant	Premier Accessory Group, L.L.C. 11-11 44th Drive Long Island City, NY 11101 NY		

Goods/Services Affected by Opposition

Class 009. First Use: 2011/04/01 First Use In Commerce: 2011/04/01 Opposed goods and services in the class: Battery chargers;
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3080770	Application Date	09/28/2004
Registration Date	04/11/2006	Foreign Priority Date	NONE
Word Mark	SPEKTRUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2005/01/27 First Use In Commerce: 2005/01/27 Radio transmitter modules and receivers and components thereof, namely, digital sequencing spread spectrum modules and transceivers for installation into hobby model vehicles for digital encoding		

Attachments	78490939#TMSN.jpeg(bytes) Horizon_Hobby_Notice_Opposition_S_SPEKTRUM_85607883.pdf(118834 bytes) Horizon_Hobby_Notice_Opposition_SPEKTRUM_85602658.pdf(122511 bytes) Exhibit_2.pdf(83708 bytes) Ex_1_85602658_Application.pdf(4167602 bytes) Ex_1_85607883_Application_rs.pdf(3245574 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	/Ryan C. Clark/
Name	Ryan C. Clark
Date	01/28/2014

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

HORIZON HOBBY, INC.

Opposer,

v.

PREMIER ACCESSORY GROUP, LLC

Applicant.

Opposition No.

Serial No. 85/607883

Mark: S SPEKTRUM

Published: October 1, 2013

NOTICE OF OPPOSITION

Horizon Hobby, Inc. (“Horizon Hobby” or “Opposer”) believes that it will be damaged by the registration of the S SPEKTRUM (and Design) trademark, as applied for in United States Patent and Trademark Office (USPTO) Application Serial No. 85/607,883, and hereby opposes registration of that trademark on the following grounds:

PARTIES

1. Premier Accessory Group, LLC (“Applicant”) is, on information and belief, a New Jersey limited liability company having a principal place of business at 305 Clearview Avenue, Edison, NJ 08837, and a correspondence address at 11-11 44th Drive, Long Island City, New York 11101.

2. On information and belief, Applicant is in the business of providing consumer electronic accessories.

3. Horizon Hobby is a Delaware corporation with an address at 4105 Fieldstone Road, Champaign IL 61822.

4. Horizon Hobby is in the business of promoting and providing hobby, toy and recreational products.

APPLICANT'S TRADEMARK APPLICATION

5. Applicant applied for registration of the mark "S SPEKTRUM (and Design)" on the USPTO's Principal Register, Application Serial No. 85/607,883, for "battery chargers; cases for mobile phones; cell phone battery chargers; ear buds; headphones" in International Class 9 (the "Trademark Application") (Ex. 1 is the Trademark Application).

6. Applicant has asserted that its first use of the mark S SPEKTRUM (and Design) in commerce in connection with "battery chargers; cases for mobile phones; cell phone battery chargers; ear buds; headphones" is at least as early as April 1, 2011.

7. Application Serial No. 85/607,883 was published for opposition on October 1, 2013.

OPPOSER'S MARK

8. Since at least as early as 2005, Opposer has used the trademark "SPEKTRUM" in conjunction with toy and hobby related products, including in connection with batteries and battery chargers. (Exhibit 2).

9. Opposer is the exclusive licensee of United States Trademark Registration 3,080,770, registered on April 11, 2006, for the mark SPEKTRUM (and Design) for use in connection with "Radio transmitter modules and receivers and components thereof, namely, digital sequencing spread spectrum modules and transceivers for installation into hobby model vehicles for digital encoding" and all of the business and goodwill represented thereby. This registration is valid, subsisting, unrevoked, uncanceled, and is *prima facie* evidence of Opposer's exclusive right to use said mark in commerce on the identified goods.

10. Since initiating use in 2005, Opposer's use of its SPEKTRUM mark has been ongoing, continuous, and exclusive, now including use throughout every state in the United

States. In fact, Opposer used its SPEKTRUM mark in every state in the United States prior to Applicant's asserted first use in commerce date of April 1, 2011.

11. Based on its lengthy, continuous, and geographically broad use of the mark "SPEKTRUM," the consuming public and trade have come to recognize and do recognize the SPEKTRUM trademark as being used by Opposer or a single source, and to associate and identify said mark and name with Opposer, or with a single source, and Opposer derives substantial goodwill and value from such identification by the consuming public and trade.

12. Opposer has requested that Applicant cease its efforts to adopt and register the mark "S SPEKTRUM (and Design)" but to date, Applicant has refused. Accordingly, any use of the S SPEKTRUM (and Design) mark by Applicant is without the consent of the Opposer.

GROUND I – LIKELIHOOD OF CONFUSION

13. Opposer incorporates by reference the allegations of Paragraphs 1 through 12 as if fully set forth herein.

14. Opposer's use of the mark "SPEKTRUM" precedes Applicant's asserted first use in commerce date of April 1, 2011 for the mark "S SPEKTRUM (and Design)."

15. Applicant's S SPEKTRUM (and Design) mark is confusingly similar and substantially identical to Opposer's SPEKTRUM trademark.

16. Applicant's mark opposed herein is likely to cause confusion and mistake and to deceive, with consequent injury to Opposer, the consuming public and the trade.

17. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant's mark sought to be registered, and will give color and exclusive right to Applicant in violation and derogation of prior and superior rights of Opposer.

PRAYER FOR RELIEF

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that Applicant's application Serial No. 85/607,883 for the mark S SPEKTRUM be refused registration.

Respectfully submitted,

Dated: January 28, 2014

/Ryan C. Clark/
Ryan C. Clark (*clark@mbhb.com*)
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. Wacker Drive, Suite 3100
Chicago, Illinois 60606
(312) 913-0001 Telephone
(312) 913-0002 Facsimile

Attorneys for Horizon Hobby, Inc.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that the foregoing Notice of Opposition was filed electronically with the Trademark Trial and Appeal Board through ESTTA on January 28, 2014 and that a true and correct copy of the foregoing paper has been served upon Applicant via United States Certified Mail, return receipt requested, postage prepaid, on January 28, 2014, at the addresses below:

Sam Esses, CEO
Premier Accessory Group, LLC
305 Clearview Avenue
Edison, NJ 08837

Sam Esses, CEO
Premier Accessory Group, LLC
11-11 44th Drive
Long Island City, NY 11101

with a copy to the following via electronic mail and United States Certified Mail, return receipt requested, postage prepaid, on January 28, 2014 at the addresses below:

Brian Bloom
bbloom@certilmanbalin.com
Certilman Balin Adler & Hyman, LLP
90 Merrice Avenue, 9th Floor
East Meadow, New York 11554

Brian Bloom
bbloom@moritthock.com
Moritt Hock & Hamroff LLP
400 Garden City Plaza
Garden City, NY 11530

/s/Ryan C. Clark
Ryan C. Clark (*clark@mbhb.com*)
McDonnell Boehnen Hulbert & Berghoff LLP
300 S. Wacker Drive, Suite 3100
Chicago, Illinois 60606

(312) 913-0001 Telephone
(312) 913-0002 Facsimile

Attorneys for Horizon Hobby, Inc.

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

HORIZON HOBBY, INC.

Opposer,

v.

PREMIER ACCESSORY GROUP, LLC

Applicant.

Opposition No.

Serial No. 85/602658

Mark: SPEKTRUM

Published: October 1, 2013

NOTICE OF OPPOSITION

Horizon Hobby, Inc. (“Horizon Hobby” or “Opposer”) believes that it will be damaged by the registration of the SPEKTRUM trademark, as applied for in United States Patent and Trademark Office (USPTO) Application Serial No. 85/567,896, and hereby opposes registration of that trademark on the following grounds:

PARTIES

1. Premier Accessory Group, LLC (“Applicant”) is, on information and belief, a New Jersey limited liability company having a principal place of business at 305 Clearview Avenue, Edison, NJ 08837, and a correspondence address at 11-11 44th Drive, Long Island City, New York 11101.

2. On information and belief, Applicant is in the business of providing consumer electronic accessories.

3. Horizon Hobby is a Delaware corporation with an address at 4105 Fieldstone Road, Champaign IL 61822.

4. Horizon Hobby is in the business of promoting and providing hobby, toy and recreational products.

APPLICANT'S TRADEMARK APPLICATION

5. Applicant applied for registration of the mark "SPEKTRUM" on the USPTO's Principal Register, Application Serial No. 85/602,658, for "battery chargers; cases for mobile phones; cell phone battery chargers; ear buds; headphones" in International Class 9 (the "Trademark Application") (Ex. 1 is the Trademark Application).

6. Applicant has asserted that its first use of the mark SPEKTRUM in commerce in connection with "battery chargers; cases for mobile phones; cell phone battery charger; ear buds; headphones" is at least as early as April 1, 2011.

7. Application Serial No. 85/602,658 was published for opposition on October 1, 2013.

OPPOSER'S MARK

8. Since at least as early as 2005, Opposer has used the trademark "SPEKTRUM" in conjunction with toy and hobby related products, including in connection with batteries and battery chargers. (Exhibit 2).

9. Opposer is the exclusive licensee of United States Trademark Registration 3,080,770, registered on April 11, 2006, for the mark SPEKTRUM (and Design) for use in connection with "Radio transmitter modules and receivers and components thereof, namely, digital sequencing spread spectrum modules and transceivers for installation into hobby model vehicles for digital encoding" and all of the business and goodwill represented thereby. This registration is valid, subsisting, unrevoked, uncanceled, and is *prima facie* evidence of Opposer's exclusive right to use said mark in commerce on the identified goods.

10. Since initiating use in 2005, Opposer's use of its SPEKTRUM mark has been ongoing, continuous, and exclusive, now including use throughout every state in the United

States. In fact, Opposer used its SPEKTRUM mark in every state in the United States prior to Applicant's asserted first use in commerce date of April 1, 2011.

11. Based on its lengthy, continuous, and geographically broad use of the mark "SPEKTRUM," the consuming public and trade have come to recognize and do recognize the SPEKTRUM trademark as being used by Opposer or a single source, and to associate and identify said mark and name with Opposer, or with a single source, and Opposer derives substantial goodwill and value from such identification by the consuming public and trade.

12. Opposer has requested that Applicant cease its efforts to adopt and register the mark "SPEKTRUM" but to date, Applicant has refused. Accordingly, any use of the SPEKTRUM mark by Applicant is without the consent of the Opposer.

GROUND I – LIKELIHOOD OF CONFUSION

13. Opposer incorporates by reference the allegations of Paragraphs 1 through 12 as if fully set forth herein.

14. Opposer's use of the mark "SPEKTRUM" precedes Applicant's asserted first use in commerce date of April 1, 2011 for the mark "SPEKTRUM."

15. Applicant's SPEKTRUM mark is confusingly similar and substantially identical to Opposer's SPEKTRUM trademark.

16. Applicant's mark opposed herein is likely to cause confusion and mistake and to deceive, with consequent injury to Opposer, the consuming public and the trade.

17. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant's mark sought to be registered, and will give color and exclusive right to Applicant in violation and derogation of prior and superior rights of Opposer.

PRAYER FOR RELIEF

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that Applicant's application Serial No. 85/602,658 for the mark SPEKTRUM be refused registration.

Respectfully submitted,

Dated: January 28, 2014

/Ryan C. Clark/

Ryan C. Clark (*clark@mbhb.com*)

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP

300 S. Wacker Drive, Suite 3100

Chicago, Illinois 60606

(312) 913-0001 Telephone

(312) 913-0002 Facsimile

Attorneys for Horizon Hobby, Inc.

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that the foregoing Notice of Opposition was filed electronically with the Trademark Trial and Appeal Board through ESTTA on January 28, 2014 and that a true and correct copy of the foregoing paper has been served upon Applicant via United States Certified Mail, return receipt requested, postage prepaid, on January 28, 2014, at the addresses below:

Sam Esses, CEO
Premier Accessory Group, LLC
305 Clearview Avenue
Edison, NJ 08837

Sam Esses, CEO
Premier Accessory Group, LLC
11-11 44th Drive
Long Island City, NY 11101

with a copy to the following via electronic mail and United States Certified Mail, return receipt requested, postage prepaid, on January 28, 2014 at the addresses below:

Brian Bloom
bbloom@certilmanbalin.com
Certilman Balin Adler & Hyman, LLP
90 Merrice Avenue, 9th Floor
East Meadow, New York 11554

Brian Bloom
bbloom@moritthock.com
Moritt Hock & Hamroff LLP
400 Garden City Plaza
Garden City, NY 11530

Ezra Sutton
esutton@ezrasutton.com
Law Offices of Ezra Sutton, PA
900 Route 9 N
Woodbridge, NJ 07095-1025

/s/Ryan C. Clark
Ryan C. Clark (*clark@mbhb.com*)
McDonnell Boehnen Hulbert & Berghoff LLP
300 S. Wacker Drive, Suite 3100
Chicago, Illinois 60606
(312) 913-0001 Telephone
(312) 913-0002 Facsimile

Attorneys for Horizon Hobby, Inc.







Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85602658

Filing Date: 04/19/2012

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	SPEKTRUM
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	SPEKTRUM
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Premier Accessory Group, Inc.
*STREET	11-11 44th Drive
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	11101

LEGAL ENTITY INFORMATION	
*TYPE	CORPORATION
* STATE/COUNTRY OF INCORPORATION	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	009
*IDENTIFICATION	Battery chargers; Cases for mobile phones; Cell phone battery chargers; Ear buds; Headphones
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/01/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/01/2011
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-75151182225-144705681_ . 20120419151956.pdf
CONVERTED PDF FILE(S) (7 pages)	\\TICRS\EXPORT11\IMAGEOUT11\856\026\85602658\xml1\FTK0003.JPG
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SPECIMEN DESCRIPTION	Applicant's catalog which features Applicant's Mark in a manner which closely associates the mark with Applicant's goods
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT	

(NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Ezra Sutton
ATTORNEY DOCKET NUMBER	PREMIER 10.1-009
FIRM NAME	Law Offices of Ezra Sutton, PA
STREET	900 Route 9
CITY	Woodbridge
STATE	New Jersey
COUNTRY	United States
ZIP/POSTAL CODE	07095
PHONE	732-634-3520
FAX	732-634-3511
EMAIL ADDRESS	esutton@ezrasutton.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Brian M. Gaynor
CORRESPONDENCE INFORMATION	
* NAME	Ezra Sutton
FIRM NAME	Law Offices of Ezra Sutton, PA
* STREET	900 Route 9
* CITY	Woodbridge
* STATE (Required for U.S. applicants)	New Jersey
* COUNTRY	United States
* ZIP/POSTAL CODE	07095
PHONE	732-634-3520
FAX	732-634-3511
* EMAIL ADDRESS	

*EMAIL ADDRESS	esutton@ezrasutton.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
ORIGINAL PDF FILE	hw_75151182225-144705681 . esses_signature.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\856\026\85602658\xml1\FTK0010.JPG
* SIGNATORY'S NAME	Alfred Esses
* SIGNATORY'S POSITION	President

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85602658

Filing Date: 04/19/2012

To the Commissioner for Trademarks:

MARK: SPEKTRUM (Standard Characters, see [mark](#))

The literal element of the mark consists of SPEKTRUM.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Premier Accessory Group, Inc., a corporation of New York, having an address of
11-11 44th Drive
New York, New York 11101
United States

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, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 009: Battery chargers; Cases for mobile phones; Cell phone battery chargers; Ear buds; Headphones

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 04/01/2011, and first used in commerce at least as early as 04/01/2011, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Applicant's catalog which features Applicant's Mark in a manner which closely associates the mark with Applicant's goods.

Original PDF file:

[SPE0-75151182225-144705681 . 20120419151956.pdf](#)

Converted PDF file(s) (7 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

[Specimen File6](#)

[Specimen File7](#)

The applicant's current Attorney Information:

Ezra Sutton and Brian M. Gaynor of Law Offices of Ezra Sutton, PA
900 Route 9
Woodbridge, New Jersey 07095
United States

The attorney docket/reference number is PREMIER 10.1-009.

The applicant's current Correspondence Information:

Ezra Sutton
Law Offices of Ezra Sutton, PA
900 Route 9
Woodbridge, New Jersey 07095
732-634-3520(phone)
732-634-3511(fax)
esutton@ezrasutton.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

Original PDF file:

[hw_75151182225-144705681_ .esses_signature.pdf](#)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Alfred Esses

Signatory's Position: President

RAM Sale Number: 1676

RAM Accounting Date: 04/20/2012

Serial Number: 85602658

Internet Transmission Date: Thu Apr 19 15:12:18 EDT 2012

TEAS Stamp: USPTO/FTK-75.151.182.225-201204191512183

49474-85602658-49014e8b889d5f28e54126d72

8307cb0c8-CC-1676-20120419144705681867

SPEKTRUM

SPEKTRUM™

2011 COLLECTION





With art, style, culture & creativity the SPEKTRUM brand offers a unique product line-up of cellular & iPod/MP3 accessories that expresses a unique point of view through innovative fashion and lifestyle products.



SPK-KHCIP4BK
847181001637



SPK-KHCIP4W
847181001989

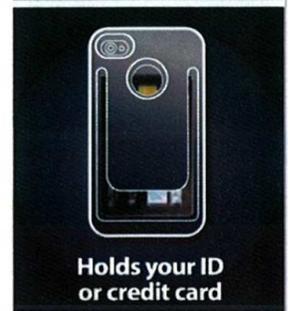


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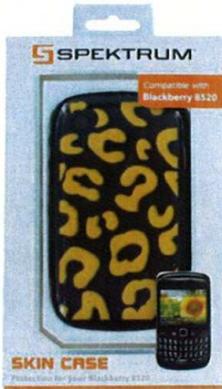


SPK-KHCIP4BL
847181001651





MODEL #	DESCRIPTION	UPC
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SPK-PCIP4BL	Pocket Clip Case – iPhone 4 – Blue	879471002306
SPK-PCIP4W	Pocket Clip Case – iPhone 4 - White	879471002320
SPK-PCIP4P	Pocket Clip Case – iPhone 4 – Purple	879471002337



SPK-LSB85C
879471008873



SPK-LSB85S
879471008897



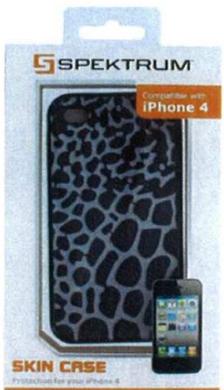
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SPK-LSB85Z
879471008880



SPK-LSIP4C
879471008835



SPK-LSIP4S
879471008859



SPK-LSIP4T
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SPK-LSIP4Z
879471008842



SPK-LSIPTC
879471008798



SPK-LSIPTS
879471008811



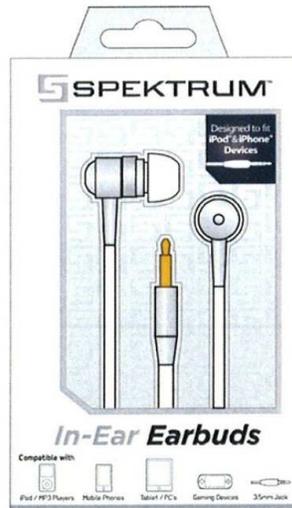
SPK-LSIPTT
879471008781



SPK-LSIPTZ
879471008800



In-Ear Earbuds





iPod & iPhone USB Car Charger



SPK-CCUSBK
847181001682



SPK-CCUSBW
847181002580

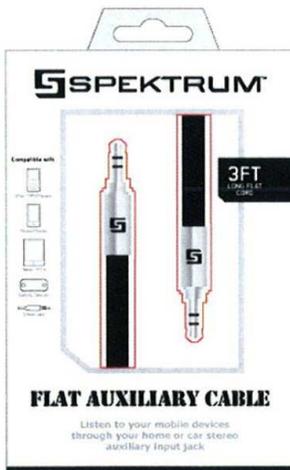


SPK-TRVUSBK
847181001699

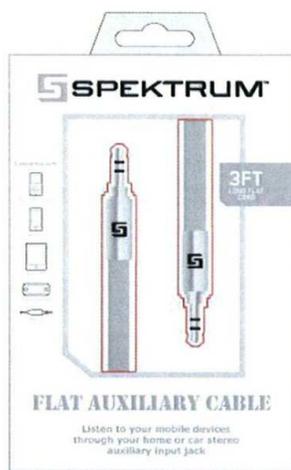


SPK-TRVUSBW
847181002597

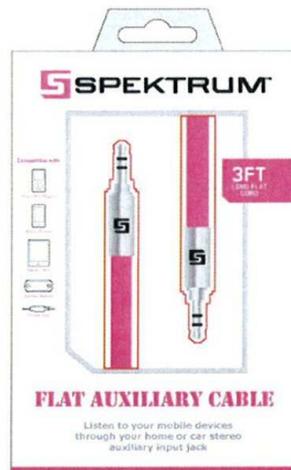
Auxiliary Audio Cables



SPK-AUXCBK
847181001132



SPK-AUXCW
847181001149



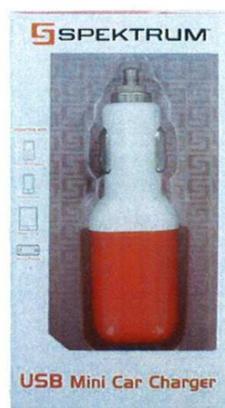
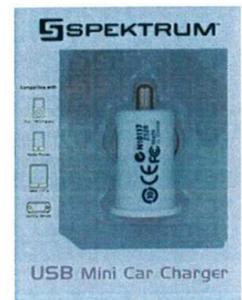
SPK-AUXCPK
847181001187



SPK-AUXCBL
847181001156



Smartphone USB Car Charger



Tablet USB Car Charger



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. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this application on behalf of the applicant; he believes the applicant to be the owner of the trademark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051(b), he 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 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 own knowledge are true and all statements made on information and belief are believed to be true.

PREMIER ACCESSORY GROUP, INC.

By: 
ALFRED ESSES,
President

Dated: April 19, 2012

Trademark/Service Mark Application, Principal Register

Serial Number: 85607883

Filing Date: 04/25/2012

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85607883
MARK INFORMATION	
*MARK	\\TICRS\EXPORT11\IMAGEOUT 11\856\078\85607883\xml1\ APP0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	S SPEKTRUM
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the word "SPEKTRUM" in a stylized, capital font to the right of a stylized "S".
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	436 x 96
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Premier Accessory Group, LLC
*STREET	11-11 44th Drive
*CITY	Long Island City
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States

*ZIP/POSTAL CODE (Required for U.S. applicants only)	11101
WEBSITE ADDRESS	www.premieraccessorygroup.com
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	009
* IDENTIFICATION	Battery chargers; Cases for mobile phones; Cell phone battery chargers; Ear buds; Headphones.
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/01/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/01/2011
SPECIMEN FILE NAME(S)	
JPG FILE(S)	\\TICRS\EXPORT11\IMAGEOUT11\856\078\856078883\xml1\APP0019.JPG
ORIGINAL PDF FILE	SPE0-6974193130-144703102 . ektrum logo mark Actual Use Specimen SPEKTRUM 2011 Catalo
CONVERTED PDF FILE(S) (16 pages)	\\TICRS\EXPORT11\IMAGEOUT11\856\078\856078883\xml1\APP0003.JPG
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SPECIMEN DESCRIPTION	2011 Spektrum Catalog showing use of the mark SPEKTRUM in U.S. Commerce in connection with the goods identified in the application; Screenshot of applicant's website showing use of the mark in U.S. Commerce in connection with the goods identified in the application.
ATTORNEY INFORMATION	
NAME	Brian A. Bloom
ATTORNEY DOCKET NUMBER	10510.0950
FIRM NAME	CERTILMAN BALIN ADLER & HYMAN, LLP
INTERNAL ADDRESS	9th Floor
STREET	90 Merrick Avenue
CITY	East Meadow
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	11554
PHONE	(516) 296-7160
FAX	(516) 296-7111
EMAIL ADDRESS	bbloom@certilmanbalin.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Brian A. Bloom
FIRM NAME	CERTILMAN BALIN ADLER & HYMAN, LLP

INTERNAL ADDRESS	9th Floor
STREET	90 Merrick Avenue
CITY	East Meadow
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	11554
PHONE	(516) 296-7160
FAX	(516) 296-7111
EMAIL ADDRESS	bbloom@certilmanbalin.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	/Brian A. Bloom/
SIGNATORY'S NAME	Brian A. Bloom
SIGNATORY'S POSITION	Attorney of record, New York bar member
DATE SIGNED	04/25/2012

Trademark/Service Mark Application, Principal Register

Serial Number: 85607883

Filing Date: 04/25/2012

To the Commissioner for Trademarks:

MARK: S SPEKTRUM (stylized and/or with design, see [mark](#))

The literal element of the mark consists of S SPEKTRUM.

The applicant is not claiming color as a feature of the mark. The mark consists of the word "SPEKTRUM" in a stylized, capital font to the right of a stylized "S".

The applicant, Premier Accessory Group, LLC, a limited liability company legally organized under the laws of New York, having an address of

11-11 44th Drive
Long Island City, New York 11101
United States

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, for the following:

International Class 009: Battery chargers; Cases for mobile phones; Cell phone battery chargers; Ear buds; Headphones.

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 04/01/2011, and first used in commerce at least as early as 04/01/2011, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) 2011 Spektrum Catalog showing use of the mark SPEKTRUM in U.S. Commerce in connection with the goods identified in the application; Screenshot of applicant's website showing use of the mark in U.S. Commerce in connection with the goods identified in the application..

JPG file(s):

[Specimen File 1](#)

Original PDF file:

[SPE0-6974193130-](#)

[144703102 . ektrum logo mark Actual Use Specimen SPEKTRUM 2011 Catalog .pdf](#)

Converted PDF file(s) (16 pages)

[Specimen File 1](#)

[Specimen File 2](#)

[Specimen File 3](#)

[Specimen File 4](#)

[Specimen File 5](#)

[Specimen File6](#)
[Specimen File7](#)
[Specimen File8](#)
[Specimen File9](#)
[Specimen File10](#)
[Specimen File11](#)
[Specimen File12](#)
[Specimen File13](#)
[Specimen File14](#)
[Specimen File15](#)
[Specimen File16](#)

For informational purposes only, applicant's website address is: www.premieraccessorygroup.com

The applicant's current Attorney Information:

Brian A. Bloom of CERTILMAN BALIN ADLER & HYMAN, LLP

9th Floor
90 Merrick Avenue
East Meadow, New York 11554
United States

The attorney docket/reference number is 10510.0950.

The applicant's current Correspondence Information:

Brian A. Bloom
CERTILMAN BALIN ADLER & HYMAN, LLP
9th Floor
90 Merrick Avenue
East Meadow, New York 11554
(516) 296-7160(phone)
(516) 296-7111(fax)
bbloom@certilmanbalin.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.

Declaration Signature

Signature: /Brian A. Bloom/ Date: 04/25/2012

Signatory's Name: Brian A. Bloom

Signatory's Position: Attorney of record, New York bar member

RAM Sale Number: 1717

RAM Accounting Date: 04/26/2012

Serial Number: 85607883

Internet Transmission Date: Wed Apr 25 15:06:24 EDT 2012

TEAS Stamp: USPTO/BAS-69.74.193.130-2012042515062402

9837-85607883-490f77a43bacc40cd5d6f81bf5

9a7e471c6-CC-1717-20120425144703102410

S SPEKTRUM



S SPEKTRUM

2011 COLLECTION

With art, style, culture & creativity the SPEKTRUM brand offers a unique product line-up of cellular & iPod/MP3 accessories that expresses a unique point of view through innovative fashion and lifestyle products.



SPK-KHCIP4BK
847181001637



SPK-KHCIP4W
847181001989



SPK-KHCIP4PK
847181001644



SPK-KHCIP4BL
847181001651





MODEL #	DESCRIPTION	UPC
SPK-PCIP4PK	Pocket Clip Case – iPhone 4 – Pink	879471002313
SPK-PCIP4BK	Pocket Clip Case – iPhone 4 – Black	879471002290
SPK-PCIP4BL	Pocket Clip Case – iPhone 4 – Blue	879471002306
SPK-PCIP4W	Pocket Clip Case – iPhone 4 - White	879471002320
SPK-PCIP4P	Pocket Clip Case – iPhone 4 – Purple	879471002337



SPK-LSB85C
879471008873



SPK-LSB85S
879471008897



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SPK-LSIP4S
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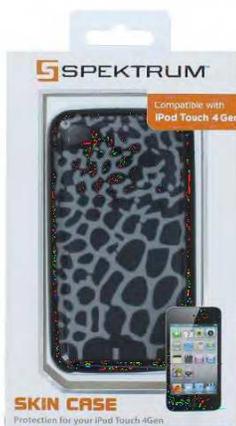
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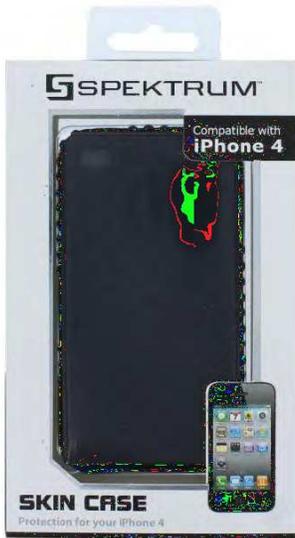
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SPK-IP4HC10
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SPK-SHC2
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SPK-SHC3
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SPK-TXTPHON3
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SPK-TXTPHON4
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SPK-TXTTOUCH1
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SPK-TXTTOUCH2
847181001422



SPK-TXTTOUCH3
847181001439



SPK-TXTTOUCH4
847181001446



SPK-TXTMDX1
847181001453



SPK-TXTMDX2
847181001460



SPK-TXTMDX3
847181001477



SPK-TXTMDX4
847181001484



In-Ear Earbuds





iPod & iPhone USB Car Charger



SPK-CCUSBPK
847181001682



SPK-CCUSBW
847181002580

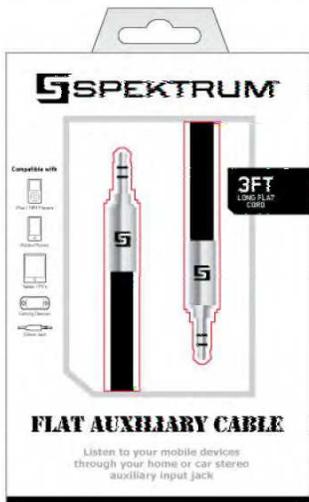


SPK-TRVUSBPK
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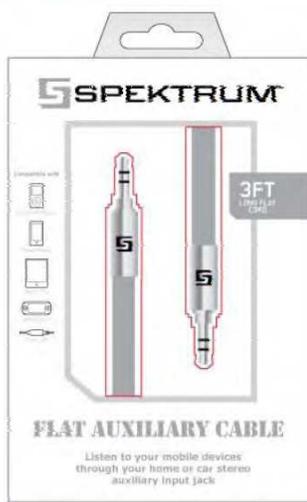


SPK-TRVUSBW
847181002597

Auxiliary Audio Cables



SPK-AUXCBK
847181001132



SPK-AUXCW
847181001149



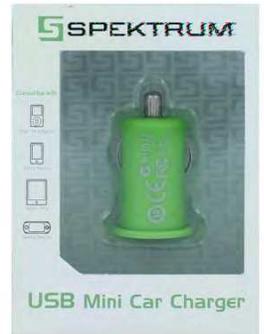
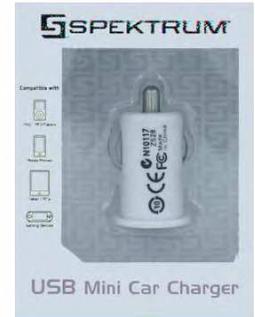
SPK-AUXCPK
847181001187



SPK-AUXCBL
847181001156



Smartphone USB Car Charger



Tablet USB Car Charger

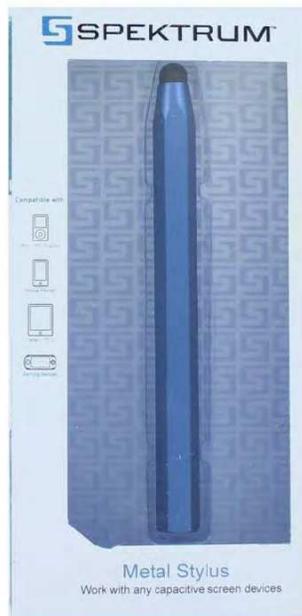
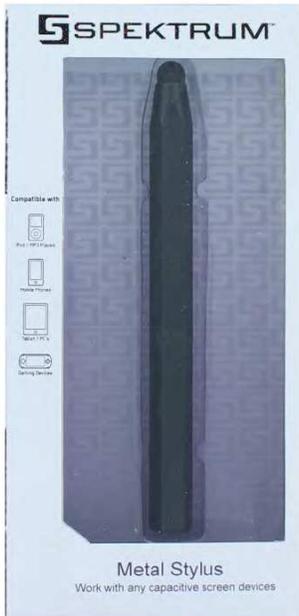




Metal Mini Stylus



Pencil Stylus



Sync & Charge Cables



SPEKTRUM

**Premier Accessory Group
Corporate Headquarters**

11-11 44th Drive
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(718) 371-3624 fax

E-MAIL: sales@premierxsre.com
www.premieraccessorygroup.com



Windows Accessory Group - Spektrum - Windows Internet Explorer

http://www.premieraccessorygroup.com/brand/spektrum

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With its style, culture & creativity, the Spektrum brand offers a unique product lineup of cellular & PDA/MPO accessories and expresses a unique point of view through innovative fashion and lifestyle products.



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