

ESTTA Tracking number: **ESTTA588639**

Filing date: **02/21/2014**

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	HALCORE GROUP, INC.
Granted to Date of previous extension	02/22/2014
Address	3800 MCDOWELL ROAD GROVE CITY, OH 43123 UNITED STATES
Correspondence information	Timothy R. Brownlee Waits, Brownlee, Berger & DeWoskin 401 W. 89th Street Kansas City, MO 64114 UNITED STATES t.brownlee@wbbdlaw.com Phone:816-363-5466

**Applicant Information**

Application No	86007664	Publication date	12/24/2013
Opposition Filing Date	02/21/2014	Opposition Period Ends	02/22/2014
Applicant	Alliant Techsystems Inc. 7480 Flying Cloud Drive Minneapolis, MN 55344 GERMANY		

**Goods/Services Affected by Opposition**

Class 008. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hand-operated tools, namely, tactical breaching tools, hatchets, and axes
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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.	1781317	Application Date	12/07/1992
Registration Date	07/13/1993	Foreign Priority Date	NONE
Word Mark	TRAUMAHAWK		

Design Mark	<b>TRAUMAHAWK</b>
Description of Mark	NONE
Goods/Services	Class 012. First use: First Use: 1992/11/09 First Use In Commerce: 1992/11/09 emergency vehicles; namely, ambulances

Attachments	74337532#TMSN.gif( bytes ) Opposition.pdf(13304 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	/Timothy R. Brownlee/
Name	Timothy R. Brownlee
Date	02/21/2014

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

In re Application Serial No. 86/007,664  
For: TRAUMAHAWK  
Filing date: July 11, 2013  
Date of Publication: December 24, 2013

Halcore Group, Inc. d/b/a AEV	)	
	)	
Opposer,	)	
	)	Opposition No. _____
v.	)	
	)	
Alliant Techsystems, Inc.	)	
	)	
Applicant.	)	

NOTICE OF OPPOSITION

Halcore Group, Inc. d/b/a AEV ("Opposer") believes that it will be damaged by registration of the standard character word mark TRAUMAHAWK bearing Serial No. 86/007,664 in Class 08 ("the Opposed Mark"), and hereby opposes the same.

As grounds for the opposition, Opposer alleges as follows:

1. Upon information and belief, Applicant Alliant Techsystems, Inc. is a United States corporation, organized under the laws of Delaware, with its principal place of business at 7480 Flying Cloud Drive, Minneapolis, Minnesota 55344.
2. As evidenced by the publication of Serial No. 86/007,664 in the Official Gazette of December 24, 2013, Applicant seeks to register TRAUMAHAWK in connection with "Hand-operated tools, namely, tactical breaching tools, hatchets, and axes" in International Class 08.
3. Upon information and belief, Applicant has not yet used the mark in commerce.
4. Since at least 20 years prior to the filing of Serial No. 86/007,664, Opposer, along with its predecessors in interest, adopted and have continuously used the

TRAUMAHAWK® mark in connection with its business activities, namely the manufacturing and sale of emergency vehicles.

5. Opposer is the owner of United States Trademark Registration No. 1,781,317 for the mark TRAUMAHAWK® in connection with "emergency vehicles; namely, ambulances" in Class 12, filed on December 7, 1992 and claiming a date of first use of November 9, 1992. The registration was issued on the Principal Register on July 13, 1993 and is incontestable.
6. Opposer and its predecessors in interest have invested substantial amounts of time, effort and money in promoting and advertising the goods associated with its TRAUMAHAWK® mark and the relevant public have come to recognize and rely upon the TRAUMAHAWK® as an indicator that the goods originated from Opposer.
7. Applicant's proposed mark and Opposer's registered mark are identical.
8. The goods upon which Applicant seeks to apply the TRAUMAHAWK mark are unrestricted as to channels of trade.
9. The goods upon which Applicant seeks to apply the TRAUMAHAWK mark are related to the goods on which Opposer uses its TRAUMAHAWK® mark in that both goods are likely to be used in emergency and/or rescue situations.
10. The goods upon which Applicant seeks to apply the TRAUMAHAWK mark and the goods on which Opposer uses its TRAUMAHAWK® mark would travel and be promoted through the same or overlapping channels of trade.
11. Applicant has no license, consent or permission from Opposer to use or register the Opposed Mark.
12. The Opposed Mark so resembles Opposer's TRAUMAHAWK® mark that it is likely to cause confusion, or to cause mistake or deceive within the meaning of



CERTIFICATE OF TRANSMISSION

I hereby certify that a true and correct copy of the foregoing was electronically transmitted to the Trademark Trial and Appeal Board on this 21st day of February, 2014.

                  /s/ Timothy R. Brownlee                    
Timothy R. Brownlee  
Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following by first-class mail, postage prepaid, on 21st day of February, 2014:

Stephen R. Baird  
Winthrop and Weinstine, P.A.  
225 South Sixth Street, Suite 3500  
Minneapolis, MN 55402  
Attorney for Applicant

                  /s/ Timothy R. Brownlee                    
Timothy R. Brownlee  
Attorney for Opposer