

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

Mark: SALT COMMANDER
 Application Serial No.: 86/273,025
 Goods: Bumper stickers; Decals; Magnetic bumper stickers; Stickers
 Mark: SALT COMMANDER
 Application Serial No.: 86/273,019
 Goods: Clothing, namely, hats, caps, shirts, t-shirts, shorts, swimwear, visors, fleece pullovers, sweatshirts, surf wear, jackets, pants, bandanas, sun sleeves, dresses and footwear

DUCK COMMANDER, INC.)	
)	
Opposer)	
)	
v.)	
)	Opposition No.
MATTHEW KRASOWSKI)	
)	
Applicant)	
)	

NOTICE OF OPPOSITION

Opposer, Duck Commander, Inc. (“Duck Commander”) hereby opposes registration of Trademark Application Serial Nos. 86/273,025 and 86/273,019 for the SALT COMMANDER trademark that are owned by Matthew Krasowski, 424 Old Blackdog Trail, Huger, South Carolina 29450, and requests that applications be refused registration.

As grounds in support of its Opposition, Opposer asserts as follows:

1. Opposer is the owner of many registered marks containing “COMMANDER” including U.S. Registration No. 1,722,152 for the mark DUCK COMMANDER in connection with duck call devices for hunting.



2. Opposer has been using DUCK COMMANDER in connection with clothing since at least as early as October of 2007.

3. Since prior to the filing date of Applicant of May 6, 2014, Opposer has been using DUCK COMMANDER on clothing.

4. Since July 19, 2010, Opposer has been using DUCK COMMANDER on signs, bumper stickers, and magnets.

5. Opposer is the owner of U.S. Registration No. 3,923,261 for the mark GOOSE COMMANDER in connection with hunting calls for geese.

6. Since prior to use by Applicant, Opposer has been using GOOSE COMMANDER on hats and t-shirts.

6. Opposer is prominently featured in the highly watched television program DUCK DYNASTY that appears nationally on A&E. DUCK DYNASTY has been well received by consumers attaining high ratings.

7. DUCK DYNASTY promotes Opposer's various COMMANDER trademarks.

8. Opposer's COMMANDER marks are paired with other terms relating to outdoor living.

9. Applicant filed Application Serial No. 86/273,025 for the mark SALT COMMANDER in connection with Bumper stickers; Decals; Magnetic bumper stickers; Stickers.

10. Applicant filed Application Serial No. 86/273,019 for the mark SALT COMMANDER in connection with Clothing, namely, hats, caps, shirts, t-shirts, shorts, swimwear, visors, fleece pullovers, sweatshirts, surf wear, jackets, pants, bandanas, sun sleeves, dresses and footwear.

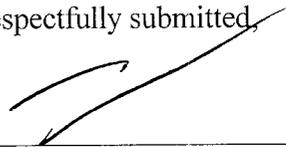
11. Applicant's mark creates a likelihood of confusion with Opposer's various marks.

12. As a result, Opposer would be harmed by registration of Application's mark.

WHEREFORE, Opposer prays that registration to Applicant be refused.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment coincident to this Petition to Cancellation to Deposit Account 23-0035.

Respectfully submitted,



Edward D. Lanquist, Jr.
WADDEY & PATTERSON, P.C.
1600 Division Street
Suite 500 Roundabout Plaza
Nashville, TN 37203
(615) 242-2400
(615) 242-2221 facsimile
Attorneys for Duck Commander, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Opposition has been served via express mail No. EF 058814091 US this 6th day of August, 2014, on:

Matthew Krasowski
424 Old Blackdog Trail
Huger, SOUTH CAROLINA 29450
UNITED STATES

EF058814091US

BRENT D. SAUSSER
THE LAW FIRM OF SAUSSER AND SPURR, LLC
2 ROSEDALE DR
CHARLESTON, SOUTH CAROLINA 29407-7242
UNITED STATES

EF058814105US



Edward D. Lanquist, Jr.

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I hereby certify that this Notice of Opposition along with two copies and a check in the amount of \$600.00 is being deposited with the United States Postal Service, via Express Mail, Label No. EF 011711956 US on August 6, 2014, addressed to:

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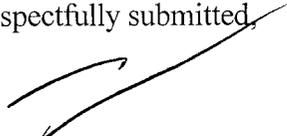
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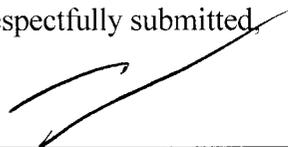
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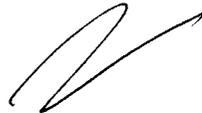
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