

ESTTA Tracking number: **ESTTA726893**

Filing date: **02/12/2016**

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	Axson Services GmbH
Granted to Date of previous extension	02/14/2016
Address	Hochbergerstrasse 60 C CH-4057 Basel, SWITZERLAND
Domestic Representative	ANDY I COREA ST ONGE STEWARD JOHNSTON & REE 986 BEDFORD STREET STAMFORD, CT 06905 UNITED STATES litigation@ssjr.com Phone:2033246155

### Applicant Information

Application No	86492454	Publication date	08/18/2015
Opposition Filing Date	02/12/2016	Opposition Period Ends	02/14/2016
International Registration No.	NONE	International Registration Date	NONE
Applicant	OYG SERVICIOS Y ASISTENCIA S.A. Leandro N. Alem 1110, 6th Floor Buenos Aires, ARGENTINA		

### Goods/Services Affected by Opposition

Class 004. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: industrial oils and greases; industrial and motor-vehicle lubricants; fuels
Class 037. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: drilling of wells for the extraction of oil or gas; installation, cleaning, maintenance and repair of drilling rigs and equipment; pipeline construction and maintenance; vehicle service stations
Class 040. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: treatment and processing of natural gas; power generation; oil production and gas production; professional consultancy in the fields of oil and gas production
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: prospecting for oil and gas; oil field and gas field exploration; analysis, surveying and testing services, namely, oil and gas well testing, relating to oil and gas fields; chemical and technical research services related to oil and gas fields; professional consultancy services in the fields of oil and gas field exploration

## Grounds for Opposition

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

U.S. Application No.	79137452	Application Date	05/03/2013
Registration Date	NONE	Foreign Priority Date	01/07/2013
Word Mark	AXSON		
Design Mark			
Description of Mark	<p>The mark consists of the term "AXSON" in stylized blue lettering with a sweeping band in dark grey extending from the letter "a". The color white is merely for background and is not claimed as a feature of the mark.</p>		
Goods/Services	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0 Chemicals and chemical preparations for use in industry and sciences</p> <p>Class 017. First use: First Use: 0 First Use In Commerce: 0 Rubber and especially natural rubber, synthetic rubber, liquid rubber; raw or semi-worked rubber; rubber solutions; Latex for industrial use; Latex for use in the manufacture of cables, tubes, hoses; Products made of semi-worked rubber, namely, rubber rings and rubber valves; Rubber goods not included in other classes, namely, rubber bands for commercial and industrial uses, rubber bars and rods, rubber cords and laces, rubber hoses for commercial and industrial uses, rubber lids and caps, rubber sheets, rubber sleeves for protecting parts of machinery, rubber thread not for textile use, rubber tubes and pipes, rubber sealants caulking and adhesive purposes, rubber solutions, rubber valves, foam rubber, cellular rubber for industrial applications, silicone rubber; Gutta-percha, raw or partly processed gum for use in the further manufacture of products for use in industry and sciences; Gum, in the nature of raw or partly processed rubber or resins; asbestos; vulcanized fiber; carbon fiber, not for textile use; semi-processed plastic materials; plastics in extruded form for use in manufacture; Semi-processed acrylic resins; Semi-processed synthetic resins; Semi-processed artificial resins; Semi-processed polyurethane foams; thermosetting resin block; Semi-processed thermohardened resins; Semi-processed syntactic foams for use in the further manufacture of products for use in industry and sciences; Silicone rubber foams; Semi-processed elastomers and thermoplastic elastomer resins for use in the further manufacture of products for use in industry and sciences; Elastomeric polymers in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form for use in industry in further manufacture and in sciences; Synthetic and composite materials, namely, plastic, latex, rubber, silicone, gum, gutta-percha, elastomers, polymers, resins, polyurethane, epoxy, as semi-finished products in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form; Electric, thermal, acoustic and waterproof insulators; Electrical,</p>		

thermal, acoustic and waterproof insulating tape and bands; Electrical, thermal, acoustic and waterproof insulating materials; Electrical, thermal, acoustic and waterproof insulating impervious membranes; Insulating fabrics; Insulating coatings, paints and varnishes; non-metal sealing rings, beads and washers for use as connection seals; Non-metal gaskets for use in the further manufacture of products for use in industry and sciences; Chemical compositions for plugging leaks, namely, waterproof sealants; rubber hoses for industrial use, flexible tubes, not of metal; insulators for cables, insulators for electric mains; Insulating dielectrics for use in the further manufacture of products for use in industry and sciences, specifically for use in integrated circuits, semiconductor devices and in computer disk drives and other computer hardware; Filtering materials, namely, semi-processed foam rubber or plastics; Packaging materials of rubber or plastics in the form of expanded plastic pellets for packaging, plastic sheets for industrial use and for industrial applications, for use in the further manufacture of products for use in industry and sciences, rubber bags for merchandise packaging, rubber lids and caps, rubber stoppers for packaging containers; Padding, packing and stuffing materials in the nature of rubber or plastic padding materials; plastic yarns and fibers not for textile use; Adhesive tapes and strips, other than for medical, stationery or household use; all the aforesaid goods being application or processing equipment manufactured as semi-finished or finished liquid, foam, paste, powder materials, solid parts, other prefabricated parts, for coatings, composites, design and modeling, tools, prototyping, binding, reinforcement, joining, moistening, protection during molding, painting, construction, encapsulation materials

Class 040. First use: First Use: 0 First Use In Commerce: 0  
Processing of chemicals, chemical preparations and materials for use in industry and sciences

Class 042. First use: First Use: 0 First Use In Commerce: 0  
Evaluations, estimates and technical project studies as part of research in the field of science and technology in particular in the fields of chemicals, chemical preparations and materials; analysis services, namely, technical and chemical analysis and technical research, in particular in the field of chemicals, chemical preparations and materials; technical project studies in the field of chemicals, chemical preparations and materials; appraisal activities, namely, surveying and engineering; research and development for others in the field of chemicals, chemical preparations and materials

U.S. Registration No.	3790311	Application Date	12/26/2007
Registration Date	05/18/2010	Foreign Priority Date	07/09/2007
Word Mark	AXSON TECHNOLOGIES		
Design Mark			
Description of Mark	The mark consists of the letter "A" with two vertical strokes in red and the other parts in blue representing the letter "x", which is followed by the letters "son" in blue. The word "technologies" appears below in blue between two red bars.		

<p>Goods/Services</p>	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0  Chemical products and compositions, namely, thermosetting and thermoplastic resins for use in industry, science, photography, as well as agriculture, horticulture and forestry except fungicides, herbicides, insecticides, and parasiticides; unprocessed polyurethane foams for use in the manufacture of foams; elastomers, namely, thermoplastic elastomer resins for use in manufacturing in a wide variety of industries; unprocessed silicon foams for general industrial and manufacturing use; mould-release preparations; polyurethane adhesives, epoxy adhesives for industrial purposes; unprocessed synthetic foams in the nature of epoxy resins and polyurethane resins, for general industrial and manufacturing use; chemical goods, namely, chemical preparations, for insulation, for scientific purposes, for laminating purposes, for use in the chemical industry, in agriculture, and in the foundry industry, for use in the manufacture of molding compounds, for use in the aerospace, automotive manufacturing, and building industries, for use in the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; polyurethane composites for general industrial and manufacturing use; unprocessed artificial resins, unprocessed plastics; adhesives used in industry</p> <p>Class 002. First use: First Use: 0 First Use In Commerce: 0  Raw natural resins; natural gum resins; paints, varnishes, lacquers</p> <p>Class 017. First use: First Use: 0 First Use In Commerce: 0  Rubber, gutta-percha, gum, namely, synthetic rubber in the form of bars, blocks, pellets, rods, sheets and tubes; and products made from these materials not included in other classes, namely, packing materials of rubber, rings of rubber, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation; rubber, gutta-percha, gum, namely, synthetic rubber bushings, namely, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation, weather strips for buildings, and packing, insulating tape, sealants, namely, for general industrial use, for use in sealing and insulating, for use in further manufacture, for use in manufacturing in a wide variety of industries; products made of semi-processed plastics, namely, semi-worked synthetic plastic and synthetic resins as semi-finished products in form of pellets, rods, foils, foams, fibers, films, and sheets; semi-processed polyurethane in foam form; blocks made of thermosetting resins and semi-processed synthetic foams of polyurethane and rubber; acrylic resins; adhesive tapes other than for medical, stationery or household purposes, namely, for industrial and commercial use; insulators for electrical cables, for electric mains, for use as a building insulator, and for use in sealing, namely, non-metal sealing rings for use as connection seals, polyurethane film for use in sealing and insulating, sealing plugs made primarily from rubber, and insulating, namely, insulating aerospace, automobile and building elements, ceramics, furniture, electric and electronic materials, sports equipment, personal care products, and decorations; synthetic resins, namely, thermoplastic elastomer resins in pellet, rod, foil, foam, fiber, film and sheet forms for use in manufacturing in a wide variety of industries</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0  Evaluations of needs, of problems, namely, technical need and problems in the field of the chemical industry and the foundry industry, in the field of the manufacture of molding compounds, in the field of the aerospace, automotive manufacturing, and building industries, in the field of the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; estimates, technical project studies, namely, testing, analysis and evaluation of the goods and services of others, technical consultation in the field of science, engineering services, designing and testing of new products for others; research services in the fields of science and technology in the field of plastic materials; analysis services, namely, technical and chemical analysis and technical research services in the field of plastic materials; technical project studies, namely, conducting feasibility studies, engin-</p>
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	engineering services, and technical project planning in the field of plastic materials; expertise activities, namely, engineering; research and development of new products for third parties in the field of plastic materials
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Attachments	79137452#TMSN.png( bytes ) 79059668#TMSN.png( bytes ) Opposition.pdf(149278 bytes ) Exhibit A.pdf(1334146 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	/Andy I. Corea/
Name	ANDY I COREA
Date	02/12/2016

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

AXSON SERVICES GmbH	:	
	:	
Opposer,	:	
	:	
-v-	:	Opposition No. (UNASSIGNED)
	:	
OYG SERVICIOS Y ASISTENCIA S.A,	:	
	:	
Applicant.	:	

Re: U.S. Trademark Application	Serial No.: 86492454
Trademark: AXION ENERGY	Filed: December 30, 2014
Applicant: Oyg Servicios Y Asistencia S.A.,	Published: August 18, 2015
International Classes: 004, 035, 037, 039 040, 042 <sup>1</sup>	

**NOTICE OF OPPOSITION**

Axson Services, GmbH (“Opposer”), believes it will be damaged by registration of the mark AXION ENERGY, U.S. Application Serial No. 86590054 (“the Opposed Application”), and therefore opposes registration pursuant to Section 13 of the Trademark Act of 1946 (the “Lanham Act”) (15 U.S.C. § 1063). The grounds for opposition are as follows:

1. Opposer is an entity organized under the laws of Switzerland and has an address at Hochbergerstrasse 60 C, Basel, Switzerland CH-4057.
2. Opposer is the owner of the following the owner of the following trademarks:

Mark	Registration / Application No.	Goods/Services
	79137452	001 Chemicals and chemical preparations for use in industry and sciences  017 Rubber and especially natural rubber, synthetic rubber, liquid rubber; raw or semi-worked rubber; rubber solutions; Latex for industrial use; Latex

<sup>1</sup> Opposition limited to International Classes 004, 037, 040, 042.

		<p>for use in the manufacture of cables, tubes, hoses; Products made of semi-worked rubber, namely, rubber rings and rubber valves; Rubber goods not included in other classes, namely, rubber bands for commercial and industrial uses, rubber bars and rods, rubber cords and laces, rubber hoses for commercial and industrial uses, rubber lids and caps, rubber sheets, rubber sleeves for protecting parts of machinery, rubber thread not for textile use, rubber tubes and pipes, rubber sealants caulking and adhesive purposes, rubber solutions, rubber valves, foam rubber, cellular rubber for industrial applications, silicone rubber; Gutta-percha, raw or partly processed gum for use in the further manufacture of products for use in industry and sciences; Gum, in the nature of raw or partly processed rubber or resins; asbestos; vulcanized fiber; carbon fiber, not for textile use; semi-processed plastic materials; plastics in extruded form for use in manufacture; Semi-processed acrylic resins; Semi-processed synthetic resins; Semi-processed artificial resins; Semi-processed polyurethane foams; thermosetting resin block; Semi-processed thermohardened resins; Semi-processed syntactic foams for use in the further manufacture of products for use in industry and sciences; Silicone rubber foams; Semi-processed elastomers and thermoplastic elastomer resins for use in the further manufacture of products for use in industry and sciences. Elastomeric polymers in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form for use in industry in further manufacture and in sciences; Synthetic and composite materials, namely, plastic, latex, rubber, silicone, gum, gutta-percha, elastomers, polymers, resins, polyurethane, epoxy, as semi-finished products in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form; Electric, thermal, acoustic and waterproof insulators; Electrical, thermal, acoustic and waterproof insulating tape and bands; Electrical, thermal, acoustic and waterproof insulating materials; Electrical, thermal, acoustic and waterproof insulating impervious membranes; Insulating fabrics; Insulating coatings, paints and varnishes; non-metal sealing rings, beads and washers for use as connection seals; Non-metal gaskets for use in the further manufacture of products for use in industry and sciences; Chemical compositions for plugging leaks, namely, waterproof sealants; rubber hoses for industrial use, flexible tubes, not of metal; insulators for cables, insulators for electric mains; Insulating dielectrics for use in the further manufacture of products for use in industry and sciences, specifically for use in integrated circuits, semiconductor devices and in computer disk drives and other computer hardware; Filtering materials, namely, semi-processed foam rubber or plastics. Packaging materials of rubber or plastics in the form of expanded plastic pellets for packaging, plastic sheets for industrial use and for industrial applications, for use in the further manufacture of products for use in industry and sciences, rubber bags for merchandise packaging, rubber lids and caps, rubber stoppers for packaging containers; Padding, packing and stuffing materials in the nature of rubber or plastic padding materials; plastic yarns and fibers not for textile use; Adhesive tapes and strips, other than for medical, stationery or household use; all the aforesaid goods being application or processing equipment manufactured as semi-finished or finished liquid, foam, paste, powder materials, solid parts, other prefabricated parts, for coatings, composites, design and modeling, tools, prototyping, binding, reinforcement, joining, moistening, protection during molding, painting, construction, encapsulation materials</p>
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		<p>040 Processing of chemicals, chemical preparations and materials for use in industry and sciences</p> <p>042 Evaluations, estimates and technical project studies as part of research in the field of science and technology in particular in the fields of chemicals, chemical preparations and materials; analysis services, namely, technical and chemical analysis and technical research, in particular in the field of chemicals, chemical preparations and materials; technical project studies in the field of chemicals, chemical preparations and materials; appraisal activities, namely, surveying and engineering; research and development for others in the field of chemicals, chemical preparations and materials</p>
	3790311	<p>001 Chemical products and compositions, namely, thermosetting and thermoplastic resins for use in industry, science, photography, as well as agriculture, horticulture and forestry except fungicides, herbicides, insecticides, and parasiticides; unprocessed polyurethane foams for use in the manufacture of foams; elastomers, namely, thermoplastic elastomer resins for use in manufacturing in a wide variety of industries; unprocessed silicon foams for general industrial and manufacturing use; mould-release preparations; polyurethane adhesives, epoxy adhesives for industrial purposes; unprocessed synthetic foams in the nature of epoxy resins and polyurethane resins, for general industrial and manufacturing use; chemical goods, namely, chemical preparations, for insulation, for scientific purposes, for laminating purposes, for use in the chemical industry, in agriculture, and in the foundry industry, for use in the manufacture of molding compounds, for use in the aerospace, automotive manufacturing, and building industries, for use in the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; polyurethane composites for general industrial and manufacturing use; unprocessed artificial resins, unprocessed plastics; adhesives used in industry</p> <p>002 Raw natural resins; natural gum resins; paints, varnishes, lacquers</p> <p>017 Rubber, gutta-percha, gum, namely, synthetic rubber in the form of bars, blocks, pellets, rods, sheets and tubes; and products made from these materials not included in other classes, namely, packing materials of rubber, rings of rubber, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation; rubber, gutta-percha, gum, namely, synthetic rubber bushings, namely, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation, weather strips for buildings, and packing, insulating tape, sealants, namely, for general industrial use, for use in sealing and insulating, for use in further manufacture, for use in manufacturing in a wide variety of industries; products made of semi-processed plastics, namely, semi-worked synthetic plastic and synthetic resins as semi-finished products in form of pellets, rods, foils, foams, fibers, films, and sheets; semi-processed polyurethane in foam form;</p>

		<p>blocks made of thermosetting resins and semi-processed synthetic foams of polyurethane and rubber; acrylic resins; adhesive tapes other than for medical, stationery or household purposes, namely, for industrial and commercial use. insulators for electrical cables, for electric mains, for use as a building insulator, and for use in sealing, namely, non-metal sealing rings for use as connection seals, polyurethane film for use in sealing and insulating, sealing plugs made primarily from rubber, and insulating, namely, insulating aerospace, automobile and building elements, ceramics, furniture, electric and electronic materials, sports equipment, personal care products, and decorations; synthetic resins, namely, thermoplastic elastomer resins in pellet, rod, foil, foam, fiber, film and sheet forms for use in manufacturing in a wide variety of industries</p> <p>042 Evaluations of needs, of problems, namely, technical need and problems in the field of the chemical industry and the foundry industry, in the field of the manufacture of molding compounds, in the field of the aerospace, automotive manufacturing, and building industries, in the field of the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; estimates, technical project studies, namely, testing, analysis and evaluation of the goods and services of others, technical consultation in the field of science, engineering services, designing and testing of new products for others; research services in the fields of science and technology in the field of plastic materials; analysis services, namely, technical and chemical analysis and technical research services in the field of plastic materials; technical project studies, namely, conducting feasibility studies, engineering services, and technical project planning in the field of plastic materials; expertise activities, namely, engineering; research and development of new products for third parties in the field of plastic materials</p>
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(“AXSON MARKS”, copies from the USPTO TESS database are attached hereto as Exhibit A and made of record).

3. USPTO records indicate that Oyg Servicios Y Asistencia S.A (“Applicant”), is a Sociedad Anonima organized under the laws of Argentina, with a business address at Leandro N. Alem 1110, 6th Floor, Buenos Aires Argentina.

4. USPTO records indicate that Opposer’s U.S. Registration No. 3,790,311 was filed on December 26, 2007 and registered on May 18, 2010.

5. USPTO records indicate that Opposer’s Application U.S. Application Serial No. 79137452 was filed on May 3, 2013 and was granted a priority filing date of January 7, 2013.

6. USPTO records indicate that the Opposed Application was filed on December 30, 2014 and did not assert current use in the United States.

7. The Opposed Application identifies the following goods and services:

International Class 4: industrial oils and greases; industrial and motor-vehicle lubricants; fuels

International Class 035: retail convenience store services; operation of a business for others, namely, vehicle service stations

International Class 037: drilling of wells for the extraction of oil or gas; installation, cleaning, maintenance and repair of drilling rigs and equipment; pipeline construction and maintenance; vehicle service stations

International Class 039: transportation of oil, gas and oil products by vehicle or pipeline; distribution of natural gas, gas, oil and oil products

International Class 040: treatment and processing of natural gas; power generation; oil production and gas production; professional consultancy in the fields of oil and gas production

International Class 042: prospecting for oil and gas; oil field and gas field exploration; analysis, surveying and testing services, namely, oil and gas well testing, relating to oil and gas fields; chemical and technical research services related to oil and gas fields; professional consultancy services in the fields of oil and gas field exploration

Opposer is only contesting registration in International Classes 4, 37, 40 and 42.

8. The filing dates of both AXSON MARKS predate the filing date of the Opposed Application. Opposer's rights therefore predate any date that Applicant may rely upon in this proceeding.

9. Applicant's Mark AXION ENERGY is similar in appearance, sound, connotation, and commercial impression to Opposer's trademark AXSON.

10. Opposer's AXSON MARKS and Applicant's Mark AXION ENERGY are used on and in connection with related and/or overlapping goods and services that are provided to the same or similar consumers, through similar channels of trade and under circumstances that suggest a common origin or affiliation.

11. Applicant's Mark AXION ENERGY when used in connection with the services identified in Applicant's Application, is likely to be seen as being sponsored by, affiliated with, or originating from Opposer.

12. Applicant's Mark AXION ENERGY so resembles Opposer's AXSON MARKS as to be likely to cause confusion, to cause mistake, or to deceive as to the source of the identified goods within the meaning of Section 2 of the Lanham Act (15 U.S.C. § 1052(d)).

13. Registration of Applicant's Mark AXION ENERGY would allow Applicant to unfairly benefit from the goodwill Opposer has established through its AXSON MARKS.

14. Opposer will be damaged by the grant of registration of Applicant's Application for AXION ENERGY.

WHEREFORE, Opposer prays that said application Serial No. 86492454 for AXION ENERGY be denied, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Respectfully submitted,

**AXSON SERVICES GmbH**

February 12, 2016



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**Andy I. Corea**  
ST. ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905  
Tel. (203) 324-6155  
Fax. (203) 327-1096  
Email: litigation@ssjr.com; acorea@ssjr.com

ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

This is to certify that on this date, a true copy of the foregoing **NOTICE OF OPPOSITION** is being served by email and by first class mail, postage prepaid, on the Applicant at the following addresses:

John M. Cone  
FERGUSON, BRASWELL & FRASER, PC  
2500 Dallas Parkway, Suite 501  
Plano, TX 75093

February 12, 2016  
**Date**

  
\_\_\_\_\_  
JESSICA L. WHITE

# Exhibit A



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**Word Mark** **AXSON**

**Goods and Services** IC 001. US 001 005 006 010 026 046. G & S: Chemicals and chemical preparations for use in industry and sciences

IC 017. US 001 005 012 013 035 050. G & S: Rubber and especially natural rubber, synthetic rubber, liquid rubber; raw or semi-worked rubber; rubber solutions; Latex for industrial use; Latex for use in the manufacture of cables, tubes, hoses; Products made of semi-worked rubber, namely, rubber rings and rubber valves; Rubber goods not included in other classes, namely, rubber bands for commercial and industrial uses, rubber bars and rods, rubber cords and laces, rubber hoses for commercial and industrial uses, rubber lids and caps, rubber sheets, rubber sleeves for protecting parts of machinery, rubber thread not for textile use, rubber tubes and pipes, rubber sealants caulking and adhesive purposes, rubber solutions, rubber valves, foam rubber, cellular rubber for industrial applications, silicone rubber; Gutta-percha, raw or partly processed gum for use in the further manufacture of products for use in industry and sciences; Gum, in the nature of raw or partly processed rubber or resins; asbestos; vulcanized fiber; carbon fiber, not for textile use; semi-processed plastic materials; plastics in extruded form for use in manufacture; Semi-processed acrylic resins; Semi-processed synthetic resins; Semi-processed artificial resins; Semi-processed polyurethane foams; thermosetting resin block; Semi-processed thermohardened resins; Semi-processed syntactic foams for use in the further manufacture of products for use in industry and sciences; Silicone rubber foams; Semi-processed elastomers and thermoplastic elastomer resins for use in the further manufacture of products for use in industry and sciences. Elastomeric polymers in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form for use in industry in further manufacture and in sciences; Synthetic and composite materials, namely, plastic, latex, rubber, silicone, gum, gutta-percha, elastomers, polymers, resins, polyurethane, epoxy, as semi-finished products in the form of pellets, rods, foils, foams, fibers, films, sheets, bars, blocks, tubes, liquid, paste, powder materials, solid parts and in extruded form; Electric, thermal, acoustic and waterproof insulators; Electrical, thermal, acoustic and waterproof insulating tape and bands; Electrical, thermal, acoustic and waterproof insulating materials; Electrical,

thermal, acoustic and waterproof insulating impervious membranes; Insulating fabrics; Insulating coatings, paints and varnishes; non-metal sealing rings, beads and washers for use as connection seals; Non-metal gaskets for use in the further manufacture of products for use in industry and sciences; Chemical compositions for plugging leaks, namely, waterproof sealants; rubber hoses for industrial use, flexible tubes, not of metal; insulators for cables, insulators for electric mains; Insulating dielectrics for use in the further manufacture of products for use in industry and sciences, specifically for use in integrated circuits, semiconductor devices and in computer disk drives and other computer hardware; Filtering materials, namely, semi-processed foam rubber or plastics. Packaging materials of rubber or plastics in the form of expanded plastic pellets for packaging, plastic sheets for industrial use and for industrial applications, for use in the further manufacture of products for use in industry and sciences, rubber bags for merchandise packaging, rubber lids and caps, rubber stoppers for packaging containers; Padding, packing and stuffing materials in the nature of rubber or plastic padding materials; plastic yarns and fibers not for textile use; Adhesive tapes and strips, other than for medical, stationery or household use; all the aforesaid goods being application or processing equipment manufactured as semi-finished or finished liquid, foam, paste, powder materials, solid parts, other prefabricated parts, for coatings, composites, design and modeling, tools, prototyping, binding, reinforcement, joining, moistening, protection during molding, painting, construction, encapsulation materials

IC 040. US 100 103 106. G & S: Processing of chemicals, chemical preparations and materials for use in industry and sciences

IC 042. US 100 101. G & S: Evaluations, estimates and technical project studies as part of research in the field of science and technology in particular in the fields of chemicals, chemical preparations and materials; analysis services, namely, technical and chemical analysis and technical research, in particular in the field of chemicals, chemical preparations and materials; technical project studies in the field of chemicals, chemical preparations and materials; appraisal activities, namely, surveying and engineering; research and development for others in the field of chemicals, chemical preparations and materials

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

**Serial Number** 79137452

**Filing Date** May 3, 2013

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** January 13, 2015

**International Registration Number** 1178916

**Owner** (APPLICANT) **AXSON SERVICES GMBH** Société de droit suisse SWITZERLAND Hochbergerstrasse 60 C CH-4057 BASEL SWITZERLAND

**Attorney of Record** Andy I. Corea

**Priority Date** January 7, 2013

**Description of Mark** The color(s) blue and dark grey is/are claimed as a feature of the mark. The mark consists of the term "**AXSON**" in stylized blue lettering with a sweeping band in dark grey extending from the letter "a". The color white is merely for background and is not claimed as a feature of the mark.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

- 
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### Word Mark

**AXSON TECHNOLOGIES**

### Goods and Services

IC 001. US 001 005 006 010 026 046. G & S: Chemical products and compositions, namely, thermosetting and thermoplastic resins for use in industry, science, photography, as well as agriculture, horticulture and forestry except fungicides, herbicides, insecticides, and parasiticides; unprocessed polyurethane foams for use in the manufacture of foams; elastomers, namely, thermoplastic elastomer resins for use in manufacturing in a wide variety of industries; unprocessed silicon foams for general industrial and manufacturing use; mould-release preparations; polyurethane adhesives, epoxy adhesives for industrial purposes; unprocessed synthetic foams in the nature of epoxy resins and polyurethane resins, for general industrial and manufacturing use; chemical goods, namely, chemical preparations, for insulation, for scientific purposes, for laminating purposes, for use in the chemical industry, in agriculture, and in the foundry industry, for use in the manufacture of molding compounds, for use in the aerospace, automotive manufacturing, and building industries, for use in the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; polyurethane composites for general industrial and manufacturing use; unprocessed artificial resins, unprocessed plastics; adhesives used in industry

IC 002. US 006 011 016. G & S: Raw natural resins; natural gum resins; paints, varnishes, lacquers

IC 017. US 001 005 012 013 035 050. G & S: Rubber, gutta-percha, gum, namely, synthetic rubber in the form of bars, blocks, pellets, rods, sheets and tubes; and products made from these materials not included in other classes, namely, packing materials of rubber, rings of rubber, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation; rubber, gutta-percha, gum, namely, synthetic rubber bushings, namely, for industrial and commercial use, for general use, for use as insulation, for use in building and construction, and for use as a building insulation, weather strips for buildings, and packing, insulating tape, sealants, namely, for general industrial use, for use in sealing and insulating, for use in further

manufacture, for use in manufacturing in a wide variety of industries; products made of semi-processed plastics, namely, semi-worked synthetic plastic and synthetic resins as semi-finished products in form of pellets, rods, foils, foams, fibers, films, and sheets; semi-processed polyurethane in foam form; blocks made of thermosetting resins and semi-processed synthetic foams of polyurethane and rubber; acrylic resins; adhesive tapes other than for medical, stationery or household purposes, namely, for industrial and commercial use. insulators for electrical cables, for electric mains, for use as a building insulator, and for use in sealing, namely, non-metal sealing rings for use as connection seals, polyurethane film for use in sealing and insulating, sealing plugs made primarily from rubber, and insulating, namely, insulating aerospace, automobile and building elements, ceramics, furniture, electric and electronic materials, sports equipment, personal care products, and decorations; synthetic resins, namely, thermoplastic elastomer resins in pellet, rod, foil, foam, fiber, film and sheet forms for use in manufacturing in a wide variety of industries

IC 042. US 100 101. G & S: Evaluations of needs, of problems, namely, technical need and problems in the field of the chemical industry and the foundry industry, in the field of the manufacture of molding compounds, in the field of the aerospace, automotive manufacturing, and building industries, in the field of the manufacture of ceramics, furniture, electric and electronic materials, sports equipment, medical plastics and personal care products, and decorations; estimates, technical project studies, namely, testing, analysis and evaluation of the goods and services of others, technical consultation in the field of science, engineering services, designing and testing of new products for others; research services in the fields of science and technology in the field of plastic materials; analysis services, namely, technical and chemical analysis and technical research services in the field of plastic materials; technical project studies, namely, conducting feasibility studies, engineering services, and technical project planning in the field of plastic materials; expertise activities, namely, engineering; research and development of new products for third parties in the field of plastic materials

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code**

26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal  
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved  
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters  
 27.03.01 - Geometric figures forming letters, numerals or punctuation

**Trademark Search Facility Classification Code**

SHAPES-BAR-BANDS Designs with bar, bands or lines  
 SHAPES-COLORS-2 Design listing or lined for two colors  
 SHAPES-MISC Miscellaneous shaped designs

**Serial Number**

79059668

**Filing Date**

December 26, 2007

**Current Basis**

66A

**Original Filing Basis**

66A

**Published for Opposition**

March 2, 2010

**Registration Number**

3790311

**International Registration Number**

0979236

**Registration Date**

May 18, 2010

**Owner**

(REGISTRANT) **AXSON TECHNOLOGIES** (Société Anonyme) LIMITED COMPANY FRANCE Rue de l'Équerre Zone Industrielle des Béthunes F-95310 ST OUEN L'AUMONE FRANCE

(LAST LISTED OWNER) **AXSON SERVICES GMBH UNKNOWN** Hochbergerstrasse 60 C CH-4057 BASEL SWITZERLAND

**Priority Date** July 9, 2007

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TECHNOLOGIES" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) pantone blue 287 and pantone red 485 is/are claimed as a feature of the mark. The mark consists of the letter "A" with two vertical strokes in red and the other parts in blue representing the letter "x", which is followed by the letters "son" in blue. The word "technologies" appears below in blue between two red bars.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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