

ESTTA Tracking number: **ESTTA769127**

Filing date: **09/07/2016**

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 parties oppose registration of the indicated application.

**Opposers Information**

Name	IPT Global, LLC		
Granted to Date of previous extension	09/07/2016		
Address	16200 Park Row Suite 350 Houston, TX 77084 UNITED STATES		

Name	Innovative Pressure Testing, LLC		
Entity	limited liability company	Citizenship	Texas
Address	16200 Park Row Suite 350 Houston, TX 77084 UNITED STATES		

Attorney information	Matthew R. Moscicki Conley Rose, P.C. P.O. Box 3267 Houston, TX 77253-3267 UNITED STATES tmhou@conleyrose.com Phone:7132388000		
----------------------	---	--	--

**Applicant Information**

Application No	86930714	Publication date	05/10/2016
Opposition Filing Date	09/07/2016	Opposition Period Ends	09/07/2016
Applicant	Baker Hughes Incorporated P.O. Box 4740 Houston, TX 772104740 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Downhole oil and gas tools, namely, gauges for measuring intake pressure, fluid temperature, and vibration
---

**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration	4777912	Application Date	10/03/2013
-------------------	---------	------------------	------------

No.			
Registration Date	07/21/2015	Foreign Priority Date	NONE
Word Mark	SUREPLAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2014/02/15 First Use In Commerce: 2014/02/15 Downloadable software which creates schematics and sets of plans for blowout preventer manifolds, wellbores, and/or to schematically represent pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for implementation, review or to include as part of an application to permit drilling		

U.S. Registration No.	4595571	Application Date	07/18/2013
Registration Date	09/02/2014	Foreign Priority Date	NONE
Word Mark	SURETEC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 037. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Technical consulting related to the installation of oil and gas equipment Class 041. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Providing training in the use and operation of pressure leak detection software and equipment Class 042. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Consultation services in the field of oil and gas well testing and diagnostic analysis, namely, consulting on leak detection and pressure analysis in the oil and gas industry; Providing temporary use of on-line non-downloadable software for analyzing pressurized fluid systems and detecting leaks therein		

U.S. Registration No.	4941233	Application Date	09/10/2015
Registration Date	04/19/2016	Foreign Priority Date	NONE
Word Mark	SURETEC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/05/01 First Use In Commerce: 2010/05/01 Downloadable software which conducts plan-based pressure tests of blowout preventers, manifolds, wellbore casings, completions equipment and components, formations and barriers and performs analysis and evaluation of pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for reporting, recording and reviewing the test results		

U.S. Registration No.	4717129	Application Date	06/27/2013
Registration Date	04/07/2015	Foreign Priority Date	NONE
Word Mark	SUREVIEW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2013/11/01 First Use In Commerce: 2013/11/01 Providing temporary use of a web-based dashboard software application used to store, view, search and retrieve both real-time and archived data pertaining to oil rig BOP pressure testing status, pressure test analysis and assurance, test evaluation, leak detection, and measurement of key performance indicators on rigs		

U.S. Registration No.	4730267	Application Date	03/25/2014
Registration Date	05/05/2015	Foreign Priority Date	NONE

Word Mark	SUREGUIDE
Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 037. First use: First Use: 2013/11/05 First Use In Commerce: 2013/11/05 Consulting services in the field of oil and gas well drilling, completion and/or abandonment; consulting on leak detection and pressure analysis in the field of oil and gas wells</p> <p>Class 041. First use: First Use: 2013/11/05 First Use In Commerce: 2013/11/05 Technical training in the use and analysis of downloadable and non-downloadable software in the energy industry; technical training in the use, creation, and analysis of reports pertaining to well drilling, completion and/or abandonment in the oil and gas field; providing training in the use and operation of pressure leak detection software and equipment; technical training on proper review and analysis of schematic reports in the oil and gas industry</p>

Attachments	<p>86081674#TMSN.png( bytes )  86014091#TMSN.png( bytes )  86752362#TMSN.png( bytes )  85971534#TMSN.png( bytes )  86231342#TMSN.png( bytes )  Notice of Opposition.pdf(317638 bytes )</p>
-------------	--

### 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	/Matt Moscicki/
Name	Matthew R. Moscicki
Date	09/07/2016



Application”). The U.S. Trademark Trial and Appeal Board has granted to Opposers an extension of time to file this opposition through September 7, 2016.

2. The Opposed Application seeks registration of the word mark SURESENS for the following goods in International Class 009: Downhole oil and gas tools, namely gauges for measuring intake pressure, fluid temperature, and vibration. The Opposed Application is based on Applicant’s intent to use the mark.

3. Pursuant to the U.S. Trademark Office records, the current owner of the Opposed Application and its address are as follows:

Baker Hughes Incorporated  
P.O. Box 4740  
Houston, Texas 77210-4740

4. Opposers are commonly owned entities and therefore Innovative Pressure Testing, LLC is in privity with IPT Global, LLC, the party to which extensions of time to oppose the Opposed Application have been granted.

5. Opposers are the owners of a family of U.S. trademark registrations incorporating the term “SURE” in connection with goods and services as set forth below:

Mark	Reg. Date	Reg. No	Goods/Services
SUREPLAN	7/21/2015	4,777,912	Class 009 - Downloadable software which creates schematics and sets of plans for blowout preventer manifolds, wellbores, and/or to schematically represent pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for implementation, review or to include as part of an application to permit drilling
SURETEC	9/2/2014	4,595,571	Class 037 – Technical consulting related to the installation of oil and gas equipment  Class 041 – Providing training in the use and operation of pressure leak detection software and equipment  Class 042 – Consultation services in the field of oil and gas well testing and diagnostic analysis, namely,

Mark	Reg. Date	Reg. No	Goods/Services
			consulting on leak detection and pressure analysis in the oil and gas industry; Providing temporary use of on-line non-downloadable software for analyzing pressurized fluid systems and detecting leaks therein
<b>SURETEC</b>	4/19/2016	4,941,233	Class 009 – Downloadable software which conducts plan-based pressure tests of blowout preventers, manifolds, wellbore casings, completions equipment and components, formations and barriers and performs analysis and evaluation of pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for reporting, recording and reviewing the test results
<b>SUREVIEW</b>	4/7/2015	4,717,129	Class 042 – Providing temporary use of a web-based dashboard software application used to store, view, search and retrieve both real-time and archived data pertaining to oil rig BOP pressure testing status, pressure test analysis and assurance, test evaluation, leak detection, and measurement of key performance indicators on rigs
<b>SUREGUIDE</b>	5/5/2015	4,730,267	Class 037 – Consulting services in the field of oil and gas well drilling, completion and/or abandonment; consulting on leak detection and pressure analysis in the field of oil and gas wells  Class 041 – Technical training in the use and analysis of downloadable and non-downloadable software in the energy industry; technical training in the use, creation, and analysis of reports pertaining to well drilling, completion and/or abandonment in the oil and gas field; providing training in the use and operation of pressure leak detection software and equipment; technical training on proper review and analysis of schematic reports in the oil and gas industry

The five trademark registrations listed above shall hereinafter, collectively, be referred to as Opposers’ “SURE Family of Marks.” The goods and services associated with the SURE Family of Marks and listed in the last column of the above chart, shall hereinafter, collectively, be referred to as the “Recited Products and Services.”

6. Under the “family of marks doctrine”, use of a common prefix, suffix or syllable by a trademark owner may establish that it has a “family” of marks, all of which have the same “surname.” The “surname” of Opposers’ marks is “SURE.”

7. Opposers began using in interstate commerce, SURETEC, the first mark in their SURE Family of Marks, in connection with the associated Recited Products and Services at least as early as May 1, 2010, and such use has been continuous to date.

8. Opposers’ rights to their family of SURE marks predates any rights Applicant can claim to its SURESENS mark represented by Applicant’s opposed intent-to-use-based Trademark Application Serial No. 86/930,714. Opposers’ earliest filing date for a mark within their SURE Family of Marks is June 27, 2013, which corresponds to their SUREVIEW mark, and is long prior to the March 7, 2016 filing date of Applicant’s opposed intent-to-use-based trademark application.

9. Applicant’s goods identified in the Opposed Application are identical, similar or related to the Recited Products and Services of Opposers’ SURE Family of Marks, and upon information and belief, Applicant’s goods would be sold in the same channels of trade and to the same class of purchasers as Opposers’ Recited Products and Services. Consumers and prospective consumers of Applicant’s goods are likely to be confused, mistaken or deceived into the belief, contrary to fact, that Applicant’s goods, to be sold under the mark opposed herein, emanate from or are in some way sponsored by or affiliated with Opposers, all to Opposers’ irreparable damage through loss and/or dilution of that part of their goodwill, which is symbolized by Opposers’ SURE Family of Marks.

10. Applicant’s opposed SURESENS mark so resembles Opposers’ SURE Family of Marks as to be likely, when applied to Applicant’s goods, to cause confusion, to cause mistake or

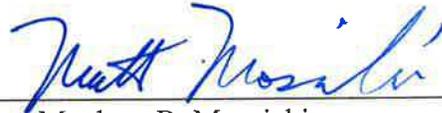
to deceive with respect to Opposers' SURE Family of Marks, and Opposers will be damaged by the registration sought by Applicant.

11. Applicant's opposed SURESENS mark so resembles Opposers' SURE Family of Marks as to be likely, when applied to Applicant's goods, to dilute Opposers' SURE Family of Marks, and Opposers will be damaged by the registration sought by Applicant.

WHEREFORE, Opposers pray that registration of the mark shown in U.S. Trademark Application Serial No. 86/930,714 be refused and that this Notice of Opposition be sustained in favor of Opposers.

Authorization is hereby granted to the U.S. Patent and Trademark Office to deduct the filing fee for the present opposition in the amount of \$300.00 from Conley Rose Deposit Account No. 32769. Should any additional fees be due, please also charge them to Deposit Account No. 32769.

Respectfully submitted,



Matthew R. Moscicki  
TX Bar No. 24032883  
USPTO Registration No. 57,524  
CONLEY ROSE, P.C.  
1001 McKinney St., Suite 1800  
Telephone (713) 238-8000  
Facsimile (713) 238-8008  
E-mail [houstontmmail@conleyrose.com](mailto:houstontmmail@conleyrose.com)

Stewart N. Mesher  
TX Bar No. 24032738  
USPTO Registration No. 48,967  
CONLEY ROSE, P.C.  
13413 Galleria Circle, Suite 100  
Austin, Texas 78738  
Telephone (512) 610-3401  
Facsimile (512) 610-3456

ATTORNEYS FOR OPPOSERS  
IPT Global, LLC and  
Innovative Pressure Testing, LLC

Dated: September 7, 2016

**CERTIFICATE OF TRANSMISSION UNDER TBMP 110**

I HEREBY CERTIFY that a true and correct copy of this document, *Notice of Opposition*, opposing registration of U.S. Trademark Application Serial No. 86/930,714 for the mark SURESENS, is being filed electronically through <http://esta.uspto.gov> via the Trademark Trial and Appeal Board Electronic Filing System.

On Wednesday, the 7<sup>th</sup> day of September, 2016.

  
Melissa Kirchhoff

**CERTIFICATE OF SERVICE UNDER TBMP 113**

I HEREBY CERTIFY that a true and correct copy of the foregoing *Notice of Opposition*, opposing registration of U.S. Trademark Application Serial No. 86/930,714 for the mark SURESENS, is being sent by First Class U.S. Mail, postage prepaid, to the attorney of record and domestic representative for Applicant, Baker Hughes Incorporated, as follows:

Anthony F. Matheny  
Baker Hughes Incorporated  
P.O. Box 4740  
Houston, Texas 77210-4740  
United States

On Wednesday, the 7<sup>th</sup> day of September, 2016.

  
Melissa Kirchhoff