



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

ELTA SYSTEMS LTD. )  
)  
Petitioner )  
)  
v. )  
)  
NARCO AVIONICS, INC. )  
)  
Respondent )

PETITION TO CANCEL

72280243



08-23-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #57

Elta Systems Ltd., an Israeli Company, located at Ashdod, Israel believes it will be injured by the continued registration of the trademark FLIGHTGUARD in Registration Number 859,624 and, for the reasons more fully set forth below, respectfully petitions this Honorable Trademark Trial and Appeal Board to cancel said registration for the reasons as more fully set forth hereinafter:

1. Elta Systems Ltd. ("Petitioner") is an Israeli company that manufactures and sells systems for protecting air-vehicles from missiles said systems comprised of missile detectors and anti-missile countermeasure devices.
2. Petitioner has adopted and uses the name FLIGHTGUARD to identify the protection systems and components it sells.
3. The systems and the products that comprise Petitioner's protection systems include signal receivers and signal transmitters the same or similar to transponders, the goods covered by existing Registration No. 859,624 which is owned by assignment, by Narco Avionics, Inc. ("Respondent").

4. Registration No. 859,624 is for FLIGHTGUARD, the identical trademark as is used by Petitioner to identify its systems and their components for protecting air vehicles from missiles.

5. Petitioner has filed an application in the United States Patent and Trademark Office to register its FLIGHTGUARD trademark, which Application has yet to be assigned a serial number.

6. Petitioner has used and registered its trademark in Israel.

7. On information and belief, Respondent has not used the trademark FLIGHTGUARD to identify its transponder products for more than three years and has no present plans to reintroduce the name for its transponder products and therefore has abandoned the trademark and the registration.

8. On information and belief, Petitioner alleges that it will be injured by the continued registration of Respondent's registration which is likely to cause confusion or mistake in the relevant market as to the relationship between Petitioner and Respondent, when in fact there is no relationship.

WHEREFORE, Petitioner respectfully prays that this Honorable Trademark Trial and Appeal Board grant this Petition and that Registration No. 859,624 be cancelled.

Respectfully submitted,



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