

TTAB

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

Schlumberger Technology Corporation,	§	Opposition No.:	_____
	§		
Opposer	§	Application No.:	76/209,851
	§		
v.	§		
	§	Publication Date:	Dec. 18, 2001
Halliburton Energy Services, Inc.,	§		
	§		
Applicant	§		



01-16-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #61

**NOTICE OF OPPOSITION**

Opposer, Schlumberger Technology Corporation, a Texas corporation having an address at 5599 San Felipe, Suite 1700, Houston, Texas 77056, believes that it will be damaged by registration of the mark shown in application Serial No. 76/209,851 and hereby opposes same. As grounds for this opposition, it is alleged that:

1. Application No. 76/209,851 was filed on February 13, 2001 by Halliburton Energy Services, Inc., a Delaware corporation listing its address at 2601 Beltline Road, Carrollton, TX 75006, referred to herein as "Applicant." Application No. 76/209,851 is directed to the mark DRILLVISION for use in connection with "providing drilling simulation services in the oil and gas industry" in Class 42 and was published for opposition on December 18, 2001. Application No. 76/209,851 alleges that Applicant intends to use that mark in commerce in connection with the services listed in the application and was therefore filed under the provisions of §1(b) of the Act (15 U.S.C.1051(b)).

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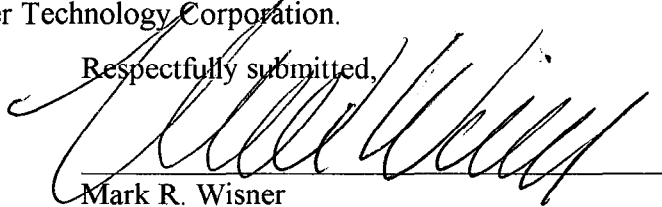
2. Opposer is the owner of Application No. 76/209,433 for registration of the mark **DRILLVIZ** for use in connection with computer software for use in connection with oil and/or gas exploration and production, in Class 9, also filed on February 13, 2001. Since at least as early as June 6, 2001, Opposer has been, and is now, using in commerce the mark **DRILLVIZ** in connection with these goods, and such use has been valid and continuous since at least said date and has not been abandoned. In an Official Action mailed in Opposer's application No. 76/209,433 on May 16, 2001, it was indicated that registration of Opposer's mark may be refused under §2(d) of the Trademark Act if a

registration issues in Applicant's Application No. 76/209,851, even though both applications were filed on the same date, because Application No. 76/209,851 was deemed in the Official Action "to precede the applicant's filing date because the declaration from the referenced application was signed prior to [the declaration of] applicant's [application]." It is therefore apparent that Opposer may not be able to register its mark if a registration issues in Application No. 76/209,851.

3. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that Applicant's mark so resembles Opposer's mark previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive. Further, Opposer's use of its **DRILLVIZ** mark in commerce as regulated under the Act precedes any use of Applicant's mark such that this opposition is based not only on the likelihood of confusion between the two marks but also on Opposer's superior right to use and register its mark.

WHEREFORE, Petitioner prays that said Application No. 76/209,851 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer, Schlumberger Technology Corporation.

Respectfully submitted,



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ATTORNEY FOR OPPOSER,  
SCHLUMBERGER TECHNOLOGY  
CORPORATION

Date: January 16, 2002

# Wisner & Associates

INTELLECTUAL PROPERTY LAW

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File No. GEOA,127-01

January 16, 2002

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ARLINGTON, VA 22202-3513

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mail Number: EV025713909US

Date of Deposit: January 16, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Assistant Commissioner for Trademarks, Box TTAB Fee, 2900 Crystal Drive, Arlington, VA 22202-3513.

Mark R. Wisner, Registration No. 30,606

January 16, 2002  
Date of Signature

Re: Application of: Halliburton Energy Services, Inc.  
Serial No.: 76/209,851  
Filed: February 13, 2001  
Mark: **DRILLVISION**



01-16-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #61

Dear Sir:

Enclosed for filing in connection with the captioned application is the following document:

- Notice of Opposition.

Also enclosed is this firm's check No. 2017 in the amount of the \$300.00 fee for filing a Notice of Opposition. The Commissioner of Patents is hereby authorized to draw on the Deposit Account of Wisner & Associates, Account No. 50-0965 (GEOA,127-01), if there are fees associated with this filing and/or if any required fees enclosed are insufficient, the check is unsigned, or if fees are inadvertently not enclosed. Please return the enclosed self-addressed, postage-prepaid postcard evidencing receipt of the above documents.

Very truly yours,

Mark R. Wisner

MRW/lm  
Enclosures