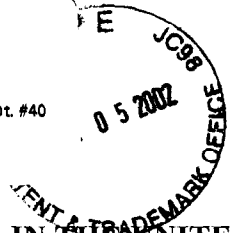




03-05-2002

U.S. Patent & TMO/TM Mail Rpt. Dt. #40



TTAB

Attorney Ref.: 200-887

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

In re the Matter of

Applicant: SPACEDISK PTE LTD.

Application Serial No.: 76/088,257

Mark: SECUREDGE

Filed: July 12, 2000

Official Gazette: November 13, 2001

LOCKHEED MARTIN GLOBAL
TELECOMMUNICATIONS, INC.,

Opposer,

v.

SPACEDISK PTE. LTD.,

Applicant.

Opposition No.:

NOTICE OF OPPOSITION

Lockheed Martin Global Telecommunications, Inc., a corporation of Delaware with an address at 6560 Rockspring Drive, Bethesda, Maryland 20817, believes that it will be damaged by registration of the mark SECUREDGE shown in Application Serial No. 76/088,257 and hereby opposes same.

As grounds for the opposition, it is alleged that:

1. Opposer is using the service mark SECUREDGE in the United States for security and consulting services for telecommunications networks and facilities.

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2. Opposer's use of SECUREDGE long precedes the filing date of Applicant's intent to use application, which is July 12, 2000.

3. By virtue of advertising and sales of Opposer's services in the United States under the service mark SECUREDGE, the mark has become and is well and favorably known for Opposer's services.

4. Opposer is the owner of Application Serial Nos. 76/159,597 and 76/159,598 for the mark SECUREDGE for security and consulting services for private networking facilities. Both of Opposer's SECUREDGE applications have been potentially refused on the basis of the earlier filed application opposed herein. Both of Opposer's applications to register SECUREDGE have been suspended pending disposition of Serial No. 76/088,257, the opposed application. It is the Examining Attorney's position in both cases that there is or may be a likelihood of confusion between Opposer's and Applicant's marks as applied to their respective services.

5. The application herein opposed seeks to register the mark SECUREDGE for "electronic storage of digital data documents, information, images, messages in the form of text" in International Class 39 and "computer services, namely, computer systems analysis services for others, computer system integration services, creating computer programs for others for data processing, creating computer programs for others for conversion of data, computer applications hosting for others" in International Class 42.

6. The service mark in the opposed application as applied to the services set forth in that application is confusingly and deceptively similar to Opposer's previously used SECUREDGE mark.

7. Opposer believes and therefore alleges that the use and registration of the alleged service mark SECUREDGE by Applicant will damage Opposer, for the reasons, among others:

a. That purchasers and persons in the trade will be deceived as to the source and origin of Applicant's services sold under the mark SECUREDGE; and

b. Purchasers, persons in the trade and others will assume, contrary to fact, that Applicant's services are associated with, sponsored by or otherwise related to Opposer.

9. Registration of the mark sought by Applicant herein is barred by the provisions of Section 2(d) of the Trademark Act of 1946 for the reason that it consists of or comprises a mark which so resembles Opposer's previously used service mark as to be likely, when applied to the services of Applicant, to cause confusion, mistake or deception.

WHEREFORE, Opposer respectfully prays that the registration sought by Applicant be refused and that this Opposition be sustained.

A check in the amount of \$600 to cover the opposition fee for two classes is submitted herewith. Please charge any deficit or credit any overpayment to the undersigned's Deposit Account No. 19-4880.

Respectfully submitted,

LOCKHEED MARTIN GLOBAL
TELECOMMUNICATIONS, INC.

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