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U.S. Patent & TMOfo/TM Mail Ropt Dt. #22

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

TRADEMARK TRIAL AND APPEAL BOARD
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In the matter of: Trademark Application Serial No. 78/019,083

For the mark: SUPER STAR

Published in the Official Gazette on: June 18, 2002

Express Mail Label # ET249892405US

TwinPoint Enterprises, Inc.

("Opposer")

v.

Halcon Communications Inc./Robert Holguin

("Applicant")

NOTICE OF OPPOSITION

Opposer: TwinPoint Enterprises, Inc.
A corporation of the state of Ohio
11917 County Road 10-2
Delta, OH 43515

The above-identified Opposer believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

The grounds for opposition are as follows:

1. Halcon Communications Inc./Robert Holguin ("Applicant") seeks by this application to register the mark SUPER STAR on the Principal Register for "Radio Communication equipment namely microphones, antennas, transceivers, walkie-talkies, and base stations". This application seeks registration based on intent-to-use and was filed on July 31, 2000.

2. TwinPoint Enterprises, Inc. ("Opposer") is the owner of common law trademark rights in the mark SUPER STAR and has used the mark SUPER STAR in commerce since before July 31, 2000 for two way radio microphones.

3. Opposer is the owner of Federal Trademark Registration No. 2,573,224 for the mark SUPER STAR registered on the Principal Register for two way radio microphones in International Class 009.

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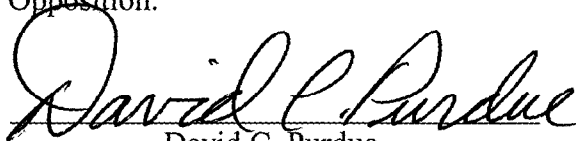
4. The mark of the Applicant is identical to the Opposer's mark and the Applicant intends to use the mark on the same goods, i.e., radio microphones, that the Opposer has used its SUPER STAR mark on, and on goods that are closely related to the Opposer's two way radio microphones, i.e., radio communication equipment, namely, antennas, transceivers, walkie-talkies, and base stations.

5. The applicant's mark SUPER STAR so resembles the Opposer's mark SUPER STAR as to be likely, when used on the Applicant's goods, to cause confusion, or to cause mistake, or to deceive.

6. If the Applicant obtains the registration that it seeks, it will constitute *prima facie* evidence of Applicant's ownership of the mark SUPER STAR and its exclusive right to use the mark SUPER STAR, contrary to the Opposer's superior rights in the mark SUPER STAR.

WHEREFORE, Opposer prays that its Opposition be sustained and that registration of the Applicant's mark SUPER STAR be refused.

A copy of this Notice of Opposition is enclosed along with a check in the amount of \$300 to pay the fee for filing this Opposition.



David C. Purdue,
Opposer's Attorney

Date: July 12, 2002

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