

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

<p>HAGIE MANUFACTURING CO.</p> <p style="text-align: center;">Opposer,</p> <p>v.</p> <p>BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT,</p> <p style="text-align: center;">Applicant.</p>	<p>Opposition No. 91158034 Application No. 76/454,861 Mark: XDRIVE</p>
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NOTICE UNDER RULE 2.122(D)

Petitioner hereby makes of record in connection with this opposition a status copy of the following United States Trademark Registration:

<u>Registration No.</u>	<u>Mark</u>	<u>Class</u>
2,866.082	X-DRIVE	31

The above registration is owned by Petitioner and will be relied upon to show that Petitioner owns the attached registration and mark shown therein to support the allegations in the Opposition. A status copy of the registration noted is attached hereto.

Respectfully submitted,

HAGIE MANUFACTURING CO.

By 

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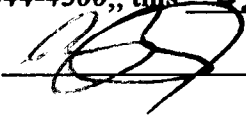
Attorney for Opposer



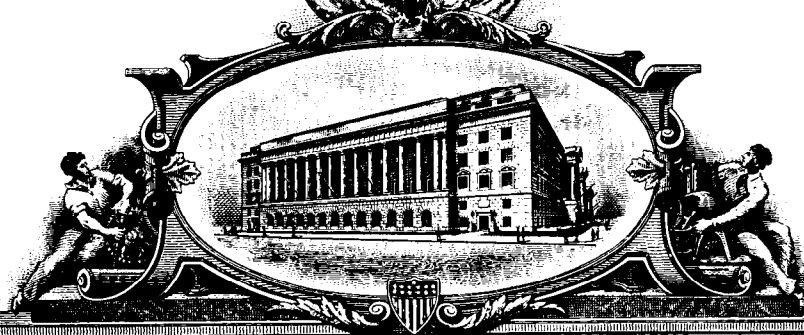
11-26-2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing NOTICE UNDER RULE 2.122(D) was served upon the party BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT. by mailing the same by first-class mail to its attorneys, *James F. McKeown, Crowell & Moring, LLP, P. O. Box 14300, Washington, DC 20044-4300*, this 23 day of November, 2004.



746159



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

November 17, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,866,082 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 27, 2004*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS



E. BORNETT
Certifying Officer

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 2,866,082

Registered July 27, 2004

**TRADEMARK
PRINCIPAL REGISTER**

X-DRIVE

**HAGIE MANUFACTURING COMPANY (IOWA
CORPORATION)
721 CENTRAL AVENUE WEST
CLARION, IA 50525**

**FOR: AGRICULTURAL VEHICLES, NAMELY
MATERIAL APPLICATION VEHICLES, DETASSEL-
ING VEHICLES AND HYDROSTATICALLY DRI-**

**VEN AGRICULTURAL VEHICLES, IN CLASS 12
(U.S. CLS. 19, 21, 23, 31, 35 AND 44).**

FIRST USE 2-1-2002; IN COMMERCE 2-1-2002.

SER. NO. 76-473,526, FILED 12-4-2002.

SUSAN LESLIE DUBOIS, EXAMINING ATTORNEY