

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

In the matter of Application Serial No. 76/518,668 published for Opposition in the Official Gazette on July 6, 2004, page TM 75 for the mark "THE SCOUT":

-----X	:	
BOY SCOUTS OF AMERICA	:	Opposition No.
	:	
Opposer,	:	
	:	
vs.	:	
	:	
WRIGHT & MCGILL CO.,	:	
	:	
Applicant.	:	
-----X	:	

**NOTICE OF OPPOSITION**

**BOY SCOUTS OF AMERICA**, a United States federally chartered corporation, having its principal place of business at 1325 West Walnut Hill Lane, P.O. Box 152079 Irving, Texas 75015-2079, believes it will be damaged by registration of the mark shown in the above identified application, and hereby opposes registration.

As grounds for opposition, it is hereby alleged that:

1. Opposer, Boy Scouts of America, has been engaged in the organization and management of scouting programs for boys and young men since February 8, 1910. Opposer adopted and began using marks relating to "SCOUT" and "SCOUTING" since at least as early as 1910.

CB/10/E004 TELLSANTS 00000024 76518668

01 FC:6402

600.00 DP

2. As early as 1916, the United States Congress recognized that the marks and names of the Boy Scouts of America program had to be protected, and Congress passed a Special Act of Congress (36 USC §21 et. seq.) granting the Boy Scouts exclusive rights to have and to use its marks and indicia (see Exhibit "A").

3. The Boy Scouts of America have a current membership of approximately over 4,000,000 youths throughout the United States. Since the founding of the organization in 1910, there have been approximately over 100,000,000 youth and adult members of the Boy Scouts of America.

4. Opposer is the owner of the following United States Registrations on the Principal Register:

MARK/TYPE	U.S. REG. NO.	REG. DATE	GOODS/SERVICES
CUB SCOUTS Collective Membership	1,702,357	07/21/1992	Indicating membership in an organization for boys. (Int'l Class 200)
CUB SCOUTS Trademark	1,701,404	07/21/1992	Metal key ring, pocket knives, binoculars, jewelry, publications, tablecloths, backpacks, mugs, embroidered patches for clothing, etc. (Int'l Cls: 6, 8, 9, 14, 16, 18, 21 & 26)
CUB SCOUTS Trademark	1,215,938	11/09/1982	Items of clothing forming part of a uniform consisting of dress shirts, t-shirts, pants, shorts, belts, socks, hats and neckerchiefs. (Int'l Class 25)
VARSITY SCOUT Collective Membership	1,370,697	12/11/1985	Indication of membership in a scouting organization for young men. (Int'l Class 200)
EAGLE SCOUT Collective Membership	1,213,650	10/19/1982	Indicating membership in an organization for boys to promote moral, physical and spiritual development. (Int'l Class 200)
BOY SCOUTS OF AMERICA Collective Membership	1,363,872	10/01/1985	To indicate membership in an organization for young men. (Int'l Class 200)

MARK/TYPE	U.S. REG. NO.	REG. DATE	GOODS/SERVICES
BOY SCOUTS OF AMERICA Trademark	1,215,939	11/09/1982	Items of clothing forming part of a uniform consisting of dress shirts, t-shirts, pants, shorts, belts, socks, hats and neckerchiefs. (Int'l Class 25)
BOY SCOUTS OF AMERICA -- Trademark	1,725,084	10/20/1992	Pocket knives; fire-making sets; jewelry; paper goods; mirrors; mugs; pennants; balloons, etc. (Int'l Classes 8, 11, 14, 16, 20, 21, 24 & 28)
SCOUT STUFF Trademark	2,153,107	04/21/1998	Printed materials... (Int'l Class 16)
SCOUT STUFF Trademark	2,197,815	10/20/1998	Ceramic mugs and beverage glassware (Int'l Class 21)
SCOUT SHOP BOY SCOUTS OF AMERICA Service Mark	1,316,207	01/22/1985	Retail store services, namely, the sale of Boy Scout uniforms, Boy Scout insignias, camping equipment for Boy Scouts and Boy Scout trophies and awards (Int'l Cl. 42)
SCOUTING -- Trademark	1,197,851	06/15/1982	Magazine for adult leaders in scouting for providing scouting instruction to boys and young men. (Int'l Cl. 16)
SCOUTFITTER Service Mark	1,801,213	10/26/1993	Retail store for selling uniforms, badges, equipment and books for scouting and camping. (Int'l Class 42)

5. The above listed Registrations are valid and in full force and effect, and are attached hereto marked Exhibit "B".

6. Opposer has adopted and continues to use and to exercise legitimate control over the use of the above marks by the members.

7. Opposer has adopted and continues to use and to exercise legitimate control over the use of the marks in paragraph four (4) above.

8. Because the marks listed in paragraph four (4) are so widely used the public has come to recognize said marks as signifying Opposer's organization, its personnel and the goods and services associated with the Boy Scouts of America. As a result, Opposer has created and is the owner of substantial secondary meaning and goodwill in connection with goods and services conducted under the marks listed in paragraph four (4) above.

9. Notwithstanding Opposer's prior rights to the marks listed in paragraph four (4) above, Applicant filed serial number 76/518,668 on June 2, 2003 for the mark "THE SCOUT" for the following goods:

"Fishing packs and camping accessories, namely, backpacks and duffel bags", in International Class 18; and,

"Fishing rods, fishing reels, fishing packs, namely, soft-sided fishing tackle containers," in International Class 28.

10. Applicant's application for "THE SCOUT" was published in the United States Official Gazette on July 6, 2004 at page TM 75.

11. The mark, "THE SCOUT", which Applicant seeks to register in Application Serial Number 76/518,668 is similar in sound and appearance, and commercial impression to the Opposer's registrations for the marks listed in paragraph four (4) above.

12. Accordingly, Applicant's mark, when used in conjunction with the goods of Applicant set forth in Application Serial No. 76/518,668, so resembles the marks of Opposer, as to cause confusion or cause mistake, or to deceive as to the source of origin or sponsorship of Applicant's services.

13. The goods provided by Applicant are likely to be confused with the goods

provided by Opposer, and used by its members, namely camping equipment and accessories. Opposer provides a number of camping and outdoor sports equipment and accessories as evidenced by the goods advertised in Opposer's Catalogue, relevant pages of which are attached herewith as Exhibit C. Opposer also provides its own line of official SCOUT camping gear that includes, but is not limited to tents, back packs and duffle bags. See Exhibit D attached hereto.

14. The goods provided by Applicant are similar to the goods provided and sponsored by Opposer under its marks identified in paragraph four (4). Individuals familiar with Opposer's trademarks are likely, upon seeing or hearing Applicant's trademark THE SCOUT, to ascribe a common source of origin or sponsorship to Opposer's marks. Therefore, Applicant's use of the mark THE SCOUT will result in confusion as to the source of the fishing and camping goods.

15. Opposer is not connected in anyway with the services offered by Applicant under the mark "THE SCOUT", yet the mark of the Applicant leaves substantially the same commercial impression as goods related to those provided under Opposer's mark identified in paragraph four (4).

16. The marks listed in paragraph four (4) are so widely used that the public recognizes the word "SCOUT" as being connected with the Opposer's organization.

17. Furthermore, registration of Applicant's mark on the Principal Register of the United States Patent and Trademark Office in International Classes 18 & 28 would presumptively give to the Applicant prima facie exclusive ownership and rights to the same and would therefore cause confusion and uncertainty in the trade and handicap and damage the legitimate present and future activities of the Opposer, Boy Scouts of America, by placing Applicant in a position to raise doubts as to the right of Opposer to use its marks listed in paragraph four (4) above in connection with its goods and services. As a result, the Opposer's marks will eventually be deprived of all distinctiveness, since Applicant's use will blur Opposer's marks and goods and service identification that will tarnish the alternative association, which said marks have come to convey.

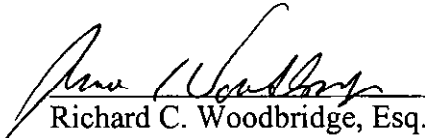
18. Based on the foregoing, registration of the mark depicted in Application Serial No. 76/518,668 filed on June 2, 2003 on the Principal Register of the United States Patent and Trademark Office in International Classes 18 & 28 will cause injury and damage to Opposer. Registration and continued use of the mark "THE SCOUT" by Applicant for its goods is likely to cause confusion, deception, mistake and misrepresentation or origin and sponsorship.

WHEREFORE, Opposer requests that the registration sought by Applicant be refused.

Respectfully submitted,

BOY SCOUTS OF AMERICA

Dated: July 27, 2004

By:   
Richard C. Woodbridge, Esq.  
Attorney for Opposer  
Synnestvedt Lechner & Woodbridge LLP  
PO Box 592  
Princeton, NJ 08542-0592  
Tel (609) 924-3773  
Fax (609) 924-1811  
Email: rwoodbridge@synnlech.com

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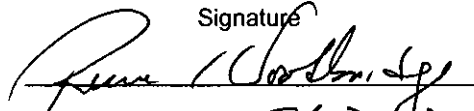
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I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

Date of Deposit : July 29, 2004

Name : Richard C. Woodbridge, Esq.

Signature

  
Date of Signature : July 29, 2004



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- [Chapter 1B. American Historical Association](#)
- [Chapter 1C. Sons of the American Revolution 20a](#)
- [Chapter 2. Boy Scouts of America](#)
- [Chapter 2A. Girl Scouts of America](#)
- [Chapter 3. The American Legion](#)
- [Chapter 3A. United Spanish War Veterans \(Omitted\)](#)
- [Chapter 3B. Marine Corps League](#)
- [Chapter 4. Belleau Wood Memorial Association](#)
- [Chapter 4A. AMVETS \(American Veterans of World War II, Korea, and Vietnam\)](#)
- [Chapter 5. Grand Army of the Republic \(Omitted\)](#)
- [Chapter 5A. Ladies of the Grand Army of the Republic](#)
- [Chapter 6. United States Blind Veterans of World War I](#)
- [Chapter 6A. Disabled American Veterans 90a](#)
- [Chapter 7. American War Mothers](#)
- [Chapter 7A. Veterans of Foreign Wars of the United States](#)
- [Chapter 8. American Battle Monuments Commission](#)
- [Chapter 8A. The National Yeomen F](#)
- [Chapter 8B. Navy Club of the United States of America](#)
- [Chapter 9. National Observances](#)
- [Chapter 10. Patriotic Customs](#)
- [Chapter 11. Civil Air Patrol](#)
- [Chapter 12. Reserve Officers Association](#)
- [Chapter 13. National Academy of Sciences](#)
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    - [CHAPTER 2 - BOY SCOUTS OF AMERICA](#)

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US Code as of: 01/26/98

## Sec. 21. Corporation created

Colin H. Livingstone and Ernest P. Bicknell, of Washington, District of Columbia; Benjamin L. Dulaney, of Bristol, Tennessee; Milton A. McRae, of Detroit, Michigan; David Starr Jordan, of Berkeley, California; F. L. Seely, of Asheville, North Carolina; A. Stamford White, of Chicago, Illinois; Daniel Carter Beard, of Flushing, New York; George D. Pratt, of Brooklyn, New York; Franklin C. Hoyt, Jeremiah W. Jenks, Charles P. Neill, Frank Presbrey, Edgar M. Robinson, Mortimer L. Schiff, and James E. West, of New York, New York; G. Barrett Rich, junior, of Buffalo, New York; Robert Garrett, of Baltimore, Maryland; John Sherman Hoyt, of Norwalk, Connecticut; Charles C. Jackson, of Boston, Massachusetts; John H. Nicholson, of Pittsburgh, Pennsylvania; William D. Murray, of Plainfield, New Jersey; and George D. Porter, of Philadelphia, Pennsylvania, their associates and successors, are created a body corporate and politic of the District of Columbia, where its domicile shall be.

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### Sec. 23. Purposes of corporation

The purpose of the corporation shall be to promote, through organization, and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods which were in common use by Boy Scouts on June 15, 1916.

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## Sec. 27. Exclusive right to emblems, badges, marks, and words or phrases

The corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, all emblems and badges, descriptive or designating marks, and words or phrases now or heretofore used by the Boy Scouts of America in carrying out its program, it being distinctly and definitely understood, however, that nothing in this chapter shall interfere or conflict with established or vested rights.

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104

Prior U.S. Cl.: 200

**United States Patent and Trademark Office**

**Reg. No. 1,702,357**  
Registered July 21, 1992

**COLLECTIVE MEMBERSHIP  
PRINCIPAL REGISTER**

**B**

**CUB SCOUTS**

BOY SCOUTS OF AMERICA (UNITED STATES  
CORPORATION)  
1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079

FIRST USE 0-0-1945; IN COMMERCE  
0-0-1945.

OWNER OF U.S. REG. NO. 1,215,938.

SER. NO. 74-153,376, FILED 3-28-1991.

FOR: INDICATING MEMBERSHIP IN AN  
ORGANIZATION FOR BOYS, IN CLASS 200  
(U.S. CL. 200).

VIVIAN MICZNIK, EXAMINING ATTORNEY

Int. Cls.: 6, 8, 9, 14, 16, 18, 21 and 26

Prior U.S. Cls.: 2, 3, 13, 21, 23, 25, 26, 27, 28, 29,  
30, 37, 38, 40 and 50

**United States Patent and Trademark Office** Reg. No. 1,701,404  
Registered July 21, 1992

**TRADEMARK  
PRINCIPAL REGISTER**

**CUB SCOUTS**

BOY SCOUTS OF AMERICA (UNITED STATES  
CORPORATION)  
1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079

FOR: METAL KEYRINGS AND STATU-  
ETTES, IN CLASS 6 (U.S. CLS. 13, 25 AND 50).  
FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: POCKET KNIVES, IN CLASS 8 (U.S. CL.  
23).  
FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: BINOCULARS, IN CLASS 9 (U.S. CL.  
26).  
FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: JEWELRY AND WATCHES, IN CLASS  
14 (U.S. CLS. 27 AND 28).  
FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: PUBLICATIONS; NAMELY, MANUALS,  
ACTIVITY BOOKS AND GUIDE BOOKS CON-  
CERNING SPORTS AND SCOUTING ACTIVI-  
TIES; STATIONERY; PAPER WEIGHTS; PENS,  
PENCILS, LETTER OPENERS; BOOKMARKS;

TABLECLOTHES AND PLACEMATS OF  
PAPER, IN CLASS 16 (U.S. CLS. 37, 38 AND 50).  
FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: BACKPACKS, BELTPACKS, BOOK  
BAGS AND WALLETS, IN CLASS 18 (U.S. CLS.  
3 AND 37).

FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: CANTEENS, MUGS, CUPS, PLATES,  
BOWLS, TOOTHBRUSHES; COMBS, COMB  
AND NAIL CLIPPER SETS, AND SOAP  
CADDY, IN CLASS 21 (U.S. CLS. 2, 21, 29, 30  
AND 40).

FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

FOR: EMBROIDERED EMBLEMS AND  
CLOTH PATCHES FOR CLOTHING, IN CLASS  
26 (U.S. CL. 40).

FIRST USE 0-0-1950; IN COMMERCE  
0-0-1950.

OWNER OF U.S. REG. NO. 1,215,938.

SER. NO. 74-152,605, FILED 4-1-1991.

VIVIAN MICZNIK, EXAMINING ATTORNEY

Int. Cl.: 25



BSA-028

Prior U.S. Cl.: 39

**United States Patent and Trademark Office**

**Reg. No. 1,215,938**

**Registered Nov. 9, 1982**

**TRADEMARK**  
Principal Register

**CUB SCOUTS**

Boy Scouts of America (United States, federally  
chartered corporation)  
P.O. Box 61030  
Dallas/Ft. Worth Airport, Tex. 75261

For: ITEMS OF CLOTHING FORMING PART  
OF A UNIFORM CONSISTING OF DRESS  
SHIRTS, T-SHIRTS, PANTS, SHORTS, BELTS,  
SOCKS, HATS, AND NECKERCHIEFS, in  
CLASS 25 (U.S. Cl. 39).

First use Apr. 1, 1930; in commerce Apr. 1, 1930.

Ser. No. 297,299, filed Feb. 17, 1981.

TERESA M. RUPP, Examining Attorney

BSA-049

8 + 15  
11-12-90/11

Prior U.S. Cl.: 200



Reg. No. 1,370,697

United States Patent and Trademark Office Registered Nov. 12, 1985

COLLECTIVE MEMBERSHIP  
PRINCIPAL REGISTER

Varsity Scout

BOY SCOUTS OF AMERICA (UNITED STATES CORPORATION)  
1325 WALNUT HILL LANE  
IRVING, TX 750621296

FIRST USE 0-0-1978; IN COMMERCE 0-0-1978.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SCOUT", APART FROM THE MARK AS SHOWN.

FOR: INDICATION OF MEMBERSHIP IN A SCOUTING ORGANIZATION FOR YOUNG MEN, IN CLASS 200 (U.S. CL. 200).

SER. NO. 474,350, FILED 4-9-1984.

EDWARD NELSON, EXAMINING ATTORNEY

Prior U.S. Cl.: 200

**United States Patent and Trademark Office**

Reg. No. 1,213,650

Registered Oct. 19, 1982

**COLLECTIVE MEMBERSHIP**

Principal Register



Boy Scouts of America (United States corporation)  
P.O. Box 61030  
Dallas/Ft. Worth Airport, Tex. 75261

The mark consists of the words "Eagle Scout"  
with Eagle design.

For: INDICATING MEMBERSHIP IN AN OR-  
GANIZATION FOR BOYS TO PROMOTE MOR-  
AL, PHYSICAL AND SPIRITUAL  
DEVELOPMENT, (U.S. Cl. 200).

First use Mar. 31, 1911; in commerce Mar. 31,  
1911.

Ser. No. 307,667, filed Apr. 27, 1981.

MARTIN MARKS, Primary Examiner

WILLIAM WEINSTEIN, Examiner

Prior U.S. Cl.: 200

**United States Patent and Trademark Office** Reg. No. 1,363,872  
Registered Oct. 1, 1985

**COLLECTIVE MEMBERSHIP  
PRINCIPAL REGISTER**

**BOY SCOUTS OF AMERICA**

BOY SCOUTS OF AMERICA (UNITED STATES  
CORPORATION)  
1325 WALNUT HILL LANE  
IRVING, TX 750383096

FIRST USE 0-0-1910; IN COMMERCE  
0-0-1910.  
OWNER OF U.S. REG. NOS. 1,197,851, 1,318,324  
AND OTHERS.  
SEC. 2(F).

FOR: TO INDICATE MEMBERSHIP IN AN  
ORGANIZATION FOR YOUNG MEN, IN  
CLASS 200 (U.S. CL. 200).

SER. NO. 510,448, FILED 11-26-1984.

G. MAYERSCHOFF, EXAMINING ATTORNEY



**Int. Cl.: 25**

**Prior U.S. Cl.: 39**

**United States Patent and Trademark Office**

**Reg. No. 1,215,939**

**Registered Nov. 9, 1982**

**TRADEMARK  
Principal Register**

**BOY SCOUTS OF AMERICA**

Boy Scouts of America (United States federally  
chartered corporation)  
P.O. Box 61030  
Dallas/Ft. Worth Airport, Tex. 75261

For: ITEMS OF CLOTHING FORMING PART  
OF A UNIFORM CONSISTING OF SHIRTS,  
PANTS, SHORTS, SKIRTS, DRESSES, BELTS,  
SOCKS, HATS, AND NECKERCHIEFS, in  
CLASS 25 (U.S. Cl. 39).

First use Jan. 31, 1911; in commerce Jan. 31, 1911.

Ser. No. 297,300, filed Feb. 17, 1981.

TERESA M. RUPP, Examining Attorney

Int. Cls.: 8, 11, 14, 16, 20, 21, 24 and 28

Prior U.S. Cls.: 22, 23, 28, 29, 34, 37, 38 and 50

**United States Patent and Trademark Office**

Reg. No. 1,725,084

Registered Oct. 20, 1992

**TRADEMARK  
PRINCIPAL REGISTER**

**BOY SCOUTS OF AMERICA**

BOY SCOUTS OF AMERICA (UNITED STATES CORPORATION CHARTERED BY AN ACT OF CONGRESS)

1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079

FOR: POCKET KNIVES, UTILITY KNIVES AND LOCK BACK KNIVES, IN CLASS 8 (U.S. CL. 23).

FIRST USE 0-0-1911; IN COMMERCE 0-0-1911.

FOR: FLINT AND STEEL FIRE-MAKING SET CONSISTING OF TINDER, FLINT, STEEL BAR AND INSTRUCTIONS, IN CLASS 11 (U.S. CL. 34).

FIRST USE 0-0-1950; IN COMMERCE 0-0-1950.

FOR: JEWELRY; NAMELY, RINGS AND PINS, IN CLASS 14 (U.S. CL. 28).

FIRST USE 0-0-1940; IN COMMERCE 0-0-1940.

FOR: STATIONERY, ACTIVITY BOOKS AND MANUALS, CONCERNING OUTDOOR ACTIVITIES, CRAFTS, AND REQUIREMENT OF APPLICANT'S ORGANIZATION. DECALS, DESK

SETS WITH PEN AND PEN HOLDER, PEN AND PENCIL SETS, PRINTED CERTIFICATES, IN CLASS 16 (U.S. CLS. 37 AND 38).

FIRST USE 0-0-1911; IN COMMERCE 0-0-1911.

FOR: HAND-HELD MIRRORS, PLAQUES, IN CLASS 20 (U.S. CL. 50).

FIRST USE 0-0-1940; IN COMMERCE 0-0-1940.

FOR: NON-ELECTRIC TOOTHBRUSH, SOAP HOLDER CADDY, AND MUGS, IN CLASS 21 (U.S. CL. 29).

FIRST USE 0-0-1940; IN COMMERCE 0-0-1940.

FOR: PENNANTS, NOT OF PAPER, IN CLASS 24 (U.S. CL. 50).

FIRST USE 0-0-1950; IN COMMERCE 0-0-1950.

FOR: BALLOONS, IN CLASS 28 (U.S. CLS. 22 AND 50).

FIRST USE 0-0-1970; IN COMMERCE 0-0-1970.

SER. NO. 74-224,874, FILED 11-25-1991.

BLAINE T. KUSER, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,153,107

Registered Apr. 21, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**SCOUT STUFF**

BOY SCOUTS OF AMERICA (UNITED STATES  
CORPORATION)  
1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079

FIRST USE 10-31-1996; IN COMMERCE  
10-31-1996.

OWNER OF U.S. REG. NOS. 1,197,851,  
1,801,213, AND OTHERS.

FOR: PRINTED MATERIALS, NAMELY,  
POSTERS, WALL CHARTS AND PRE-PRINT-  
ED ENVELOPES, IN CLASS 16 (U.S. CLS. 2, 5,  
22, 23, 29, 37, 38 AND 50).

SN 75-187,790, FILED 10-25-1996.

ELISSA GARBER KON, EXAMINING ATTOR-  
NEY

**Int. Cl.: 21**

**Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50**

**Reg. No. 2,197,815**

**United States Patent and Trademark Office**

**Registered Oct. 20, 1998**

**TRADEMARK  
PRINCIPAL REGISTER**

**SCOUT STUFF**

**BOY SCOUTS OF AMERICA, THE (UNITED  
STATES CORPORATION)  
1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079**

**FIRST USE 4-2-1997; IN COMMERCE  
4-2-1997.  
OWNER OF U.S. REG. NOS. 1,197,851, 1,801,213  
AND OTHERS.**

**SER. NO. 75-334,265, FILED 8-1-1997.**

**FOR: CERAMIC MUGS AND BEVERAGE  
GLASSWARE, IN CLASS 21 (U.S. CLS. 2, 13, 23,  
29, 30, 33, 40 AND 50).**

**ANGELA M. MICHELI, EXAMINING ATTOR-  
NEY**

036



Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Reg. No. 1,316,207

Registered Jan. 22, 1985

**SERVICE MARK**

Principal Register

**SCOUT SHOP BOY SCOUTS OF AMERICA**

Boy Scouts of America (United States corporation)  
1325 Walnut Hill La.  
Irving, Tex. 75062

For: RETAIL STORE SERVICES—NAMELY,  
THE SALE OF BOY SCOUT UNIFORMS, BOY  
SCOUT INSIGNIAS, CAMPING EQUIPMENT  
FOR BOY SCOUTS AND BOY SCOUT TRO-  
PHIES AND AWARDS, in CLASS 42 (U.S. Cl.  
101).

First use Nov. 14, 1981; in commerce Nov. 14,  
1981.

Owner of U.S. Reg. Nos. 1,197,851, 1,245,661 and  
others.

No claim is made to the exclusive right to use the  
words "Scout"; "Shop", apart from the mark as  
shown.

Sec. 2(f).

Ser. No. 341,411, filed Dec. 14, 1981.

MARY I. SPARROW, Examining Attorney

**Int. Cl.: 16**

**Prior U.S. Cl.: 38**

**United States Patent and Trademark Office**

**Reg. No. 1,197,851**

**Registered Jun. 15, 1982**

**TRADEMARK**  
**Principal Register**

**SCOUTING**

Boy Scouts of America (United States federally  
chartered corporation)  
Dallas/Fort Worth Airport, P.O. Box 61030  
Dallas, Tex. 75261

For: MAGAZINE FOR ADULT LEADERS IN  
SCOUTING FOR PROVIDING SCOUTING IN-  
STRUCTION TO BOYS AND YOUNG MEN, in  
CLASS 16 (U.S. Cl. 38).

First use Apr. 30, 1913; in commerce Apr. 30,  
1913.

Sec. 2(f).

Ser. No. 282,546, filed Oct. 20, 1980.

HENRY S. ZAK, Primary Examiner

Int. Cl.: 42

Prior U.S. Cl.: 100

**United States Patent and Trademark Office**

Reg. No. 1,801,213  
Registered Oct. 26, 1993

**SERVICE MARK  
PRINCIPAL REGISTER**

**SCOUTFITTER**

BOY SCOUTS OF AMERICA (UNITED STATES  
FEDERALLY CHARTERED CORPORATION)  
1325 WEST WALNUT HILL LANE  
P.O. BOX 152079  
IRVING, TX 750152079, ASSIGNEE OF CIRCLE  
TEN COUNCIL, BOY SCOUTS OF AMERICA  
(TEXAS NON-PROFIT CORPORATION)  
DALLAS, TX 75235

FOR: RETAIL STORE FOR SELLING UNI-  
FORMS, BADGES, EQUIPMENT AND BOOKS  
FOR SCOUTING AND CAMPING, IN CLASS 42  
(U.S. CL. 100).

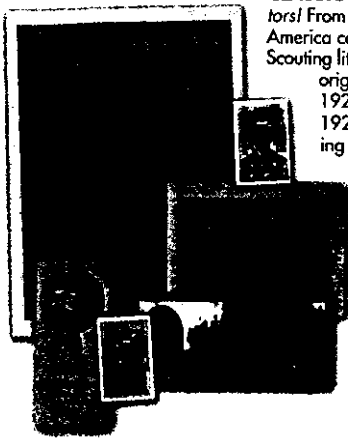
FIRST USE 9-5-1990; IN COMMERCE  
12-1-1990.

SER. NO. 74-302,573, FILED 8-10-1992.

ODETTE BONNET, EXAMINING ATTORNEY

# Scout Classics

## Celebrating 90 Years of Scouting



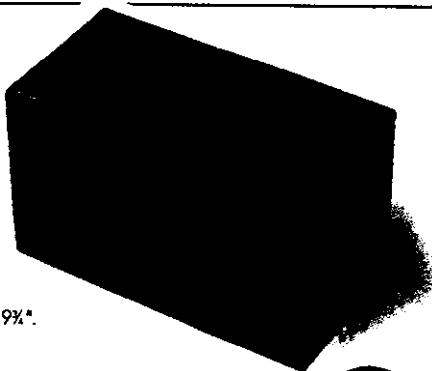
**CLASSIC LITERATURE KIT.** A must for collectors! From the archives of the Boy Scouts of America comes this beautiful collection of classic Scouting literature. Includes reproductions of an original Cub Scout membership card, a 1925 Boy Scout registration card, a 1921 Scout equipment catalog, a charming card written by Scouting father Daniel Carter Beard titled *Recipe for Scouting*, a book titled *Boy Scouts* published by the Minute Tapioca Company for the Boy Scouts in 1911, and a frameable reproduction of a beautifully illustrated, pre-Depression, 24-sheet Boy Scout billboard. This highly collectible set is a great addition to any collection of Scouting memorabilia. Limited quantity available. **X33800 22.50**

**HANDBOOK FOR BOYS (1911).** Take a step back into history with this soft-cover reproduction of the first edition of *The Boy Scout Handbook*. Anecdotal, charming, informative. Originally published in 1911. **X33100 13.50**



**CLASSIC FLASHLIGHT.** We sold this very model for almost 50 years! Features a metal body with the official Boy Scout emblem. Comes with two D-cell batteries. **X01227 9.95**

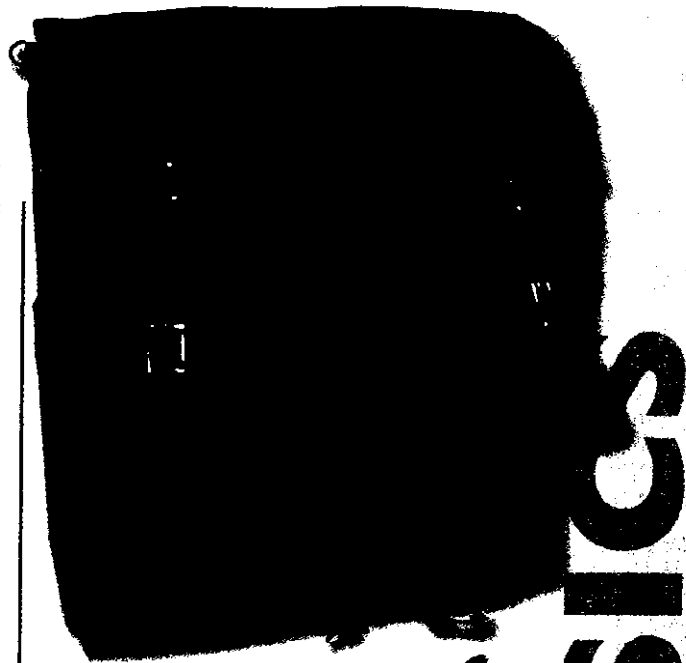
**SCOUTING MEMORABILIA BOX.** Store all those Scouting memories in this handsome pine memorabilia box. Extra touches like fingered joints, brass-hinged lid, and the illustration of the Scout on the front—drawn by Lord Baden-Powell himself—make this the perfect gift. 16" x 8 1/4" x 9 1/2". **X00587 27.35**



**WOOD BADGE PATROL MEDALLION KIT.** Remember these from Wood Badge training way back when? Real embroidered patches just like the originals. Eight in the set. Limited quantity available. **X10241 10.00**



**OFFICIAL BOY SCOUT BUGLE.** This official Boy Scout bugle will take you back to camp! This is the genuine article stamped with "Official Bugle" and the Scout emblem. Removable mouthpiece and tuning slide. Overall length: 17". Limited quantity available. **X11910 98.75**



**CLASSIC YUCCA BACKPACK.** The perfect pack for a trip down memory lane! Before nylon and composite frame packs, there was the Yucca Backpack. This full-size reproduction is true to the original—rugged canvas construction and genuine leather tie-down straps—plastic here! There is also plenty of extra detailing, including the Scout emblem on the front and a leather name badge. An excellent gift! **X01342 29.95**

**2000 SCOUTING HOLIDAY ORNAMENT.** Classic silver-toned holiday ornament inscribed with "BSA 2000" on the back. 3" x 2 1/4". **X00942 6.95**



**FLEUR-DE-LIS SILHOUETTE PIN.** Replica of a classic BSA pin. Gold-tone. An ideal gift! 1". Gift boxed. **X00966 9.95**



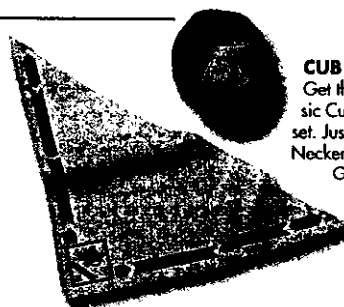
**10K GOLD FLEUR-DE-LIS SILHOUETTE PIN.** (Not shown.) Similar to X00966 above, but in 10K gold. A great gift for moms or volunteers! 1". Gift boxed. Allow six weeks for delivery. **X00967 69.95**

### SEMAPHORE CODE FLAGS.

Before people took cell phones camping, they took semaphore flags. In fact, semaphore code was included in every Boy Scout handbook until 1998. These quality reproductions measure 18" x 18". Instructions included. **X11150 19.95**



**CUB SCOUT BABY ENSEMBLE.** Get them started early with this classic Cub Scout cap and neckerchief set. Just the right size for babies. Neckerchief measures 28" across. Gift boxed. Limited quantity available. **X84000 22.50**

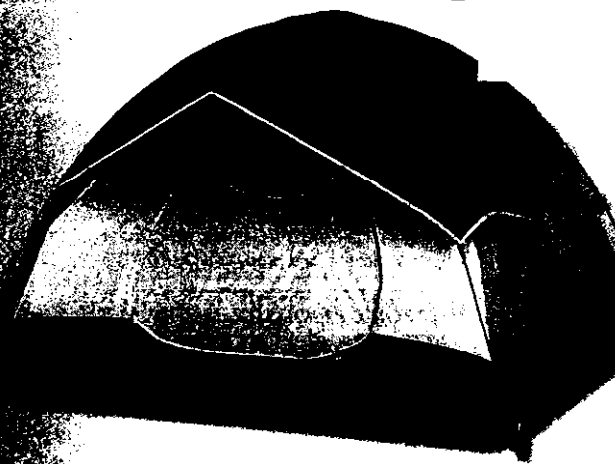


SCOUT CLASSICS



# Official Cub Scout Camp!

# and Cub Scout Tough!



**TENT. NEW!** Two-pole, rectangular dome tent that's just the right size for your campsite. Features fiberglass poles, oversized windows, and a fly for extra protection from the elements. Easy to set up! Sewn from taffeta nylon. Floor: 7' x 5'. Weight: 4 lb., 14 oz. Pack size: 5 1/2" x 25". Imported.  
**X01800 19.00**

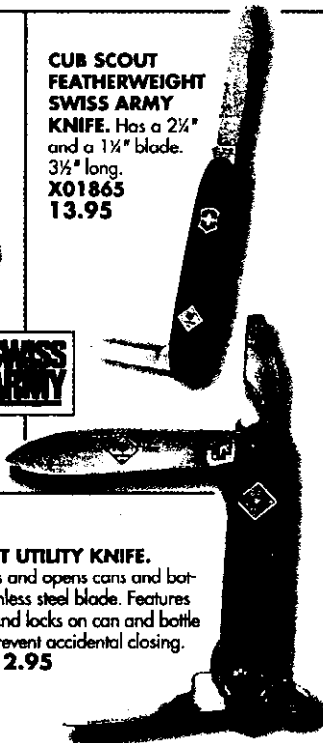
**UTILITY KNIFE.** Official Cub Scout pocketknife. Features a saw, screwdriver, and punch. Made of Delrin® stock.  
**X01885 19.50**

**KNIFE CASE.** Durable case for your pocketknife. Closes with belt loops.  
**X01886 5.00**

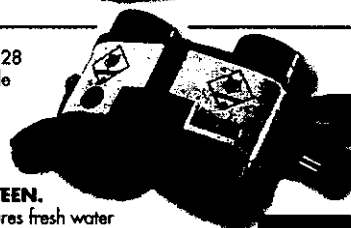
**CUB SCOUT FEATHERWEIGHT SWISS ARMY KNIFE.** Has a 2 1/4" and a 1 1/4" blade. 3 1/2" long.  
**X01865 13.95**



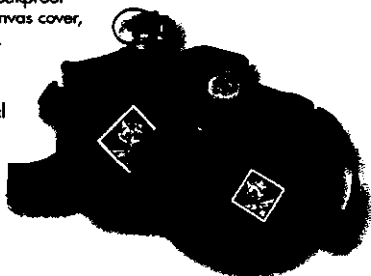
**CUB SCOUT UTILITY KNIFE.** Drives screws and opens cans and bottles. 2 1/4" stainless steel blade. Features brass liners and locks on can and bottle openers to prevent accidental closing.  
**X01883 12.95**



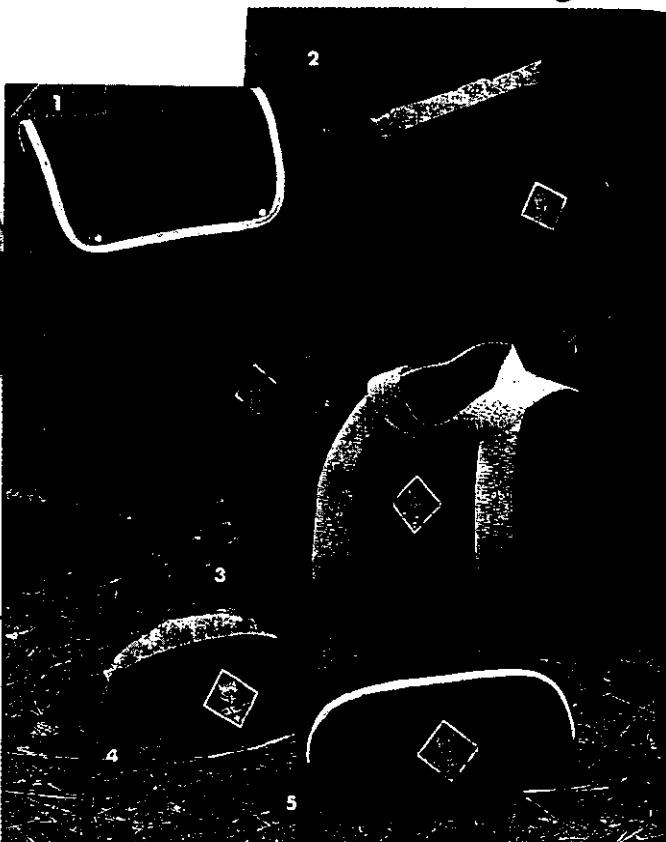
**SPORTGLASSES.** 3 x 28. Made of durable plastic. Can take a beating. They're small enough to fit in your pack. Includes neck strap.  
**X01835 13.75**



**FEATHERWEIGHT CANTEEN.** Made of polyethylene assures fresh water. Leakproof. Has canvas cover, and strap.  
**X01887 10.95**



**ESSENTIAL KIT.** Includes a comb, toothbrush, and nail clipper set. Fits in a vinyl case.  
**X01877 1.35**



**1. CUB SCOUT BOOK BAG.** Lightweight nylon with adjustable straps and snap closure. 14" x 10" x 5". **X01300 13.25**

**2. CUB SCOUT DAY PACK.** Roomy bag has padded shoulder straps, a front pocket for small gadgets and heavy duty zippers. Water-repellent nylon. 14" x 10" x 5". **X01802 18.95**

**3. CUB SCOUT DUFFLE BAG.** Great for carrying a towel, swimsuit, and more! Nylon bag has wraparound web handles for extra strength. Measures 16" x 8 1/2". **X01800 21.25**

**4. CUB SCOUT HIP PACK.** 77 cu. in. Keeps wallet, flashlight, and keys handy. Two inside pockets, adjustable web belt, side-release buckle. **X01799 9.75**

**5. CUB SCOUT BELT PACK.** Holds 94 cu. in. of necessary stuff. Two inside pockets and belt loops. **X01801 8.25**

**6. CUB SCOUT POCKETLITE.** Batteries included.  
**X01283 5.55**

**7. CUB SCOUT HANDI-LITE.** Batteries included.  
**X01875 4.15**

**8. ULTRA BRUTE PERSONAL LIGHT.** Has durable rubber housing and super bright krypton bulb. Two "AA" batteries included.  
**X01895 7.25**

**9. CUB LITE.** Batteries included! Sturdy plastic housing, yellow lens ring, and flasher switch.  
**X01886 6.75**

**CUB SCOUT SOAP CADDY.** Keep soap within reach. Drain holes in bottom keep soap dry.  
**X01845 2.35**

**COLLAPSIBLE CUP.** Saves space! Holds hot and cold beverages. **X01878 1.50**

**TOOTHBRUSH.** Brush end slips into case.  
**X01260 1.25**

**COMB & NAIL CLIPPER SET.** **X01876 1.95**

**COMB WITH CASE.** **X01877 1.35**

**LITT-L-VITT-L KIT.** (Shown on page CA 17.) Just the right size for Cub Scouts! Stainless steel fork, knife, and spoon, designed to clip together and store inside a vinyl case. **X01243 8.10**

**WATERTIGHT UTILITY BOX.** Watertight gasket in seals out moisture! Great for storing valuables while canoeing, sailing, fishing, or camping. Crushproof design nearly indestructible. Clear so you can see what's inside. Molded tie points let you secure it anywhere. 4" x 6" x 10.97 **19.95**

**SMALL WATERTIGHT UTILITY BOX.** (Not shown). Version of box sold above. Crush-proof box with watertight "O" ring seal and "easy snap" latch. 4 1/4" x 3 1/4" x 6 1/2". **X01780 15.25**

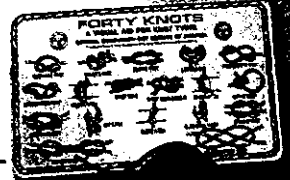


**FOLDING CAMP SEAT.** Double-stitched canvas seat, with 0.23" diameter rust-resistant steel frame, can support up to 300 lb. Weather resistant. Weighs 1.8 lb. Measures 13 1/2" x 7 1/2" x 14". **X01025 10.95**

**BOY SCOUT WHISTLE.** Made of triple-plated heavy-gauge brass with nickel chrome finish. **X00909 4.75**

**BLACK WHISTLE LANYARD.** 18"-long lanyard has metal snap swivel. **X01282 1.85**

**FORTY KNOTS—KNOT TYING VISUAL AID.** Learn how to tie 40 popular knots with detailed illustrations and two-color rope. 8" x 5" chart. **X01057 3.50**



**SKEETER STIK™**

**SKEETER STIK™.** Relieves the pain and itching of insect bites. Contains 1% menthol, 5% procaine, 1% isopropyl alcohol, and propylene glycol. **X01095 3.50**

**ELECTRONIC Pedometer.** Measures distance in miles with extreme accuracy. Easy-to-operate, eight-button unit features a large, easy-to-read LCD display, stride adjustment, clock, and multiple display modes. Ultralight with clip-on feature. One-year limited warranty. **X01823 22.50**

**CLIP-ON BIKE COMPASS.** Liquid-filled compass is cushion-mounted, has luminous dial, and fits 1" or 3/4" handlebars. Weighs 1/2 oz. **X01325 14.50**



**CUTTER™ INSECT REPELLENT.** Kills mosquitoes, ticks, fleas, and other insects. Flip-top cap. 1-oz. bottle. **X01220 1.75**

## Fishing Gear—Hook, Line, & Sinker!

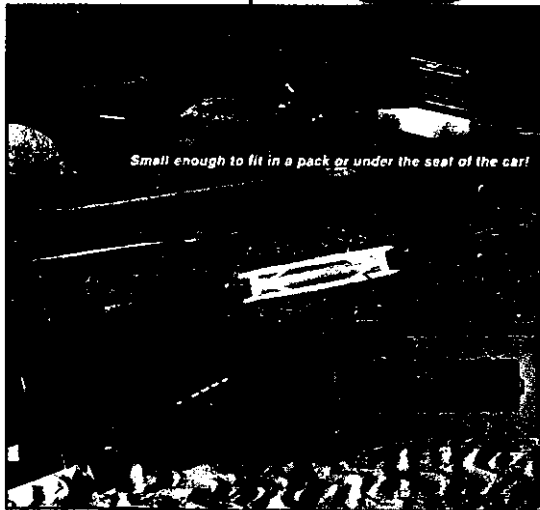


**FISHING DROP LINE.** Pocket pack contains 20 ft. of 15-lb. test line, hook, sinker, and fluorescent bobber. **X01547 1.45**



**FISHING MARSHMALLOWS.** Not for human consumption, but fish love 'em. 1.5 oz. **X01546 2.15**

**SALMON BAIT EGGS.** "Best Bite Red!" Packed in fish oil for a longer shelf life. 1.5-oz. jar. **X01549 2.25**



Small enough to fit in a pack or under the seat of the car!

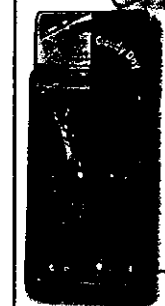
**MITCHELL® ROD AND REEL SET.** Great for in a pack or under the seat of a car! Padded travel case features a Mitchell 308 spinning reel and a five-piece, 5'6" ultralight, graphite rod. Reel has lightweight, streamlined graphite body. Includes molded plastic lure case. **X01784 79.99**

**BAMBOO FISHING POLE KIT.** The 8-ft. pole comes in two sections with slip-joint ferrules for easy connection and has a dark brown varnished finish. Kit includes line spool, monofilament line, hook, sinker, and fluorescent wood float. **X01794 4.35**

**SPINCAST ROD & REEL COMBO.** Famous Zebco® 33 spincast reel and five-piece light action rod almost guarantee you a lunker! Reel prespooled with 100 yds. of high-performance, 10-lb. test line. Includes hard case with compartments to hold lures, sinkers, etc. **X01545 57.50**



**MINI-TACKLE BOX.** Dual-sided design keeps your lures, sinkers, and floats organized. Heavy-duty. 13 compartments. 7" x 4" x 2". **X01211 1.75**



**SUNNY DAY/LURE KIT.** Select Spin™ lures that give you a wide selection for changing conditions. Includes four for sunny days and four for cloudy days. Includes eight soft bodies, eight jig heads, spinner, and one reel. Reusable container. **X01783 7.50**

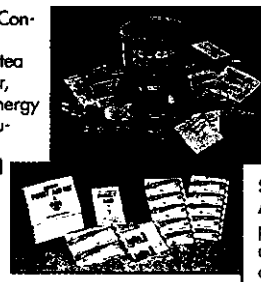
**"EVERYTHING BUT THE FISH!" KIT.** This kit has everything you need to hit the water and catch fish after fish! Kit includes 5' telescoping fiberglass rod with comfort grip, action reel with prespooled 10-lb. line, and an assortment of lures. **X01213 36.50**

**ALL-WEATHER BLANKET.** Orange laminated polyethylene is highly visible, waterproof, soil resistant, and retains body heat. Measures 56" x 84". **X01449 13.75**

**EMERGENCY RESCUE BLANKET.** Aluminized material helps you be seen and conserve precious body heat. Measures 54" x 84" unfolded; palm-size folded. **X01450 4.40**



**SURVIVAL KIT.** Contains folding wing stove, fuel tablets, tea bags, candy, sugar, poly water bag, energy drink, matches, aluminum foil, instant broth, and survival instructions. Waterproof can becomes cooking pot and/or drinking cup. Wt.: 6 oz. Kit: 3 1/2" x 2 1/2". **X01258 11.45**



**SCOUT FIRST AID KIT.** For minor emergencies. Plastic case. First aid guide included. **X01093 6.25**

**FIRST AID KIT REFILL.** **X01076 3.85**

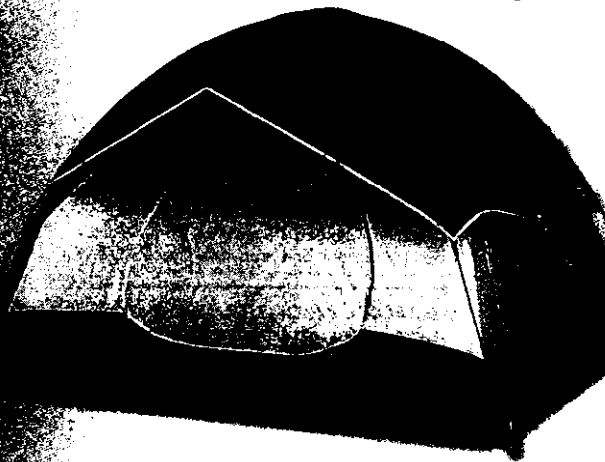
**MINI HAND WARMER.** Heat lasts up to seven hours from the moment you open it. Odorless, nontoxic, dry, and clean. **X01088 1.10**



**SCOUT CAMPER FIRST AID KIT.** Contains oval eye pad; small, medium, and large adhesive bandages; gauze bandages; triangular bandages; butterfly closures; gloves; burn cream; antiseptic wipes; scissors; and a first aid guide. Plastic case. **X01092 16.50**



# Official Cub Scout Camping Gear—Guaranteed Cub Scout Tough!



**TENT. NEW!** Two-pole, rectangular dome tent that's just the right size for... features fiberglass poles, oversized widows, and a fly for extra protection from the elements. Easy to set up! Sewn from taffeta nylon. Floor: 7' x 5'. Ht.: 4 ft. Wt.: 4 lb., 14 oz. Pack size: 5 1/2" x 25". Imported.

**X01805 19.00**

**CUB SCOUT SWISS ARMY KNIFE.** Official Cub Scout pocketknife featuring a saw, a corkscrew, a screwdriver, a file, a nail puller, a punch, a saw, and a Delrin® stag handle.

**X01885 19.50**

**CUB SCOUT KNIFE CASE.** Durable Cordura® case for your Swiss Army pocketknife. Close with belt loops and a snap closure.

**X01885 1.95**

**CUB SCOUT FEATHERWEIGHT SWISS ARMY KNIFE.** Has a 2 1/4" and a 1 1/2" blade. 3 1/2" long.

**X01865 13.95**



**CUB SCOUT UTILITY KNIFE.**

Drives screws and opens cans and bottles. 2 1/4" stainless steel blade. Features brass liners and locks on can and bottle openers to prevent accidental closing.

**X01883 12.95**

**CUB SCOUT SPORTGLASSES.** 3 x 28 lenses are made of durable polycarbonate. They can take a beating. They're small enough to fit in your pack. Includes neck strap.

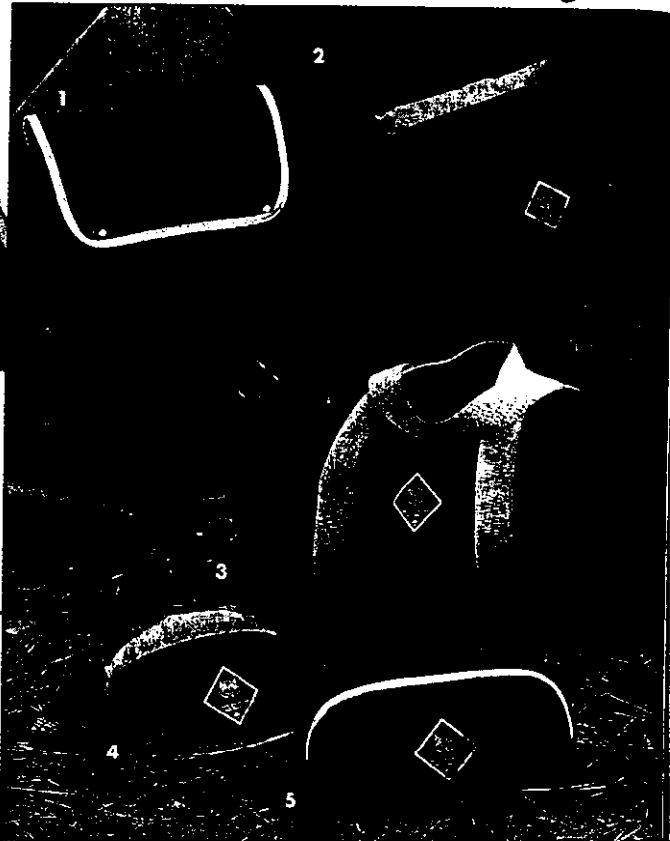
**X01835 13.75**

**CUB SCOUT FEATHERWEIGHT CANTEEN.** Made of polyethylene assures fresh water. Shrink-resistant, leakproof. Includes canvas cover, neck strap, and a carrying loop.

**X01895 1.95**

**CUB SCOUT COLLAPSIBLE CUP.** Saves space! Holds hot and cold beverages. Brush end slips into case.

**X01260 1.25**



**1. CUB SCOUT BOOK BAG.** Lightweight nylon with adjustable straps and snap closure. 14" x 10" x 5". **X01300 13.25**

**2. CUB SCOUT DAY PACK.** Roomy bag has padded shoulder straps, a front pocket for small gadgets and heavy duty zippers. Water-repellent nylon. 14" x 10" x 5". **X01802 18.95**

**3. CUB SCOUT DUFFEL BAG.** Great for carrying a towel, swimsuit, and more! Nylon bag has wraparound web handles for extra strength. Measures 16" x 8 1/2". **X01800 21.25**

**4. CUB SCOUT HIP PACK.** 77 cu. in. Keeps wallet, flashlight, and keys handy. Two inside pockets, adjustable web belt, side-release buckle. **X01799 9.75**

**5. CUB SCOUT BELT PACK.** Holds 94 cu. in. of necessary stuff. Two inside pockets and belt loops. **X01801 8.25**

**6. CUB SCOUT POCKETLITE.** Batteries included. **X01283 5.55**

**7. CUB SCOUT HANDI-LITE.** Batteries included. **X01875 4.15**

**8. ULTRA BRUTE PERSONAL LIGHT.** Has durable rubber housing and super bright krypton bulb. Two "AA" batteries included. **X01895 7.25**

**9. CUB LITE.** Batteries included! Sturdy plastic housing, yellow lens ring, and flasher switch. **X01886 6.75**

**CUB SCOUT SOAP CADDY.** Keep soap within reach. Drain holes in bottom keep soap dry. **X01845 2.35**

**COLLAPSIBLE CUP.** Saves space! Holds hot and cold beverages. **X01878 1.50**

**TOOTHBRUSH.** Brush end slips into case. **X01260 1.25**

**COMB & NAIL CLIPPER SET.** **X01876 1.95**

**COMB WITH CASE.** **X01877 1.35**

**LITT-L-VITT-L KIT.** (Shown on page CA 17.) Just the right size for Cub Scouts! Stainless steel fork, knife, and spoon, designed to clip together and store inside a vinyl case. **X01243 8.10**

**OPPOSITION TO THE  
REGISTRATION OF A MARK, WITH  
DECLARATION**

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

In the matter of trademark application Serial No. 76/518,668

Filed 06/02/2003

For the Mark "THE SCOUT"

Published in the Official Gazette on July 6, 2004 on page TM 75

**TTAB**

BOY SCOUTS OF AMERICA

(Name of Opposer)

v.

WRIGHT & MCGILL CO.

(Name of Applicant)

Opposition No.

NOTICE OF OPPOSITION

**NAME AND ADDRESS OF OPPOSER:**

Boy Scouts of America  
1325 West Walnut Hill Lane  
P.O. Box 152079  
Irving, Texas 75015-2079

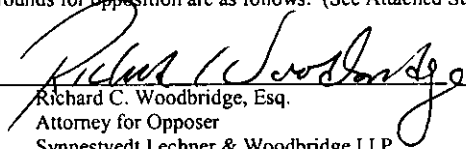
If a business then provide State or Country of Incorporation: A United States Federally Chartered Corporation

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

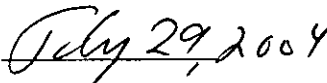
A fee of \$600 has been enclosed for the following classes of the above identified application: Classes 18 & 28

The grounds for opposition are as follows: (See Attached Statement)

By

  
Richard C. Woodbridge, Esq.  
Attorney for Opposer  
Synnestvedt Lechner & Woodbridge LLP  
PO Box 592  
Princeton, NJ 08542-0592  
Tel (609) 924-3773  
Fax (609) 924-1811

Date

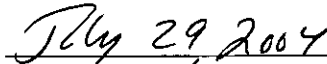
  
July 29, 2004

**Certificate of Mailing**

**Express Mail Certificate No. EV 460926693US**

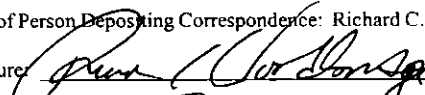
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under Section 37 C.F.R. §1.10 on the date indicated below and is addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514

Date of Deposit:

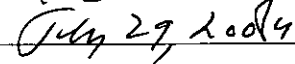
  
July 29, 2004

Name of Person Depositing Correspondence: Richard C. Woodbridge, Esq.

Signature:



Date of Signature:

  
July 29, 2004