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

In the matter of Application Serial No. 76/498186
Filed on March 14, 2003
For the mark: PATRIOT SELECT
Published in the Official Gazette of August 24, 2004.

INTERNATIONAL MEDICAL)	
GROUP, INC.)	
)	Opposition No.:
Opposer,)	
)	
v.)	
)	
AMERICOM LIFE AND ANNUITY)	
INSURANCE COMPANY)	
)	
Applicant.)	Opposer's file 10603/102

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NOTICE OF OPPOSITION

1. Opposer, International Medical Group, Inc. (IMG) is an Indiana corporation with its principal place of business at 407 Fulton Street, Indianapolis, Indiana 46202.

2. Applicant, Americom Life and Annuity Insurance Company, on information and belief, is a Texas corporation with its principal place of business at 1001 Fleet Street, Baltimore, Maryland 21202.

3. Opposer believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes said registration on the basis of confusing similarity with Opposer's Trademark

Registration Nos. 2,822,518; 2,822,519; 2,822,517; 2,777,285; 2,661,903; 2,822,520; and 2,849,651.

4. Opposer, IMG, is a worldwide leader in designing, marketing, underwriting, distributing, servicing and administering various healthcare, medical, travel, life and related insurance products, benefits, and services. For more than fifteen (15) years, IMG has provided a full-service approach to international health and travel insurance coverage. IMG is dedicated to the global insurance market and provides (through insurance company principals and affiliates) medical, life and travel related coverages, among other services and benefits, as a managing general underwriter and insurance plan administrator, to eligible individuals, families and groups in numerous countries around the world.

5. As a managing general underwriter, IMG offers several insurance products and services that are directed toward various consumer needs. IMG's insurance products are underwritten primarily by Sirius International Insurance Corporation (publ), headquartered in Stockholm, Sweden. IMG's complete portfolio of products and services allows IMG's clients worldwide access to quality healthcare services and insurance benefits and IMG's superior customer service. In addition, IMG has established and conducts business with a large network of contracted independent producers, insurance

brokers and soliciting agents that promote and conditionally offer the insurance plans that are administered by IMG.

6. Various of the insurance plans, products, and services that are administered by IMG are offered under the service marks PATRIOT, PATRIOT AMERICA, PATRIOT INTERNATIONAL, PATRIOT EXECUTIVE, PATRIOT GROUP TRAVEL MEDICAL INSURANCE, PATRIOT TRAVEL MEDICAL INSURANCE, and PATRIOT EXTREME, which marks are protected by the registrations identified previously, which are all valid and are not abandoned.

7. Any registration of applicant's proposed mark PATRIOT SELECT in the face of said registrations would violate Section 2(d) of the Lanham Act, and should not be permitted.

WHEREFORE, Opposer, IMG, requests that said application be denied.

Respectfully submitted,



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TTAB

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CERTIFICATE OF MAILING
UNDER 37 CFR 1.10

August 26, 2004

Via Express Mail

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail, Label EV425069345US addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on August 26, 2004.


Carolyn Beason-Wright

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ANN ARBOR, MI
ARLINGTON, VA

**Re: Notice of Opposition
Trademark Application 76/498186
Our File No.: 10603/102**

Dear Sir/Madam:

We enclose the following documents relating to the trademark application described above:

- 1) Notice of Opposition, in duplicate;
- 2) Check in the amount of \$300.00 to pay the required filing fees;
- 3) Self-addressed and stamped postcard describing the above documents.

Please indicate on the postcard receipt of the documents and return the postcard to the attention of the undersigned. Please charge deposit account No. 23-1925 for any deficiencies in the fees.

Thank you.

Respectfully submitted,



A. James Richardson

AJR/cbw
Enclosures



08-27-2004

U.S. Patent & TMO/TM Mail RptDt. #64