

ESTTA Tracking number: **ESTTA112695**

Filing date: **12/04/2006**

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

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Foreign Threat Assessment Center, Inc.		
Entity	Corporation	Citizenship	Colorado
Address	14855 West 54th Avenue Golden, CO 80403-1217 UNITED STATES		

Attorney information	Michele B. Fagin Sparks Willson Borges Brandt & Johnson, PC 24 S. Weber Street Suite 400 Colorado Springs, CO 80903 UNITED STATES mfagin@sparkswillson.com Phone:719 634 5700		
----------------------	--	--	--

### Applicant Information

Application No	78813830	Publication date	11/21/2006
Opposition Filing Date	12/04/2006	Opposition Period Ends	12/21/2006
International Registration No.	NONE	International Registration Date	NONE
Applicant	Vasiliev, Valerie 137 Birch Ave Richmond Hill, Ontario, L4C6C5 CANADA		

### Goods/Services Affected by Opposition

Class 041. All goods and services in the class are opposed, namely: Martial arts instruction; Operating of martial arts' schools
---

Attachments	001c Notice of Opposition.pdf ( 4 pages )(91334 bytes )
-------------	---

Signature	/Michele B. Fagin/
Name	Michele B. Fagin
Date	12/04/2006

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

In the Matter of Application Serial No. 78/813,830  
For the Mark SYSTEMA  
Published in the Official Gazette of November 21, 2006

---

FOREIGN THREAT ASSESSMENT CENTER, INC.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. _____
	)	
VALERIE VASILIEV	)	
	)	
Applicant.	)	

---

Honorable Commissioner for Trademarks  
Alexandria, Virginia

**NOTICE OF OPPOSITION**

Foreign Threat Assessment Center, Inc., a Colorado non-profit corporation doing business as Archangel Group, with it business address at 14855 West 54th Avenue, Golden CO 80403-1217, believes that it will be damaged by registration of the mark SYSTEMA as a trademark for "Martial arts instruction; Operating of martial arts' schools," Application Serial No. 78/813,830, by Valerie Vasiliev (hereinafter referred to as "Applicant"), and hereby opposes the same.

The grounds for opposition are as follows:

1. Since at least as early as January 1, 1994, Opposer and its predecessors in interest have used the word SYSTEMA in interstate commerce in the United States as the name for a particular form of martial arts and self defense.

2. Opposer and others use the word SYSTEMA as a generic term for that particular form of martial arts and self-defense. The word SYSTEMA is similar in its meaning and effect to “karate” or “tae kwon do”, in that it is the common word used in the trade when discussing this particular form of martial arts and self-defense.

3. Opposer currently uses the word SYSTEMA as a generic term to describe the type of martial arts and self-defense that Opposer offers and provides training and instruction.

4. Applicant is a Canadian citizen with a mailing address at 137 Birch Avenue, Richmond Hill, Ontario, Canada L4C6C5.

5. Applicant’s SYSTEMA mark is identical to the generic word SYSTEMA and contains no additional elements that would make it distinguishable from the generic word SYSTEMA.

6. The services for which Applicant seeks registration of the SYSTEMA mark are identical or substantially similar to the generic meaning of the word SYSTEMA as it is used in the trade and by Opposer.

7. On information and belief, Applicant’s intended adoption and use of the SYSTEMA mark has been with knowledge of the generic nature of the word as used by Opposer and others of the word SYSTEMA in the United States.

8. Granting a federal trademark registration to Applicant for her claimed

SYSTEMA mark as shown in Application Serial No. 78/813,830 would be contrary to 15 U.S.C. §2052(e)(1) and would deprive Opposer with the right to use the generic name for the services offered by Opposer, thereby causing irreparable damage and injury to Opposer.

9. Based on the foregoing, the registration of the SYSTEMA mark shown in Application Serial No. 78/813,830 on the Principal Register of the United States Patent and Trademark Office will cause injury and damage to Opposer.


WHEREFORE, Opposer Foreign Threat Assessment Center, Inc. asks that its opposition to Application Serial No. 78/813,830 be sustained and that the registration of SYSTEMA set forth therein be refused.

Opposer Foreign Threat Assessment Center, Inc. hereby appoints Michele B. Fagin, Kent H. Borges and Stephen A. Hess of the firm of Sparks Willson Borges Brandt & Johnson, P.C., 24 South Weber Street, Suite 400, Colorado Springs, CO 80903, as attorneys with full power to represent Opposer Foreign Threat Assessment Center, Inc. in the above identified opposition, to prosecute this opposition, to transact all business in the United States Patent and Trademark Office and the United States Courts in connection with said opposition, and to sign their names to all documents which may hereafter be filed in connection with said opposition and to receive all official communications relating to same. Please direct all correspondence to the attention of Michele B. Fagin.

Dated: December 4, 2006.

Respectfully submitted,

SPARKS WILLSON BORGES BRANDT  
& JOHNSON, P.C.



Michele B. Fagin

Kent H. Borges

Stephen A. Hess

24 South Weber Street, Suite 400

Colorado Springs, CO 80903

Telephone: (719) 634-5700

Telecopier: (719) 633-8477

Attorneys for Opposer Foreign Threat Assessment  
Center, Inc.