



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE LEGAL OPERATIONS AGENCY

TTAB

December 13, 2016

AFLOA/JAQC
1500 West Perimeter Road, Suite 1780
Joint Base Andrews, MD 20762

By Hand Delivery to:
Trademark Assistance Center
James Madison Building – East Wing
Concourse Level, Room C55
600 Dulany Street

Re: Opposition No. 91201830
Serial No. 85/094,889
Mark: Miscellaneous Design (Pilot Flight Suit)

Dear Mr. Mason

Please accept for filing in the above-referenced Opposition the attached *Motion Of The Department Of The Air Force For Leave To File Amicus Curiae Brief*, with the proposed brief attached.

Respectfully,

JOEL B. LOFGREN
Massachusetts Bar No. 669242
SIVRAM D. PRASAD, Maj, USAFR
Georgia Bar No. 505290
Department of the Air Force
Air Force Legal Operations Agency
Commercial Law & Litigation Directorate
1500 West Perimeter Road, Suite 1780
Joint Base Andrews, MD 20762
(240) 612-6671 (T)
joel.b.lofgren.civ@mail.mil
Attorneys for Amicus Curiae



12-13-2016

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #11

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

The Corps Group,)	Date: December 13, 2016
)	
Opposer,)	Opposition No. 91201830
)	
v.)	Serial No. 85/094,889
)	
Afterburner, Inc.)	Mark: Miscellaneous Design
)	(Pilot Flight Suit)
Applicant.)	

**MOTION OF THE DEPARTMENT OF THE AIR FORCE FOR LEAVE TO FILE
AMICUS CURIAE BRIEF**

The Department of the Air Force respectfully moves for leave to file the attached amicus brief. *See* Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) §§ 538 and 801.04. The Air Force submits this brief to advise the Board of the legal framework restricting the unauthorized wear of a military uniform for commercial purposes, which may be relevant to activities alleged to be covered by the mark-in-dispute.

The Board may, in its discretion, entertain an amicus brief if the Board finds that such a brief is warranted under the circumstances. TBMP § 538; *see, e.g., Harjo v. Pro-Football, Inc.*, 45 USPQ2d 1789, 1791 (TTAB 1998). In deciding to grant leave to file an amicus brief, the Board will determine whether the proposed brief will aid the Board in resolving issues of law, whether the movant effectively seeks a role in the proceeding beyond arguing questions of law and seeks to argue factual matters, and whether the movant seeks to advance partisan arguments that would prejudice a party. TBMP § 538; *Harjo*, 45 USPQ2d at 1791 (denying leave where the Board noted that the issues had already been adequately addressed by the parties, there was an

TRADEMARK PROCESS

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US PATENT &
TRADEMARK OFFICE

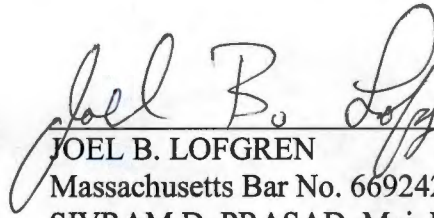
“intimate” relationship between movants and petitioners, and movants were seeking to introduce factual evidence and advance partisan arguments).

Here, the proposed brief will aid the Board in resolving matters of law—namely, whether the use of the mark-in-dispute in commerce conflicts with federal regulations restricting the unauthorized wear of military uniforms for commercial purposes. *See* TBMP § 538. The Board has consistently held that, to qualify for federal service mark registration, the use of a mark in commerce must not be illegal. *In re Morgan Brown*, 119 USPQ2d 1350 (TTAB 2016) (affirming refusal to register service mark because applicant’s activities included sales of marijuana which constituted a *per se* violation of federal law). In this case, the mark-in-dispute is alleged to be a type of a flight suit similar to a military uniform worn by fighter pilots. The Board may not be aware of the legal framework governing the wear of military uniforms, including the uniform worn by Air Force pilots. As explained in the amicus brief, a detailed set of laws and regulations has been established to govern the wear of military uniforms. The Air Force submits this brief to provide expert insight into this legal framework and invites the Board to investigate whether any activities covered by the mark-in-dispute would conflict with these laws.

WHEREFORE, the Air Force respectfully requests that the Board accept the filing of the attached amicus curie brief.

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Respectfully submitted,



JOEL B. LOFGREN
Massachusetts Bar No. 669242
SIVRAM D. PRASAD, Maj, USAF
Georgia Bar No. 505290
Department of the Air Force
Air Force Legal Operations Agency
Commercial Law & Litigation Directorate
1500 West Perimeter Road, Suite 1780
Joint Base Andrews, MD 20762
(240) 612-6671 (T)
joel.b.lofgren.civ@mail.mil
Attorneys for Amicus Curiae

Attachment:
Proposed *Amicus Curiae* Brief

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

**BRIEF OF THE DEPARTMENT OF THE AIR FORCE
AS *AMICUS CURIAE* IN SUPPORT OF NEITHER PARTY**

Opposition No. 91201830

Serial No. 85/094,889

Mark: Miscellaneous Design (Pilot Flight Suit)

THE CORPS GROUP,

Opposer

v.

AFTERBURNER, INC.,

Applicant

JOEL B. LOFGREN
MAJ SIVRAM D. PRASAD
Attorneys for Amicus Curiae

December 13, 2016

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I. INTRODUCTION

In this opposition proceeding, the Corps Group (“Opposer”) opposes registration by Afterburner, Inc. (“Applicant”) of an “entire pilot flight suit as worn by applicant’s employees and contractors in rendering applicant’s services.” Serial No. 85094889 (“mark-in-dispute”). The parties dispute the similarity of the mark-in-dispute to a flight suit worn as a military uniform by fighter pilots.

The Board may not be aware of the legal framework governing the wear of military uniforms such as flight suits, which includes federal and military regulations prohibiting the wear of military uniforms for commercial purposes. The Air Force submits this brief to advise the Board on the legal framework restricting the wear of military uniforms for commercial purposes and invites the Board to investigate whether any application-relevant activities conflict with federal law.

II. ARGUMENT

A. To qualify for service mark registration, the use of a mark in commerce must be lawful

The Board has “consistently held that, to qualify for a federal service mark registration, the use of a mark in commerce must be ‘lawful.’” *In re Morgan Brown*, 119 USPQ.2d 1350 (TTAB 2016) (affirming refusal to register service mark because applicant’s activities included sales of marijuana in violation of federal law). The USPTO generally presumes that an applicant’s use of a mark in commerce is permitted under federal law. *Id.* This presumption may be overcome in two ways: “(1) a violation of federal law is indicated by the application record or other evidence, such as when a court or a federal agency responsible for overseeing activity in which the applicant is involved, and which activity is relevant to its application, has issued a

finding of noncompliance under the relevant statute or regulations, or (2) when the applicant's application-relevant activities involve a *per se* violation of a federal law." *Id.*

In this amicus brief, the Air Force does not take a position on whether any evidence supports a finding of a violation under the applicable federal laws. Instead, the Air Force submits this brief to advise the Board of the relevant legal framework restricting the wear of military uniforms for commercial purposes. The Air Force invites the Board to investigate whether any activities allegedly covered by the mark-in-dispute would result in a *per se* violation of the relevant federal and military uniform regulations.

B. Federal and military regulations generally prohibit the unauthorized wearing of military uniforms for commercial purposes

Federal statutes broadly prohibit the unauthorized wear of military uniforms. *See* 18 U.S.C. § 702 (2012); 10 U.S.C. §§ 771-772 (2012). The unauthorized wear of "the uniform or a distinctive part thereof or anything similar to a distinctive part of the uniform of any of the armed forces of the United States" is a federal crime punishable by imprisonment. 18 U.S.C. § 702. Only active duty members of the military may wear "the uniform, or a distinctive part of the uniform" or "a uniform any part of which is similar to a distinctive part of the uniform of the Army, Navy, Air Force, or Marine Corps." 10 U.S.C. § 771.

To avoid violating the broad prohibitions under these statutes, a party must fall under a relevant constitutional, statutory or regulatory exception authorizing the wear of military uniforms. For example, 10 U.S.C. § 772 authorizes those who are not active duty members of the military to wear uniforms in limited situations. As relevant here, these include:

(c) A retired officer of the Army, Navy, Air Force, or Marine Corps may bear the title and wear the uniform of his retired grade.¹

(d) A person who is discharged honorably or under honorable conditions from the Army, Navy, Air Force, or Marine Corps may wear his uniform while going from the place of discharge to his home, within three months after his discharge.

(e) A person not on active duty who served honorably in time of war in the Army, Navy, Air Force, or Marine Corps may bear the title, and, when authorized by regulations prescribed by the President, wear the uniform, of the highest grade held by him during that war.

(f) While portraying a member of the Army, Navy, Air Force, or Marine Corps, an actor in a theatrical or motion-picture production may wear the uniform of that armed force if the portrayal does not tend to discredit that armed force.²

10 U.S.C. § 772(c)–(f).

The federal regulations implementing 10 U.S.C. § 772 also authorize the wearing of military uniforms by former members of the armed forces, including retired members. *See* Wearing of the Uniform, 32 C.F.R. §§ 53.1-53.2 (2016). These authorizations are limited to wearing the uniform on special occasions such as military funerals, weddings, inaugurations, or patriotic parades. 32 C.F.R. § 53.2(b)(1)(i)-(ii). The regulations prohibit wearing the uniform at any other time or for any other purpose. 32 C.F.R. § 53.2(b)(2).

¹ Retired officers, however, are still subject to federal and military uniform regulations if they are subject to the Uniform Code of Military Justice (UCMJ). *See* 10 U.S.C. § 802(a)(4) (2012) (retired members of the armed forces entitled to pay are subject to the UCMJ); 10 U.S.C. § 892 (2012) (any person subject to the UCMJ who violates lawful orders or regulations must be punished as directed by a court-martial).

² The Supreme Court has stricken the latter portion of Section 772(f) as an unconstitutional abridgment of the First Amendment. *Schacht v. United States*, 398 U.S. 58 (1970) (holding that an exception only “if the portrayal does not tend to discredit that armed force” runs afoul of the First Amendment). *Schacht* also noted, however, that a general prohibition on the unauthorized wearing of a military uniform found in 18 U.S.C. § 702 “is a valid statute on its face.” *Id.* at 61.

The federal regulations expressly prohibit wearing uniforms “in connection with the furtherance of . . . private employment or commercial interests, when an inference of official sponsorship for the activity or interest could be drawn.” 32 C.F.R. § 53.2(a)(2). The corresponding Department of Defense (DoD) regulations, borrowing language from the federal regulation, likewise prohibit wearing the uniform for commercial purposes. *See Exhibit A*, Department of Defense Instruction (“DoDI”) 1334.01, *Wearing of the Uniform*, ¶ 3.1.2 (Oct. 26, 2005). The prohibitions on wearing uniforms for commercial purposes apply even to Medal of Honor holders, who may otherwise wear the uniform at their pleasure. *See* 32 C.F.R. § 53.2(c); Ex. A, DoDI 1334.01 ¶ 3.3.

The corresponding Air Force regulations also prohibit current and former members from wearing Air Force uniforms for commercial purposes. *See Exhibit B*, Air Force Instruction (“AFI”) 36-2903, *Dress and Personal Appearance of Air Force Personnel*, ¶¶ 1.4.6-1.4.7 (July 18, 2011)³. As stated in relevant part, AFI 36-2903 instructs:

“1.4. When NOT to wear the Air Force Uniform.

...

1.4.6. When furthering . . . private employment or commercial interest.

1.4.7. While working in an off-duty, civilian capacity.”

The Air Force regulations also restrict unauthorized wear of the Air Force flight suit, or the Flight Duty Uniform⁴, shown below:

³ Excerpts attached as exhibit. For the full instruction see http://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2903/afi36-2903.pdf

⁴ Sister services have also promulgated regulations governing the wear of their flight uniforms. The Army regulation is set forth in Army Regulation (“AR”) 670-1, *Wear and Appearance of Army Uniforms and Insignia*, Chapter 6, *Aircrew Uniform*. The Navy regulation is set forth in NAVPERS 15665I, *United States Navy Uniform Regulations*, ¶ 6803, Flight

Figure 8.1. Flight Duty Uniform.



Exhibit B, AFI 36-2903, p. 108, Figure 8.1, *Flight Duty Uniform*

The Flight Duty Uniform has special status as “authorized functional clothing[.]” AFI 36-2903 ¶ 8.2.1. It may not be worn by any active duty member of the Air Force, but only those who perform “flying, parachutist and missile crew duties” with appropriate aircrew position identifiers. *Id.*

Military courts have strictly penalized violations of the regulations prohibiting the wearing of the uniform for commercial purposes. A military appeals court has affirmed the conviction and 90-day sentence of a Marine sergeant who wore his uniform in a video and photos posted on a commercial pornographic website in connection with off-duty employment. *United States v. Simmons*, 70 M.J. 649 (N-M. Ct. Crim. App. 2012), *review denied*, 71 M.J. 335 (C.M.A. June 14, 2012). *Simmons* held that such activity violated the prohibition on wearing military uniforms for commercial purposes found in DoDI 1334.01. *Id.* As evidence to support the conviction, the appellate court cited the defendant’s admission that he had worn his uniform

Clothing. The Marine Corps regulation is set forth in MCO P1020.34G, *Marine Corps Uniform Regulations*, ¶ 7005, Flight Clothing.

to identify himself as a Marine and that by doing so he had implied an official sanction for those videos and photographs. *Id.* at 653.

C. The Board should consider whether the claimed use for which registration of the mark-in-dispute is sought would amount to a *per se* regulatory violation

In this opposition proceeding, the Corps Group opposes registration by Afterburner, Inc. of the mark-in-dispute, described by applicant as a “three-dimensional depiction of an entire pilot flight suit as worn by applicant’s employees and contractors in rendering applicant’s services.” Application Serial No. 85094889. The mark-in-dispute was assigned a Design Search Code 02.01.24, which includes “men in military uniform . . . Military men; Soldiers.” *Id.* Applicant also proposed the following identification of goods and services for the mark-in-dispute: “Class 035. . . Business management consultancy services” and “Class 041 . . . Providing seminars in motivational and management training; education and entertainment services, namely providing keynote motivation and educational speakers and providing personal and group coaching and learning forums in the field of leadership development.” *Id.*

Opposer alleges that the mark-in-dispute is a uniform worn by military pilots. *See, e.g.*, Notice of Opposition ¶ 10 (mark-in-dispute is a “common, well-known uniform [worn] by a fraternity of fighter pilots”). Opposer asserts that registration of the mark-in-dispute would “impair [Opposer’s] right to have its key employees – all of whom are former fighter pilots – make presentations in flight suits.” Notice of Opposition ¶ 12. Opposer alleges that registration of the mark-in-dispute could prevent it from posting pictures of its employees “wearing the flight suits that they wore when they served in the armed forces” on its website.” *Id.* at ¶ 13.

Applicant admits that Opposer is “like [Applicant],” and is “comprised of former U.S. military fighter pilots who draw on their military training and experience to perform at speaking engagements and conduct training for business clients.” *Amended Answer* at ¶ 5. In a prior state

court proceeding involving the parties, Applicant's CEO testified that "[Applicant's] use of real pilots wearing standard-issue, sage green flight suits during business consulting presentations constituted the most relevant features of [Applicant's] trade dress." *Corps Group v. Afterburner, Inc.*, 779 S.E.2d 383, 395 (Ga. Ct. App. 2015) (holding that Opposer did not infringe on Applicant's trademarks or trade dress).

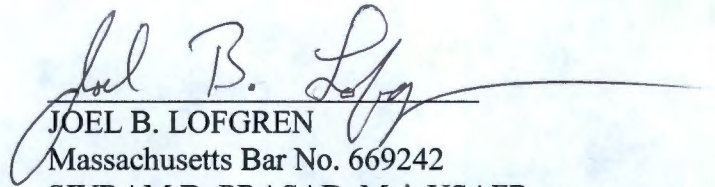
The Air Force invites the Board to investigate and consider the uses for which registration of the mark-in-dispute is sought. The Board should determine whether the proposed uses involve the use of military uniforms such as the Air Force Flight Duty Uniform, or distinctive parts of such uniforms. If so, the Board should consider the legal framework generally prohibiting the unauthorized wear of military uniforms, subject to the relevant constitutional, statutory, and regulatory exceptions. In particular, the Board should consider whether any application-relevant activities would involve a *per se* regulatory violation, including the prohibitions on wearing military uniforms for commercial purposes found in 32 C.F.R. § 53.2(a)(2), DoDI 1334.01 ¶ 3.1.2, and AFI 36-2903 ¶¶ 1.4.6-1.4.7.

III. Conclusion

Federal law, including federal and military uniform regulations, expressly prohibit the wearing of military uniforms for commercial purposes. The Air Force invites the Board to investigate the alleged application-activities and determine whether they would involve a *per se* regulatory violation.

[Signature Block on Next Page]

Respectfully submitted,

A handwritten signature in black ink, reading "Joel B. Lofgren". The signature is written in a cursive style and is positioned above a horizontal line that underlines the name.

JOEL B. LOFGREN

Massachusetts Bar No. 669242

SIVRAM D. PRASAD, Maj, USAFR

Georgia Bar No. 505290

Department of the Air Force

Air Force Legal Operations Agency

Commercial Law & Litigation Directorate

1500 West Perimeter Road, Suite 1780

Joint Base Andrews, MD 20762

(240) 612-6671 (T)

joel.b.lofgren.civ@mail.mil

Attorneys for Amicus Curiae

Exhibit A



Department of Defense INSTRUCTION

NUMBER 1334.01
October 26, 2005

USD(P&R)

SUBJECT: Wearing of the Uniform

References: (a) DoD Directive 1334.1, "Wearing of the Uniform," May 15, 2005 (hereby canceled)
(b) Deputy Secretary of Defense Memorandum, "DoD Directives Review - Phase II," July 13, 2005
(c) Executive Order 10450, April 27, 1953 as amended
(c) Section 772 of title 10, United States Code

1. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) as a DoD Instruction as prescribed by reference (b) and continues to set limitations on wearing of the uniform by members of the Armed Forces. It also continues to establish policy on wearing of the uniform by former members of the Armed Forces.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. POLICY

It is DoD policy that:

3.1. The wearing of the uniform by members of the Armed Forces (including retired members and members of Reserve components) is prohibited under any of the following circumstances:

3.1.1. At any meeting or demonstration that is a function of, or sponsored by an organization, association, movement, group, or combination of persons that the Attorney General of the United States has designated, under Executive Order 10450 as amended (reference (c)), as totalitarian, fascist, communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny others their rights under the Constitution of the United States, or as seeking to alter the form of Government of the United States by unconstitutional means.

3.1.2. During or in connection with furthering political activities, private employment or commercial interests, when an inference of official sponsorship for the activity or interest may be drawn.

3.1.3. Except when authorized by the approval authorities in subparagraph 4.1.1., when participating in activities such as unofficial public speeches, interviews, picket lines, marches, rallies or any public demonstration, which may imply Service sanction of the cause for which the demonstration or activity is conducted.

3.1.4. When wearing of the uniform may tend to bring discredit upon the Armed Forces.

3.1.5. When specifically prohibited by regulations of the Department concerned.

3.2. Former members of the Armed Forces, unless under another provision of this Instruction or under the terms of Section 772 of title 10, United States Code (reference (d)), who served honorably during a declared or undeclared war and whose most recent service was terminated under honorable conditions may wear the uniform in the highest grade held during such war service only on the following occasions and in the course of travel incident thereto:

3.2.1. Military funerals, memorial services, weddings, and inaugurations.

3.2.2. Parades on National or State holidays; or other parades or ceremonies of a patriotic character in which any Active or Reserve United States military unit is taking part.

3.2.3. Wearing of the uniform or any part thereof at any other time or for any other purposes is prohibited.

3.3. Medal of Honor holders may wear the uniform at their pleasure except under the circumstances set forth in paragraph 3.1., above.

4. RESPONSIBILITIES

4.1. The Under Secretary of Defense for Personnel and Readiness and the Principal Deputy Under Secretary of Defense for Personnel and Readiness shall approve the wearing of the uniform for members of the Armed Forces assigned to OSD and the Directors of the Defense Agencies and the Directors of Defense Field Activities for situations under paragraph 3.1.3., and shall ensure the following officials are designed as approval authorities:

4.1.1. The Chairman of the Joint Chiefs of Staff for the Commanders of the Combatant Commands.

4.1.2. The Chairman of the Joint Chiefs of Staff for members of the Armed Forces assigned to the Joint Staff.

4.1.3. The Commanders of the Combatant Commands for members of the Armed Forces assigned to their commands.

4.1.4. The Directors of the Defense Agencies and Directors of Defense Field Activities for the members of the Armed Forces serving within their Agency or Activity.

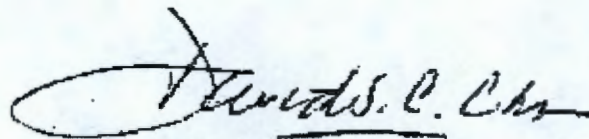
4.1.5. The Secretaries of the Military Departments for members of the Armed Forces serving within their Military Departments.

4.1.6. The Inspector General, Department of Defense, for members of the Armed Forces assigned to the Office of the Inspector General.

4.2. Officials identified in subparagraph 4.1 may delegate their authority to subordinates; however, under no circumstances may a military officer review and approve the wearing of the uniform for himself, herself, or a military superior.

5. EFFECTIVE DATE

This Instruction is effective immediately.



David S. C. Chu
Under Secretary of Defense
(Personnel and Readiness)

Exhibit B

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE INSTRUCTION 36-2903

18 JULY 2011

Incorporating Through Change 4, 28 MAY 2015

Personnel



**DRESS AND PERSONAL APPEARANCE OF
AIR FORCE PERSONNEL**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

ACCESSIBILITY: Publications and forms are available for downloading or ordering on the e-Publishing website at www.e-publishing.af.mil.

RELEASABILITY: There are no releasability restrictions on this publication.

OPR: AFPC/DPSIM

Certified by: AF/A1S
(Brigadier General Eden J. Murrie)

Pages: 190

This instruction implements Title 10 U.S.C., Chapter 45, *The Uniform, Department of Defense Instruction* (DoDI) 1334.1, *Wearing of the Uniform*, and Air Force Policy Directive (AFPD) 36-29, *Military Standards*. It provides responsibilities and standards for dress and personal appearance of all Air Force personnel and, consistent with DoDI 1300.17, *Accommodation of Religious Practices Within the Military Services*, the guidance for requesting religious apparel accommodation. It applies to all active duty Air Force members, members of the Air Force Reserve Command and members of the Air National Guard, retired and separated members. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with (IAW) Air Force Manual (AFMAN) 33-363 *Management of Records*, and disposed of in accordance with the Air Force Records Distribution Schedule (RDS) located at <https://my.af.mil/afrim/afirms/afirms/rims.cfm>. This publication requires the collection and or maintenance of information protected by the Privacy Act of 1974 authorized by Title 10, United States Code (U.S.C), Section 8013, Secretary of the Air Force. The applicable Privacy Act SORN(s) F036 AF PC C, *Military Personnel Records System* is available at <http://privacy.defense.gov/notices/usaf/>. Vigilance must be taken to protect Personally Identifying Information (PII) when submitting or sending nominations, applications or other documents to DoD agencies through government Internet, software applications, systems, e-mail, postal, faxing or scanning. In collaboration with the Chief of Air Force Reserve (AF/RE) and the Director of the Air National Guard (NGB/CF), the Deputy Chief of Staff for Manpower, Personnel, and Services (AF/A1) develops personnel policy for dress and personal appearance programs. The publication may be supplemented at any level; all supplements must be approved by the Human Strategic Council prior to certification and approval.

Refer recommended changes and questions about this publication to Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847 to AFPC Publishing Office, 550 C Street West Suite 48, Randolph AFB Texas 78150-4750, or email afpc.publications@us.af.mil. Processing Supplements: Include all rules for local wear and additional uniform guidance in a supplement to this directive. Refer to AFI 33-360, *Publications and Forms Management*. MAJCOMS approve their base supplements if instructions are within the guidelines of the basic directive. Coordinate any proposals deviating from current policy with Headquarters Air Force Personnel Center, Special Programs Branch, (AFPC/DPSIM), 550 C Street West, Suite 37, Randolph Air Force Base, TX 78150-4737 before incorporating them into the supplement. DPSIM approves all MAJCOM and FOA supplements prior to being published. Ensure all are consistent with this instruction. Upon publication, send one copy and any changes to DPSIM.

Proposed ANG unit supplements are submitted through the state Adjutant General of the Air National Guard Readiness Center, NGB/DPF-FOC, for approval. Each unit sends a copy of its approved published supplement and changes to the appropriate Adjutant General and Air National Guard Bureau Readiness Center, Director of Personnel, upon publication. This publication may be supplemented at any level, but all direct Supplements must be routed to HQ AFPC/DPSIM for coordination prior to certification and approval. Recommended dress and personal appearance policy changes are submitted for consideration by the Air Force Virtual Uniform Board IAW Chapter 13, Paragraph 13.2. Failure to observe prohibitions and mandatory provisions of this Instruction in paragraphs 3.4.1 and 3.4.1.1, 3.4.2, 3.4.2.1 and 3.6.1 by military personnel is a violation of Article 92, *Uniform Code of Military Justice* (UCMJ). Violations may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws. Dress and personal appearance standards that are not listed as authorized in the publication are unauthorized.

SUMMARY OF CHANGES

This interim change revised AFI 36-2903 by updating the verbiage in various paragraphs to incorporate AF/A1 uniform wear policy decisions. Changes provide clarification on other services' qualification badges and morale patches; added wear of the Friday morale undershirt, patches and name tags to Friday, Saturday or Sunday for Reserve and ANG personnel or during special events; added authorization to place officially approved organizational emblems on the front and/or back of the morale undershirt; added guidance that morale undershirt can be worn with the PTU/IPTU on Fridays for AD personnel and on Friday, Saturday or Sundays for AF Reserve/ANG personnel; added Security Forces shield as an optional item to be worn on mess dress; added Fire Protection and Security Forces shield as an optional item for sage green fleece; added white athletic style tank top undershirt as an option for open collared blue shirts and provided clarity to athletic style undershirt; Other minor administrative corrections were made to add clarity as appropriate.

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Chapter 1

GENERAL INFORMATION

1.1. Basic Philosophy and Enforceability.

1.1.1. The Air Force philosophy is that the uniform will be plain, distinctive, and standardized. This standardization includes a minimum and maximum number of authorized badges, insignia, and devices.

1.1.2. Pride in one's personal appearance and wearing the uniform, greatly enhances the esprit de corps essential to an effective military force. Therefore, it is most important for all Airmen to maintain a high standard of dress and personal appearance. The five elements of this standard are neatness, cleanliness, safety, uniformity, and military image. The first four are absolute, objective criteria needed for the efficiency and well-being of the Air Force. The fifth, military image is subjective, but necessary. Appearance in uniform is an important part of military image. Judgment on what is the proper image differs in and out of the military. The American public and its elected representatives draw certain conclusions on military effectiveness based on the image Airmen present. The image must instill public confidence and leave no doubt that Airmen live by a common standard and respond to military order and discipline. The image of a disciplined and committed Airman is incompatible with the extreme, the unusual, and the fad. Every Airman has a responsibility to maintain an "acceptable military image," as well as the right, within limits, to express individuality through his or her appearance.

1.1.3. A very important part of the military image an Airman projects and the impression they create is how he/she wears their uniform. As with other personal appearance standards, the Air Force emphasizes a "neat, clean, professional" image. Members have a responsibility to keep their uniform clean, pressed (excluding the Airman Battle Uniform) and in good repair. Also, members are responsible for knowing the authorized uniform combinations and the correct placement of ribbons, insignia, badges and other uniform items.

1.1.4. Commanders do not have the authority to waive grooming and appearance standards except as identified in **Chapter 3, paragraph 3.1.2.3** of this instruction.

1.2. Wear of the Air Force Uniform.

1.2.1. Except when authorized to wear civilian clothes, Airmen will wear the appropriate Air Force uniform while performing military duties.

1.2.2. Airmen assigned to non-Air Force organizations will wear the Air Force equivalent of the order of dress prescribed. For example, if the non-Air Force organization prescribes a utility uniform as the uniform of the day, assigned Airmen will wear the Airman Battle Uniform.

1.2.3. Airmen attending a military event, either social or official, must wear the appropriate uniform or civilian attire as requested by the host/hostess or directed by the commander.

1.2.4. Commanders will not direct the wear of optional items unless they are provided at no cost to Airmen. Commanders will not prohibit the wear of optional items, except when uniformity is required as identified in **Chapter 2, paragraph 2.10.6** of this instruction.

1.2.5. Airmen may alter uniform clothing to improve fit; however, alterations will not change the intended appearance or required function of the uniform as designed. Individuals may sew down unused pockets but no policy will be established to make it mandatory. **Note:** Maternity uniforms may be worn for up to six months after delivery

1.2.6. Airmen who are separated (other than retired ANG or Reserve) **with** war time service and served honorably in the Air Force, may wear the uniform prescribed at the date of member's discharge or any of the uniforms authorized for current active duty personnel, including the dress uniforms . See **paragraph 12.6.1**

1.2.7. Airmen who are separated (other than retired ANG or Reserve) **without** war time service, may wear the uniform from place of discharge to home, within three months after discharge. They will wear the highest rank authorized at the time of separation. See **paragraph 12.6.2**

1.2.8. Airmen discharged for bad conduct, undesirability, unsuitability, inaptitude, or other than honorably will not wear the Air Force uniform upon discharge.

1.2.9. While portraying a member of the Air Force, an actor in a theatrical or motion-picture production may wear the uniform of the Air Force if the portrayal does not tend to discredit the armed forces. Refer to Title 10 U.S.C. Section 772 (f).

1.2.10. While attending a course of military instruction conducted by the Army, Navy, Air Force, or Marine Corps. IAW AFI 36-801, *Uniforms for Civilian Employees*, a civilian may wear the Air Force uniform equivalent to the uniform prescribed by that armed force if the wear of such uniform is authorized by the Air Education and Training Command (AETC) Commander or sister service equivalent. If worn, civilians will conform to the same standards of appearance, practices, and conduct in uniform prescribed for active duty members.

1.2.11. An instructor or member of the organized cadet corps of a state university or college, a public high school, or an educational institution having a regular course of military instruction in military science and tactics from a member of the Air Force may prescribe wear of an Air Force uniform if it includes distinctive insignia prescribed by the Secretary of the Air Force to distinguish it from the uniform worn by active duty, guard, and reserve Airmen. The uniform prescribed will not include insignia of rank the same as, or similar to, those prescribed for officers in the Army, Navy, Air Force, or Marine Corps.

1.2.12. Officers are authorized to wear the rank insignia of the next higher rank if they have been frocked to that rank. Refer to Title 10 U.S. Code Section 777 for details on being "frocked" to the next higher rank. For ANG State Adjutant Generals, see **Chapter 12, paragraph 12.2.5**; all other Airmen in a "Title 10" status will wear their federally recognized rank at all times.

1.2.13. Authorized headgear will be worn while outdoors unless in an area designated as a "no hat" area by the installation commander or equivalent. Headgear will also be worn indoors by armed Security Forces personnel or others bearing arms while performing duties.

1.3. Optional Wear of the Air Force Uniform.

1.3.1. During Travel. When traveling in an official capacity on commercial air, in CONUS (to include Alaska and Hawaii), the Service Dress uniform (Class A), Blue uniform (Class

B), or Airman Battle Uniform (ABU) may be worn, as appropriate. Wear of the flight duty uniform is not authorized.

1.3.2. When traveling in an official capacity on commercial air overseas, Airmen should first consult the Department of Defense (DoD) foreign clearance guide.

1.3.3. If departing from and arriving at a military airfield via government aircraft or contracted US government commercial flights, any authorized combination of the uniform is appropriate.

1.3.4. If departing from or arriving at commercial airports in CONUS (to include Alaska and Hawaii) any authorized combination of uniform, except the flight duty uniform, is appropriate.

1.3.5. Those choosing to wear civilian clothing in lieu of a uniform during official travel will ensure it is neat, clean, warm enough for in-flight operations, and appropriate for the mode of travel and destination. Examples of inappropriate clothing include: ripped, torn, frayed, or patched clothing, tank tops, extremely short shorts/skirts, undergarments worn as outer garments, bathing suits, and any garments which are revealing or contain obscene, profane, or lewd words or drawings.

1.3.6. Any uniform is authorized while attending off duty education conducted off a military installation.

1.4. When NOT to wear the Air Force Uniform.

1.4.1. At a meeting of, or sponsored by an organization, association, movement, or group that:

1.4.1.1. The Attorney General of the United States has named as totalitarian, fascist, communist or subversive.

1.4.1.2. Advocates or approves acts of force or violence to deny others their rights under the Constitution of the United States.

1.4.1.3. Seeks to change the United States Government by unconstitutional means.

1.4.2. While participating in public speeches, interviews, picket lines, marches or rallies or in any public demonstration when participation may imply Air Force sanction of the cause.

1.4.3. At any public meeting, demonstration, march, rally or interview if the purpose may be to advocate, express or approve opposition to the Armed Forces of the United States.

1.4.4. When it would discredit the Armed Forces.

1.4.5. When discharged for bad conduct, undesirability, unsuitability, inaptitude, or other than honorably, Airmen will not wear the Air Force uniform upon discharge.

1.4.6. While furthering political activities, private employment or commercial interest.

1.4.7. While working in an off-duty, civilian capacity.

1.4.8. While participating in civilian court proceedings when the conviction would bring discredit to the Air Force.

1.4.9. While in civilian attire. Do not mix or wear military unique uniform items with civilian clothes; for example, rank insignia, cap devices, badges, and other US or Air Force

insignia, devices, buttons, etc. **Exception:** Tie tacks and lapel pens are authorized when wearing business attire.

1.4.10. When wearing combinations of uniform items not specifically prescribed in this AFI.

1.4.11. When uniform items do not meet Air Force specifications.

1.4.12. When off base eating at restaurants where most diners wear business attire or at establishments that operate primarily to serve alcohol, do not wear utility type uniforms such as ABUs, etc., or the flight duty uniform.

1.4.13. Air Force personnel may not wear their military uniforms when using frequent flyer miles to upgrade to business or first class. Thus, even when an upgrade to business or first class accommodations is legitimate, military personnel should avoid wearing the uniform to avoid the public perception of the misuse of government travel resources, which generates unnecessary complaints.

1.5. How Members Acquire Uniform Items.

1.5.1. Officers and Enlisted Personnel.

1.5.1.1. Purchase clothing items from the Army and Air Force Exchange Service (AAFES) Military Clothing Sales Stores (MCSS) supplied by the Defense Supply Center Philadelphia (DSCP). For optional items such as pumps, purses, etc, commercial vendors may be used.

1.5.1.2. Do not purchase uniform items from unauthorized manufacturers—if it is not authorized or mentioned in this AFI, then it is not authorized for wear (**Exception:** Allowance Standard (AS) 016 items authorized by commander). The omission of a specific item or appearance standard does not automatically permit its wear.

1.5.2. Officer Personnel. Procure and maintain all items necessary to meet standards of dress for assigned duties and mission requirements.

1.5.3. Enlisted Personnel. Procure and maintain all mandatory clothing items listed in AFI 36-3014, *Clothing Allowances for Air Force Personnel*. Request a civilian clothing allowance in accordance with AFI 36-3014, when required by competent authority to wear civilian clothes (for reasons such as safety or security) while performing assigned duties.

Chapter 8

FLIGHT DUTY UNIFORM

8.1. Flight Duty Uniform (FDU) and Desert Flight Duty Uniform (DFDU) Wear Guidance. The FDU and DFDU are considered organizational clothing and meet unique functional, work requirements and include both distinctive and functional clothing items. Members will sew Velcro on FDU/DFDU and equipment so they can remove any patches/accoutrements during contingencies.

Figure 8.1. Flight Duty Uniform.



8.1.1. Distinctive clothing. For guidance on those items that are unique to the uniform and are worn only when performing the duties for which they are issued see **Chapter 9**.

8.1.2. Functional clothing items such as parkas, protective footwear, specialized winter flight clothing will be issued as required. MAJCOM or installation commanders will prescribe wear instructions in supplements to this instruction.

8.1.3. Exceptions. Organizations requiring exception to FDU/DFDU wear policy should submit an Exception to Policy (ETP) request through their MAJCOM/A3 or equivalent channels to HQ USAF/A3O-AT.

8.1.4. The FDU/DFDU and jackets will be maintained IAW T.O.14P3-1-112, *Maintenance Instructions Nomex Flight Gear, Coveralls, Gloves, Jacket*, and AFI 11-301V1, *Flying Operations*.

8.2. Authorized FDU/DFDU Wear. Personnel authorized wear of the FDU/DFDU will comply with this instruction, as well as applicable MAJCOM supplements, regardless of AFSC or unit of assignment.

Figure 8.2. Desert Flight Duty Uniform.

8.2.1. The FDU/DFDU is authorized functional clothing for wear by individuals who perform flying, parachutist, space and missile crew duties: Flight duty included preparation, preflight, in-flight, post-flight, and other flight related duties associated with aircraft operations. The FDU/DFDU is authorized for wear by personnel with an Aircrew Position Identifier (API) 1 thru 9 and A thru G (Rated Officers, Career Enlisted Aviators (CEA) 1AXXX, and 1U0XX). Additionally, Rated officers assigned to an API-0 and CEA's assigned to API-Z positions that are on active aeronautical orders, or personnel identified as Operations Support/Non-interference flyers currently on active aeronautical orders to perform in-flight aircrew or parachutist duties IAW AFI 11-401, *Aviation Management*, Attach 3. Finally, the FDU/DFDU is authorized for wear by personnel in the following Space/Missile Crew AFSCs: 13SXA, 13SXB, 13SXC, 13SXD, 13SXE, and 1C6XX. Airmen authorized special articles of clothing under an allowance standard will wear the uniform prescribed by the local unit commander and recommended for the type of mission performed. Space and missile crew duties will be defined by MAJCOM supplement to this instruction.

8.2.2. Operations Support/Non-interference flyers. Flight clothing worn by Operations Support/Non-interference flyers is only worn on days when actual flying is planned or anticipated. (The member must be assigned to an aircrew-prefixed manpower position on the UMD).

8.2.3. Personnel not on active aeronautical orders are restricted to flight-related and space and missile crew duties only. **Exception:** Space and missile crew FDU/DFDU wear guidance will be outlined in MAJCOM supplements to this instruction.

8.3. Restrictions.

8.3.1. Staff Personnel. For HAF/DRU/FOA staff personnel authorized and identified in **paragraph 8.2.1.**, may wear their previously issued FDU when it remains serviceable. HAF/DRU/FOA funds will not be expended to issue or replace functional flight clothing. **Exception:** Authorized aircrew members assigned to a flying staff position are exempt from this restriction.

8.3.1.1. HAF staff personnel. Members may wear the FDU/DFDU configured as directed by the DCS or equivalent. If there is no DCS or equivalent guidance, personnel will follow this instruction.

8.3.2. Off-Base Wear. The FDU/DFDU off-base wear will be IAW paragraph 5.1. ABU guidelines for off-base wear.

8.3.3. The DFDU will not be worn as a day-to-day uniform. MAJCOM commander or COMAFFORs may authorize DFDU to be worn during contingencies, exercises, deployments and tactical training operations as appropriate for environmental conditions.

8.3.4. Special Articles of Clothing. Airmen authorized special articles of clothing under an allowance standard will wear the clothing prescribed by the local unit commander and recommended for the type of mission to be performed.

8.3.5. Limited Wear. Wing commanders or equivalent may prescribe further limits on the wear of FDUs based on mission requirements and in the interest of health and welfare of their personnel.

8.3.6. Morale Patches and Tabs. Wing Commanders may authorize the wear of morale patches on the shoulders of the FDU on Fridays, or during special events. AF Reserve and ANG personnel commanders may authorize wear during weekend drills on Friday, Saturday or Sundays or during special events. A morale patch is defined as a design symbol locally developed and displayed. A morale patch will not depict a current or past official organizational emblem or any alteration thereof. Small morale tabs may be worn on the exposed Velcro of the left sleeve when the pen pocket cover is removed; wear is not restricted. Squadron Commanders will approve and maintain a list of acceptable morale patches and tabs for wear by assigned Airmen.

8.3.7. Sleeves. The FDU/DFDU will have sleeves rolled down to the wrist when performing aircrew duties in-flight. Sleeves may be rolled under if not performing in-flight duties; if rolled under the sleeve will not end above the natural bend of the wrist when the wearer's arms are hanging naturally at their side.

8.3.8. Zippers. The centerline zipper of the FDU/DFDU will be closed to no lower than even with the middle of the nametag. All other zippers will be completely closed. **Exception:** The flight cap may be stored in either lower leg pocket without that pocket being fully zipped. A small portion of the cap may be exposed while in the pocket. However, when the cap is removed, the pocket must be fully zipped.

8.3.9. Pen and Pencil Pocket. The pen and pencil pocket cover located on the left sleeve may be removed unless prohibited by MAJCOM supplement or restricted due to safety of flight concerns.

8.4. Flight Clothing Accoutrements.

8.4.1. General Officer Rank Insignia. General Officer (GO) stars on the FDU/DFDU and flight jackets will be centered on the shoulder halfway between the neck and shoulder seam. Generals wear 1-inch stars on flight duty uniforms; ¾-inch stars may be used if there is insufficient room for the 1-inch stars. GO rank insignia will be on base cloth identified in **paragraph 8.4.2.**, GO stars will be Flag Blue cable #67124 and displayed point-to-center.

8.4.2. Rank Insignia (O-1 through O-6). Wear subdued cloth rank insignia on each shoulder of the FDU/DFDU and flight jackets (plastic covered rank insignia is not authorized). Rank will be sewn-on 5/8 inches from the shoulder seam, centered on the shoulder. Officer rank insignia cloth and cable (thread) standards: FDU base cloth is OG 107, Flag Blue cable #67124 except Second Lieutenant and Major which are Brown cable #67136; DFDU base cloth is Khaki 2120, Black cable #67138 except Second Lieutenant and Major which are Brown Cable #67136.

8.4.3. Enlisted rank is included on the nametag of the FDU/DFDU and flight jackets identified in **paragraph 8.4.5**

8.4.4. Both officer and enlisted rank insignia on the Leather A-2 Flying Jacket is on the name tag only. (ref **paragraph 8.5.2.2.**)

8.4.5. Nametags. Cloth nametags for FDU/DFDU and flight jackets will be 2 X 4 inches in size and worn over the left breast pocket. As a minimum, the Aeronautical badge, Space, Cyberspace or missile operations badges (if awarded) are mandatory and nametags will contain individual's name and rank (rank is mandatory for enlisted personnel). Embroidered badges will be consistent in color with MAJCOM approved nametag colors. In the case of subdued nametags, embroidered badges will be black or dark blue in color. MAJCOM supplements to this instruction will standardize nametags (i.e., background/border colors, squadron logos, naming convention, etc.). Nametags for Leather A-2 Flying Jacket will be 2 x 4 inches, brown or black leather, simulated leather. Emboss with silver wings or badges, first and last name, rank, and USAF. Note: Commanders authorized to wear the Command Insignia pin will wear the insignia on the left side of the nametag. The insignia will be worn only while performing commander duties. **Exception:** Wing Commanders may authorize the wear of morale nametags on Fridays or during special events. AF Reserve and ANG personnel commanders may authorize wear during weekend drills on Friday, Saturday or Sundays or during special events. Squadron Commanders will ensure name tags are in good taste and reflect proper military order, discipline, morale, and image.

Figure 8.3. Flight Duty Uniform with Accoutrements.



8.4.6. Right Breast Pocket. MAJCOM or equivalent emblem (ANG emblem may be worn as a MAJCOM equivalent emblem) will be centered above the right breast pocket. MAJCOM or equivalent emblem for the right breast area of the Leather A-2 Flying Jacket will have brown or black leather, simulated leather background.

8.4.7. Left Sleeve. Normally wear the US flag, emblem of appropriate wing, group, or center, positioned no lower than 1 inch from shoulder seam in accordance with MAJCOM supplements to this instruction. Members may wear the Weapons School Patch, USAF Test Pilot School Patch, (graduate or instructor) upon completion of the appropriate school when authorized by MAJCOM supplement to this instruction. If wearing the US flag, it will be red, white, and blue with a straight flag approximately 2 X 3 inches. *Note:* Chapter 1, Title 4, United States Code, specifies the flag colors as red, white, and blue; therefore, subdued flag replicas are not authorized for wear on the FDU/DFDU.

8.4.8. Right Sleeve. The unit emblem (squadron patch) will be worn as authorized through MAJCOM supplement to this instruction. When authorized to fly with another unit, individuals may wear the emblem of the unit they are assigned to for flight duties.

8.4.9. Add-On Patches. MAJCOMs will publish guidance on wear of add-on patches (i.e., flying hour milestone, instructor, flight examiner scroll, etc). Campaign or exercise patches are not authorized. MAJCOM commanders must approve all emblems/patches not specifically addressed in this instruction.

8.4.10. Neckwear. The wear of scarves will be addressed by MAJCOM supplements. When authorized, scarves will be worn around the neck and tucked in.

8.5. Over Garments.

8.5.1. Flight Jacket (Flyers, Jacket CWU-36/P & CWU-45/P). The green Flight Jacket may be worn with the FDU. The green or desert Flight Jacket may be worn with the DFDU. Flight Jackets are required to be zipped at least halfway. *Note:* Flight Jackets will not be worn with service uniforms or ABUs.

Figure 8.4. Flight Jacket.



8.5.1.1. Configure Velcro on the Flight Jacket like the FDU/DFDU.

8.5.1.2. Accoutrements on the Flight Jacket include the nametag, MAJCOM, flag, unit patch or emblem, and rank (officers).

8.5.2. Leather A-2 Flying Jacket. The Leather A-2 Flying Jacket is authorized for wear unless prohibited by MAJCOM supplement or restricted due to safety of flight concerns. Authorized individuals are listed in **paragraph 8.5.2.3 and paragraph 8.5.2.4**. The Leather A-2 Flying Jacket may be worn with service uniform, FDU, or DFDU (not service dress uniform). *Note:* With the exception of the Secretary, and the Under Secretary of the Air Force, it is not to be worn with civilian clothes.

8.5.2.1. Configure Leather A-2 Flying Jacket Velcro with MAJCOM patch and nametag IAW **paragraph 8.5.1.1 and 8.5.1.2**

8.5.2.2. Leather A-2 Flying Jacket Accoutrements Nametag. The nametag is 2 x 4 inches, brown or black leather, simulated leather. Emboss with wings or qualifying

badge, first and last name, rank, and USAF. Members may add an inside pocket, at their expense, when it does not detract from the external appearance. The wing and star patch maybe worn by individuals not assigned to a MAJCOM. Gloves if worn are will be black leather, knitted, tricot or suede, or a combination of leather, knitted, tricot, and suede. **Note:** Generals (4 Star), regardless of their Air Force Specialty Code are authorized to wear the Leather A-2 Flying Jacket.

Figure 8.5. Leather A-2 Flying Jacket.



8.5.2.3. Authorized Leather A-2 Flying Jacket wear. The Secretary, and the Under Secretary of the Air Force, rated officers, CEA's, and Non-rated Aircrew members who have been permanently awarded an aeronautical badge IAW AFI 11-402, *Aviation and Parachutist Service, Aeronautical Ratings and Badges*, may wear the Leather A-2 Flying Jacket. The aeronautical order permanently awarding the aeronautical badge constitutes authority to wear the Leather A-2 Flying Jacket.

8.5.2.4. Space and Missile Officer and Enlisted. Qualified 13SX officers are authorized wear upon completion of qualification training in one of the following AFSC's 13SXA, 13SXB, 13SXC, 13SXD, 13SXE. Space Systems Operations personnel must complete

qualification training and be certified as a mission ready crewmember in the 1C6XX AFSC.

8.5.2.5. Approval and Waivers. The CSAF is the approval/waiver authority for issue of the Leather A-2 Flying Jacket to all other individuals.

8.5.3. Gortex Parka and Pants. APECS, IRS, Woodland Gore-Tex Jacket, and ECWCS (Woodland pattern) Gortex parka and pants are authorized for wear with the FDU during inclement weather. Gortex parka may be worn without the Gortex pants; however Gortex pants must be worn with parka. For wear and accoutrements see the applicable **paragraphs 6.1.8 through 6.1.13**

8.5.4. Gortex Parka and Pants. APECS, and IRS. Gortex parka and pants are authorized for wear with the DFDU during inclement weather. Gortex parka may be worn without the Gortex pants; however when wearing the Gortex pants, the Gortex parka must be worn. For wear and accoutrements see the applicable paragraphs 6.1.9 or 6.1.10.

8.5.5. Sage Green Fleece and Black Fleece. These items will not be worn as an over garment with the FDU/DFDU.

8.6. Headgear. The flight cap is worn with the FDU as described in paragraphs 6.2.4 through 6.2.4.1.3 of this instruction. **Exception:** See paragraphs 8.6.1 through 8.6.2

8.6.1. Berets. Individuals authorized to wear berets in **paragraphs 9.6, 9.7.3 through 9.7.8** may wear their berets with the FDU/DFDU IAW **paragraph 6.2.5**

8.6.2. Watch Cap. Authorized for wear by aircrew personnel subject to prolonged exposure to adverse weather only. Color is restricted to solid black, dark blue or sage green. When worn, a jacket must also be worn.

8.6.3. Organizational Caps. Organizational caps (ie. Baseball style) are not authorized for wear with the FDU/DFDU. **Exception:** When approved by MAJCOM/CC, aerial demonstration teams, and competitive teams may wear organizational caps while engaged in demonstration and competitions see **paragraph 6.2.10** for wear guidance.

8.7. Undergarments. Undergarments are required with the FDU and DFDU. During flight operations all undergarments, to include cold weather undergarments, must be cotton or fire retardant material and must be on the safe to fly list maintained by Aircrew Flight Equipment (AFE). Undershirts will be crewneck style and tan in color. **Exception:** Wing Commanders may authorize Airmen to wear a designated unit standardized color undershirt on Fridays, or during special events.

8.7.1. Added. Thermal undergarments. Thermal undergarments (i.e., dickies, turtlenecks, and mock necks) will be desert tan, white, black, or cream colored and are authorized for wear with the FDU/DFDU as weather conditions warrant.

8.8. Socks. Socks should be made of cotton or wool. White, black, desert tan/sand, or sage green socks may be worn with either the FDU or DFDU. For wear and description see applicable **paragraphs 6.4.1.1, 6.4.1.2 and 6.4.1.3**

8.9. Footwear. In-garrison, wear any combat boot that is authorized in **paragraph 6.4.3 through 6.4.3.3** For flight operations; follow the authorized aircrew boot guidance IAW AFI 11-301V1. Lace-up zipper inserts may be used. The black or sage green boot is authorized for

wear with the FDU. The desert tan/sand colored boot is the only color authorized with the DFDU. **Note:** The phase out date for the black combat boot with the FDU is 1 November 2011 (ref **attachment 6**).

8.9.1. Boots. Flying, extreme cold, Sorrel Premium, Mukluks, as well as vapor barrier thermal are authorized for wear during winter flight operations at the discretion of the unit commander.

8.10. Gloves. In-garrison glove wear is IAW **paragraph 6.3.8.1** Gloves may be worn with FDU/DFDU without outer garments. Flight Gloves will be worn IAW AFI 11-301V1 and applicable AFI 11-202V3, *General Flight Rules*. (**Note:** Flight gloves are a functional wear item not worn beyond functional area.)

8.11. Cell phone, Pager and Personal Digital Assistant. These devices will be worn IAW **paragraphs 6.3.3, 6.3.3.1, and 6.3.3.2** *Handheld Electronic Devices*.

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFPD 36-29, *Military Standards*, 29 October 2009

AFI 11-202V3, *General Flight Rules*, 22 Oct 2010

AFI 11-301V1, *Flying Operations*, 25 February 2009

AFI 11-401, *Aviation Management*, 10 December 2010

AFI 11-402, *Aviation and Parachutist Service, Aeronautical Ratings and Badges*, 13 December 2010

AFI 33-363, *Management of Records*, 1 March 2008

AFI 34-1201, *Protocol*, 4 October 2006

AFI 36-2109, *Chief Master Sergeant of the Air Force and Command Chief Master Sergeant Programs*, 13 August 2007

AFI 36-2113, *The First Sergeant*, 19 December 2007

AFI 36-2241, *Professional Development Guide*, 1 July 2009

AFI 36-2803, *The Air Force Awards and Decorations Program*, 15 June 2001

AFI 36-3014, *Clothing Allowances for Air Force Personnel*, 22 May 2007

AFI 36-801, *Uniforms for Civilian Employees*, 29 April 1994

AFI 52-102V1, *Chaplain Professional Development*, 5 October 2007

AFI 52-102V2, *Chaplain Assistant Professional Development*, 24 April 2009

AFMAN 31-201V3, *Flight Operations*, 24 August 2009

DoDI 1334.1, *Wearing of the Uniform*, 26 October 2005

DoDI 1300.17, *Accommodation of Religious Practices Within the Military Services*, 10 February 2009

Department of Defense (DoD) foreign clearance guide

T.O.14P3-1-112, *Maintenance Instructions Nomex Flight Gear, Coveralls, Gloves and Jacket*

Chapter 1, Title 4, United States Code

Prescribed Forms

AF Form 4428, *Air Force Tattoo/Brand/Body Marking Screening/Verification Form*

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

Acronyms and Abbreviations

AAFES—Army and Air Force Exchange Services

ABU—Airman Battle Uniform
AC—Administrative Change
ACC—Air Combat Command
AD—Active Duty
AETC—Air Education and Training Command
AF—Air Force
AFB—Air Force Base
AFCFM—Air Force Career Field Manager
AFCYBER—Air Force Cyber Command
AFI—Air Force Instruction
AFMAN—Air Force Manual
AFMA—Air Force Manpower Agency
AFMC—Air Force Material Command
AFOSI—Air Force Office of Special Investigations
AFPC—Air Force Personnel Center
AFPD—Air Force Policy Directive
AFR—Air Force Reserve
AFRC—Air Force Reserve Command
AFROTC—Air Force Reserve Officer Training Corps
AFS—Air Force Specialty
AFSC—Air Force Specialty Code
AFSOC—Air Force Special Operations Command
AFSPC—Air Force Space Command
AFVUB—Air Force Virtual Uniform Board
AMC—Air Mobility Command
AMLO—Air Mobility Liaison Officer
ANG—Air National Guard
AOR—Area of Responsibility
APECS—All-Purpose Environmental Clothing System
ARC—Air Reserve Component
BDU—Battle Dress Uniform
CAC—Common Access Card

CAFSC—Career Air Force Specialty Code
CCDR—Combatant Commander
CEM—Chief Enlisted Manager
CFETP—Career Field Education and Training Plan
CGO—Company Grade Officer
CMSAF—Chief Master Sergeant of the Air Force
COCOM—Combatant Command
CSAF—Chief of Staff of the Air Force
CC—Commander
CCC—Command Chief / Senior Enlisted Leader / Senior Enlisted Advisor
CL—Civilian Leader / Director
CSS—Commander Support Staff
DAFSC—Duty Air Force Specialty Code
DCS—Deputy Chief of Staff
DoD—Department of Defense
DoDD—Department of Defense Directive
DoDI—Department of Defense Instruction
DOS—Date of Separation
DRU—Direct Reporting Unit
DSCP—Defense Supply Center Philadelphia
ECWCS—Extended Cold Weather Clothing System
EOD—Explosive Ordnance Disposal
EM—Emergency Management
ETP—Exception-to-Policy
FA—Fitness Assessment
FOA—Field Operating Agency
FSS—Force Support Squadron
GCC—Geographic Combatant Commander
HAF—Headquarters Air Force
HQ—Headquarters
IAW—In Accordance With
IC—Interim Change

IDEA—Innovated Development through Employee Awareness

IEE—Individual Equipment Element

IPM—Individual Program Manger

IPDS—IDEA Program Data System

IRS—Improved Rain Suit

JCS—Joint Chiefs of Staff

JFACC—Joint Forces Air Component Commander

JFC—Joint Force Commander

MAJCOM—Major Command

MCSS—Military Clothing Sales Store

MPF—Military Personnel Flight

NAF—Numbered Air Force

NATO—North Atlantic Treaty Organization

NGB—National Guard Bureau

NORAD—North American Aerospace Defense Command

OPR—Office of Primary Responsibility

OSD—Office of the Secretary of Defense

PACAF—Pacific Air Forces

PAFSC—Primary Air Force Specialty Code

PCA—Permanent Change of Assignment

PCS—Permanent Change of Station

PME—Professional Military Education

PTU—Physical Training Uniform

ROTC—Reserve Officer Training Corps

SECAF—Secretary of the Air Force

SECDEF—Secretary of Defense

SPDP—Space Professional Development Program

SPFA—Space Professional Functional Authority

SPMO—Space Professional Management Office

SSS—Staff Summary Staff

TDY—Temporary Duty

UCMJ—Uniform Code of Military Justice

UCR—Uniform Change Request

UN—United Nations

US—United States

USAF—United States Air Force

USAFA—United States Air Force Academy

USAFE—United States Air Forces in Europe

USC—United States Code

USCENTCOM—United States Central Command

USEUCOM—United States European Command

USJFCOM—United States Joint Forces Command

USNORTHCOM—United States Northern Command

USPACOM—United States Pacific Command

USSOCOM—United States Special Operation Command

USSOUTHCOM—United States Southern Command

USSTRATCOM—United States Strategic Command

USTRANSCOM—United States Transportation Command

VUB—Virtual Uniform Board

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

The Corps Group,)
)
)
Opposer,)
)
v.)
)
Afterburner, Inc.)
)

Applicant.)

Date: December 13, 2016

Opposition No. 91201830

Serial No. 85/094,889

Mark: Miscellaneous Design
(Pilot Flight Suit)


CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the forgoing, *Motion Of The Department Of The Air Force For Leave To File Amicus Curiae Brief*, with the proposed brief attached, has been served on Opposer and Applicant, by overnight courier to:

Attn: Michael C. Mason
The Law Office Of Michael C. Mason
1960 Rosecliff Drive NE
Atlanta, GA 30329
Phone: (678) 829-2444
Attorney for Applicant

Attn: J. Kevin Fee
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave NW
Washington, DC 20004
Phone: (202) 739-3000
Attorney for Opposer

Respectfully,


JOEL B. LOFGREN
Massachusetts Bar No. 669242
SIVRAM D. PRASAD, Maj, USAFR
Georgia Bar No. 505290
Department of the Air Force
Air Force Legal Operations Agency
Commercial Law & Litigation Directorate
1500 West Perimeter Road, Suite 1780
Joint Base Andrews, MD 20762
(240) 612-6671 (T)
joel.b.lofgren.civ@mail.mil
Attorneys for Amicus Curiae