

ESTTA Tracking number: **ESTTA551455**

Filing date: **07/31/2013**

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

Proceeding	91209962
Party	Plaintiff Dowco, Inc.
Correspondence Address	Katrina G. Hull Michael Best & Friedrich LLP 100 E. Wisconsin Ave., Ste. 3300 Milwaukee, WI 53202 UNITED STATES mkeipdocket@michaelbest.com, kghull@michaelbest.com, bjsmith@michaelbest.com
Submission	Stipulation of Facts
Filer's Name	Katrina G. Hull
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Signature	/katrinaghull/
Date	07/31/2013
Attachments	13655836_Stiplution_of_Facts_(7-31-2013).PDF(78604 bytes ) 13655773_Exhibits_A-F_to_Stip.PDF(1161863 bytes )

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

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DOWCO, INC.,

Opposer,

Opposition No. 91209962

v.

Application Serial No. 85631068

MICHAEL A. SICILIANO

Applicant.

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**STIPULATION OF FACTS**

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Pursuant to the Board's June 5, 2013 Order in the above-captioned proceeding, Opposer Dowco, Inc. ("Dowco") and Applicant Michael A. Siciliano ("Applicant") stipulate to the following facts and the authenticity and admissibility of Exhibits A through F attached hereto:

1. A true and correct printout, dated July 15, 2013, of Applicant's website located at the [www.hailguardian.com](http://www.hailguardian.com) domain name is attached as Exhibit A-1. A true and correct printout, dated July 31, 2013, of Applicant's website located at the [www.hailguardian.com](http://www.hailguardian.com) domain name is attached as Exhibit A-2.

2. The [www.hailguardian.com](http://www.hailguardian.com) domain name incorporates the word portion of Applicant's HAIL GUARDIAN and Design mark.

3. Before July 31, 2013, Applicant used the [www.hailguardian.com](http://www.hailguardian.com) domain name to redirect to Applicant's website located at the [www.hailstormproducts.com](http://www.hailstormproducts.com) domain name, and a true and correct printout, dated July 15, 2013, of the homepage of Applicant's website located at [www.hailstormproducts.com](http://www.hailstormproducts.com) is attached as Exhibit B.

4. As shown on Exhibit B, Applicant uses the HAIL STORM PRODUCTS & Design mark depicted below to market and promote both protective vehicle covers and mobile and e-mail alert services:



5. As shown on Exhibit B, Applicant uses the HAIL PROTECTOR & Design mark depicted below to market and promote both protective vehicle covers and mobile and e-mail alert services:



6. A true and correct printout, dated July 15, 2013, of Applicant's website located at the [www.hailprotector.com](http://www.hailprotector.com) domain name is attached as Exhibit C.

7. As shown on Exhibit C, Applicant uses the HAIL PROTECTOR & Design mark depicted in paragraph 5 above to promote and market both protective vehicle covers and mobile and e-mail alert services.

8. A true and correct printout, dated July 15, 2013, of the "About" section of Applicant's Facebook page is attached as Exhibit D.

9. A true and correct copy of an e-mail from Applicant to Dowco dated September 14, 2012 is attached as Exhibit E.

10. A true and correct copy of the “Product Line Up” for Applicant’s business, Hail Storm Products, LLC is attached as Exhibit F.

Dated this 31st day of July, 2013.

Respectfully submitted,

MICHAEL BEST & FRIEDRICH LLP  
Attorneys for Opposer Dowco, Inc.

By: /katrina g. hull/  
Billie Jean Smith  
Katrina G. Hull  
100 E. Wisconsin Avenue  
Suite 3300  
Milwaukee, WI 53202

Dated this 31st day of July, 2013.

Applicant Michael A. Siciliano

By: /michael a. siciliano/  
Michael A. Siciliano  
188 Green Meadow Court  
Gunter, TX 75058

**CERTIFICATE OF SERVICE**

I hereby certify that a correct copy of the foregoing Stipulation of Facts has been served on Applicant by sending the same by U.S. Mail to the Correspondent of Record:

Michael A. Siciliano  
188 Green Meadow Ct.  
Gunter, TX 75058-3183

On the 31st day of July, 2013.

\_\_\_\_\_/katrina g hull/  
Katrina G. Hull

**CERTIFICATE OF FILING**

I hereby certify that the said document was filed on the same day with the U.S.P.T.O. by electronically filing through the Electronic System for Trademark Trials and Appeals at <http://esta.uspto.gov>.

On the 31st day of July, 2013.

\_\_\_\_\_/katrina g hull/  
Katrina G. Hull



**You will be automatically redirected in 0 seconds!**

**HAIL GUARDIAN® HAIL ALERT SERVICE is a service of HAIL STORM PRODUCTS LLC.**

**HAIL GUARDIAN® HAIL ALERT SERVICE is not yet available as a "stand alone" hail alert service.**

**Please visit [www.hailstormproducts.com](http://www.hailstormproducts.com) for information on our current product and hail alert service.**



## The webpage cannot be found

HTTP 404

Most likely causes:

- There might be a typing error in the address.
- If you clicked on a link, it may be out of date.

What you can try:

- [Retype the address.](#)
- [Go back to the previous page.](#)
- [Go to and look for the information you want.](#)
- [More information](#)



INVENTORY  
COMING SOON!!

Sign up for  
notification in right  
hand column



Home About Team Biographies Purchase Contact Media Coverage



[Click to Visit](#)



**INVENTORY  
COMING SOON!!  
SIGN UP!**

To be notified when  
**THE HAIL PROTECTOR™** is available.

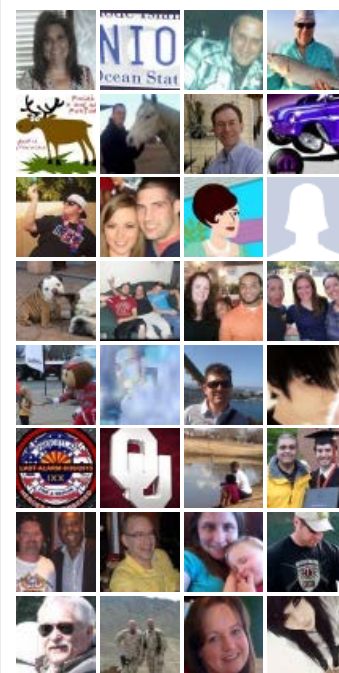
(email address will not  
be shared or spammed)

Body shop repair can last as long as fourteen days. Why not just install and inflate **Hail Protector™** in just minutes?

**Hail Storm Products LLC**

You like this.

You and 851 others like Hail Storm Products LLC. 851 people like Hail Storm Products LLC.



You and 19 others like this. 19 people like this. [Sign Up](#) to see what your friends like.





INVENTORY  
COMING SOON!!

Sign up for  
notification in right  
hand column



Home See It Why? Purchase Media Coverage Accessory Kit

## Home

### ARE YOU TIRED OF BEING A VICTIM OF HAIL AND LIVING IN FEAR OF HAIL DAMAGE?

Hail Protector™ Automobile Hail Protection System, starting from \$299!

- Warns you, via email and/or text, approximately 30 minutes ahead of time when hail or the potential of hail is near one of your registered locations. This customizable subscription is **FREE** to purchasers of THE HAIL PROTECTOR System.
- Powered by "AA" batteries, Cig Lighter Cord or AC outlet, the lightweight, remote-controlled, damage preventing cover installs and activates in just a few minutes!
- Reduces and largely eliminates damage to your car or truck from hail as large as softballs!
- All the design properties of a traditional car cover, including UV, water resistance and the breathability your vehicle requires to prevent moisture and heat build up!



Watch the video below and see how easy it is to use the Hail Protector™ Automobile Hail Protection System!



**INVENTORY  
COMING SOON!!  
SIGN UP!**

To be notified when  
**THE HAIL PROTECTOR™** is available.

(email address will not  
be shared or spammed)

The average cost of hail damage repair is about \$3,118\* per vehicle, but **Hail Protector™** can prevent that damage, starting at only \$299!

*Follow us!*

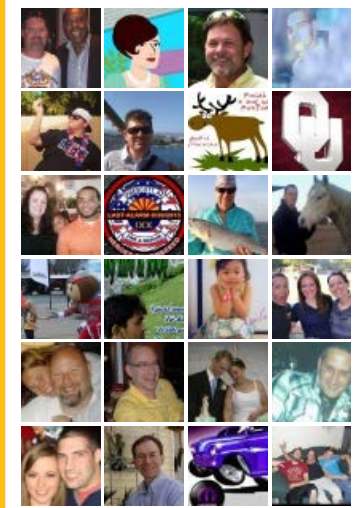


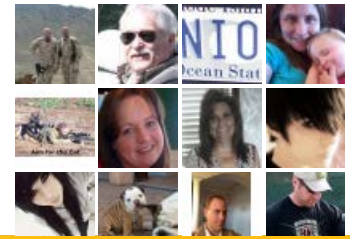
**Hail Storm Products LLC**


Like Like You like this.


Like Like


You and 851 others like Hail Storm Products LLC. 851 people like Hail Storm Products LLC.





 Like Like

 You and one other like this. One person likes this. [Sign Up](#) to see what your friends like.

 Unlike Like



Hail Storm Products LLC

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Like

## About

[www.hailprotector.com](http://www.hailprotector.com)

HAIL STORM PRODUCTS LLC is the developer of The HAIL PROTECTOR™ AUTOMOBILE HAIL PROTECTION SYSTEM. The World's Only Effective Hail Protective Car Cover System.

### Mission

Arm the owners of the 275 million automobiles in the USA and Canada with an automobile hail protective system that largely eliminates the fear and effects of hail damage.

### Company Overview

[www.hailprotector.com](http://www.hailprotector.com)  
car hail protector

### Description

[www.hailprotector.com](http://www.hailprotector.com)  
car hail protector

## Basic Info

**Founded** July 2011

**Location** Gunter, Texas 75058

**Awards** Featured on the television series 'Invention USA' on The History Channel (USA) in November/December 2012. To be featured on the television series 'The Daily Planet' on The Discovery Channel (Canada) in February 2013.

**Products** The Hail Protector™ Automobile Hail Protection System

**Features** Inflatable Car Cover which largely eliminates the fear and effects of hail damage from hail stones even larger than softballs.  
Early Warning Hail Alert Service via Text and Email when hail or the potential for hail is 30 minutes or so from multiple addresses the user may register. Also provide access to the nationwide hail forecast for the day.

## Contact Info

**Phone** (855) 511-4245

**Email** [info@hailstormproducts.com](mailto:info@hailstormproducts.com)

**Website** <http://www.hailprotector.com>

## Page Admins



Zanetta Siciliano

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**Sent:** Friday, September 14, 2012 2:10 AM  
**To:** Charles Webster Jr.  
**Subject:** Dowco Inc and Hail Guardian LLC

Mr. Webster,

Our company will be featured on The History Channel series 'Invention USA' in Dec 2012 on our own 30 min segment (filming complete). Hail Guardian is the worlds only truly hail protective car cover, includes an early warning alert mobile app and also serves as a traditional car cover.

We've been developing Hail Guardian for 4 yrs and are ready to go to market. We came upon Dowco because we filed for trademark on 'Hail Guardian' and the USPTO noted a conflict because of your 'Guardian' products in the cover market. But that's not the reason why we're contacting you.

I googled 'Guardian Covers' and it led me to Dowco. As I looked at your product line, I got to thinking. Since Dowco isn'y presently in the car cover market, working together would be a very good idea for both of us.

Viewership estimates are over 2M on initial airing + reruns + shown in 100 countries. In this link, <http://www.hailguardian.com/news/> you'll find 2 recent interviews in key parts of the country plagued by damaging hail. We have an easy time getting this exposure because of the need for the Hail Guardian solution.

We are in need of a relatively small angel or corporate investment or partnership in order to go to market. We have strong leadership, 3 patents filed including our core utility patent which includes motorcycles, boats, etc. We have a quick path to cash flow positive, our technology and COGS provide a steep barrier to entry by would be competitors and Hail Guardian will immediately disrupt the existing 200k car covers sold every year in the USA.

Would you be open to having a conversation about working together? Dowco Inc's existing products would benefit upon initial airing of the tv series. Imagine the benefit to Dowco by exposure to 2M viewers on initial airing + reruns + 100 countries. 30 mins of tv ads costs millions.

Do hope you will give this some thought. No harm in having a conversation, right? Thanks in advance. -Michael Siciliano

Reply

Not interested

[View Michael's LinkedIn profile](#)

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This email was intended for Chuck Webster Jr. (Owner, DOWCO Inc.). [Learn why we included this](#). © 2012, LinkedIn Corporation. 2029 Stierlin Ct. Mountain View, CA 94043, USA

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**PRODUCT LINE UP**  
**HAIL STORM PRODUCTS LLC**  
November 2012  
Michael Siciliano,  
Principal and Co-Founder

HAIL STORM  
PRODUCTS LLC  
a Texas company

HAIL GUARDIAN®  
HAIL ALERT SERVICE

HAIL PROTECTOR™  
AUTOMOBILE HAIL  
PROTECTION SYSTEM

HAIL PROTECTOR™  
HAIL ALERT SERVICE

HAIL PROTECTOR™  
HAIL PROTECTIVE  
DEVICE

HAIL GUARDIAN® is a registered trademark of HAIL STORM PRODUCTS LLC under International Trademark Class 038 (IC 038. US 100 101 104. G & S: Telecommunication services, namely, providing e-mail notification alerts via the internet)