

ESTTA Tracking number: **ESTTA791576**

Filing date: **12/23/2016**

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 parties oppose registration of the indicated application.

Opposers Information

Name	IPT Global, LLC		
Granted to Date of previous extension	12/25/2016		
Address	16200 Park Row, Suite 350 Houston, TX 77084 UNITED STATES		

Name	Innovative Pressure Testing, LLC		
Entity	limited liability company	Citizenship	Texas
Address	16200 Park Row, Suite 350 Houston, TX 77084 UNITED STATES		

Correspondence information	IPT Global, LLC 16200 Park Row, Suite 350 Houston, TX 77084 UNITED STATES tmhou@conleyrose.com		
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Applicant Information

Application No	86653693	Publication date	06/28/2016
Opposition Filing Date	12/23/2016	Opposition Period Ends	12/25/2016
Applicant	Baker Hughes Incorporated P.O. Box 4740 Houston, TX 772104740 UNITED STATES		

Goods/Services Affected by Opposition


Class 007. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Parts of oilfield wellhead machines, namely, locking mandrels, blanking plugs, seating nipples, and check valves


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	4777912	Application Date	10/03/2013
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Registration Date	07/21/2015	Foreign Priority Date	NONE
Word Mark	SUREPLAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2014/02/15 First Use In Commerce: 2014/02/15 Downloadable software which creates schematics and sets of plans for blowout preventer manifolds, wellbores, and/or to schematically represent pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for implementation, review or to include as part of an application to permit drilling</p>		


U.S. Registration No.	4595571	Application Date	07/18/2013
Registration Date	09/02/2014	Foreign Priority Date	NONE
Word Mark	SURETEC		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 037. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Technical consulting related to the installation of oil and gas equipment Class 041. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Providing training in the use and operation of pressure leak detection software and equipment Class 042. First use: First Use: 2010/12/31 First Use In Commerce: 2010/12/31 Consultation services in the field of oil and gas well testing and diagnostic analysis, namely, consulting on leak detection and pressure analysis in the oil and gas industry; Providing temporary use of on-line non-downloadable software for analyzing pressurized fluid systems and detecting leaks therein</p>		

U.S. Registration	4941233	Application Date	09/10/2015
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No.			
Registration Date	04/19/2016	Foreign Priority Date	NONE
Word Mark	SURETEC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2010/05/01 First Use In Commerce: 2010/05/01 Downloadable software which conducts plan-based pressure tests of blowout preventers, manifolds, wellbore casings, completions equipment and components, formations and barriers and performs analysis and evaluation of pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for reporting, recording and reviewing the test results		

U.S. Registration No.	4717129	Application Date	06/27/2013
Registration Date	04/07/2015	Foreign Priority Date	NONE
Word Mark	SUREVIEW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2013/11/01 First Use In Commerce: 2013/11/01 Providing temporary use of a web-based dashboard software application used to store, view, search and retrieve both real-time and archived data pertaining to oil rig BOP pressure testing status, pressure test analysis and assurance, test evaluation, leak detection, and measurement of key performance indicators on rigs		

U.S. Registration No.	4730267	Application Date	03/25/2014
Registration Date	05/05/2015	Foreign Priority Date	NONE

Word Mark	SUREGUIDE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 037. First use: First Use: 2013/11/05 First Use In Commerce: 2013/11/05 Consulting services in the field of oil and gas well drilling, completion and/or abandonment; consulting on leak detection and pressure analysis in the field of oil and gas wells Class 041. First use: First Use: 2013/11/05 First Use In Commerce: 2013/11/05 Technical training in the use and analysis of downloadable and non-downloadable software in the energy industry; technical training in the use, creation, and analysis of reports pertaining to well drilling, completion and/or abandonment in the oil and gas field; providing training in the use and operation of pressure leak detection software and equipment; technical training on proper review and analysis of schematic reports in the oil and gas industry

U.S. Application No.	87151634	Application Date	08/26/2016
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	SUREFIT
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable software that conducts formation tests including formation integrity tests and leak off tests and performs analysis and evaluation of the results of those formation tests that take place during well drilling and/or completion and/or abandonment, which may then generate a document to be used for reporting, recording and reviewing the test results

Related Proceedings	91229937
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Attachments	86081674#TMSN.png(bytes) 86014091#TMSN.png(bytes) 86752362#TMSN.png(bytes) 85971534#TMSN.png(bytes) 86231342#TMSN.png(bytes) 87151634#TMSN.png(bytes) SUR-SET Notice of Opposition Final.pdf(23768 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by First Class Mail on this date.

Signature	/Matthew R. Moscicki/
Name	IPT Global, LLC
Date	12/23/2016

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

In re U.S. Trademark Application Serial No. 86/653,693 for the mark SUR-SET, filed on March 7, 2016, published on June 5, 2015, and having the current owner of record Baker Hughes Incorporated.

IPT GLOBAL, LLC	§	
	§	
and	§	
	§	
INNOVATIVE PRESSURE TESTING, LLC	§	
	§	
Opposers,	§	
	§	
vs.	§	Opposition No. _____
	§	
BAKER HUGHES INCORPORATED	§	
	§	
Applicant.	§	

NOTICE OF OPPOSITION

IPT Global, LLC, a company organized and existing under the laws of Texas, having a business address of 16200 Park Row, Suite 350, Houston, Texas 77084 and Innovative Pressure Testing, LLC, a company organized and existing under the laws of Texas, having a business address of 16200 Park Row, Suite 350, Houston, Texas 77084 (hereinafter referred to as “Opposers”) believe that they would be damaged by registration of the mark SUR-SET, shown in U.S. Trademark Application Serial No. 86/653,693, and hereby oppose the same under the provisions of the Trademark Act of 1946, § 1063 of Title 15 of the United States Code.

Opposers allege the following as standing to oppose the application and as grounds for the opposition:

1. The opposed U.S. Trademark Application Serial No. 86/653,693 for the mark SUR-SET was filed on June 5, 2015 and published on June 28, 2016 (the “Opposed

Application”). The U.S. Trademark Trial and Appeal Board has granted to Opposers an extension of time to file this opposition through December 25, 2016.

2. The Opposed Application seeks registration of the word mark SUR-SET for the following goods in International Class 007: Parts of oilfield wellhead machines, namely, locking mandrels, blanking plugs, seating nipples, and check valves. The Opposed Application is based on Applicant’s intent to use the mark.

3. Pursuant to the U.S. Trademark Office records, the current owner of the Opposed Application and its address are as follows:

Baker Hughes Incorporated
P.O. Box 4740
Houston, Texas 77210-4740

4. Opposers are commonly owned entities and therefore Innovative Pressure Testing, LLC is in privity with IPT Global, LLC, the party to which extensions of time to oppose the Opposed Application have been granted.

5. Opposers are the owners of a family of U.S. trademarks incorporating the term “SURE” in connection with related goods and services, including five registrations and one pending application which has been approved for publication. Details of Opposers’ marks are summarized in the following chart:

Mark	Reg. Date	Reg./App. Number	Goods/Services
SUREPLAN	7/21/2015	4,777,912	Class 009 - Downloadable software which creates schematics and sets of plans for blowout preventer manifolds, wellbores, and/or to schematically represent pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for implementation, review or to include as part of an application to permit drilling

Mark	Reg. Date	Reg./App. Number	Goods/Services
SURETEC	9/2/2014	4,595,571	<p>Class 037 – Technical consulting related to the installation of oil and gas equipment</p> <p>Class 041 – Providing training in the use and operation of pressure leak detection software and equipment</p> <p>Class 042 – Consultation services in the field of oil and gas well testing and diagnostic analysis, namely, consulting on leak detection and pressure analysis in the oil and gas industry; Providing temporary use of on-line non-downloadable software for analyzing pressurized fluid systems and detecting leaks therein</p>
SURETEC	4/19/2016	4,941,233	<p>Class 009 – Downloadable software which conducts plan-based pressure tests of blowout preventers, manifolds, wellbore casings, completions equipment and components, formations and barriers and performs analysis and evaluation of pressure tests that take place during well drilling, completion and/or abandonment and then generates a document to be used for reporting, recording and reviewing the test results</p>
SUREVIEW	4/7/2015	4,717,129	<p>Class 042 – Providing temporary use of a web-based dashboard software application used to store, view, search and retrieve both real-time and archived data pertaining to oil rig BOP pressure testing status, pressure test analysis and assurance, test evaluation, leak detection, and measurement of key performance indicators on rigs</p>
SUREGUIDE	5/5/2015	4,730,267	<p>Class 037 – Consulting services in the field of oil and gas well drilling, completion and/or abandonment; consulting on leak detection and pressure analysis in the field of oil and gas wells</p> <p>Class 041 – Technical training in the use and analysis of downloadable and non-downloadable software in the energy industry; technical training in the use, creation, and analysis of reports pertaining to</p>

Mark	Reg. Date	Reg./App. Number	Goods/Services
			well drilling, completion and/or abandonment in the oil and gas field; providing training in the use and operation of pressure leak detection software and equipment; technical training on proper review and analysis of schematic reports in the oil and gas industry
SUREFIT	N/A (scheduled to be published January 10, 2017)	87/151,634	Class 009 – Downloadable software that conducts formation tests including formation integrity tests and leak off tests and performs analysis and evaluation of the results of those formation tests that take place during well drilling and/or completion and/or abandonment, which may then generate a document to be used for reporting, recording and reviewing the test results

The five trademark registrations and one trademark application listed above shall hereinafter, collectively, be referred to as Opposers’ “SURE Family of Marks.” The goods and services associated with the SURE Family of Marks and listed in the last column of the above chart, shall hereinafter, collectively, be referred to as the “Recited Products and Services.”

6. Under the “family of marks doctrine”, use of a common prefix, suffix or syllable by a trademark owner may establish that it has a “family” of marks, all of which have the same “surname.” The “surname” of Opposers’ marks is “SURE.”

7. Opposers began using in interstate commerce, SURETEC, the first mark in their SURE Family of Marks, in connection with the associated Recited Products and Services at least as early as May 1, 2010, and such use has been continuous to date.

8. Opposers’ rights to their family of SURE marks predates any rights Applicant can claim to its SUR-SET mark represented by Applicant’s opposed intent-to-use-based Trademark Application Serial No. 86/653,693. Opposers’ earliest filing date for a mark within their SURE Family of Marks is June 27, 2013, which corresponds to their SUREVIEW mark, and is long

prior to the June 5, 2015 filing date of Applicant's opposed intent-to-use-based trademark application.

9. Applicant's goods identified in the Opposed Application are identical, similar or related to the Recited Products and Services of Opposers' SURE Family of Marks, and upon information and belief, Applicant's goods would be sold in the same channels of trade and to the same class of purchasers as Opposers' Recited Products and Services. Consumers and prospective consumers of Applicant's goods are likely to be confused, mistaken or deceived into the belief, contrary to fact, that Applicant's goods, to be sold under the mark opposed herein, emanate from or are in some way sponsored by or affiliated with Opposers, all to Opposers' irreparable damage through loss and/or dilution of that part of their goodwill, which is symbolized by Opposers' SURE Family of Marks.

10. Applicant's opposed SUR-SET mark so resembles Opposers' SURE Family of Marks as to be likely, when applied to Applicant's goods, to cause confusion, to cause mistake or to deceive with respect to Opposers' SURE Family of Marks, and Opposers will be damaged by the registration sought by Applicant.

11. Applicant's opposed SUR-SET mark so resembles Opposers' SURE Family of Marks as to be likely, when applied to Applicant's goods, to dilute Opposers' SURE Family of Marks, and Opposers will be damaged by the registration sought by Applicant.

WHEREFORE, Opposers pray that registration of the mark shown in U.S. Trademark Application Serial No. 86/653,693 be refused and that this Notice of Opposition be sustained in favor of Opposers.

Authorization is hereby granted to the U.S. Patent and Trademark Office to deduct the filing fee for the present opposition in the amount of \$300.00 from Conley Rose Deposit Account No. 32769. Should any additional fees be due, please also charge them to Deposit Account No. 32769.

Respectfully submitted,

Dated: December 23, 2016

/Matthew R. Moscicki/

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ATTORNEYS FOR OPPOSERS
IPT Global, LLC and
Innovative Pressure Testing, LLC

CERTIFICATE OF TRANSMISSION UNDER TBMP 110

I HEREBY CERTIFY that a true and correct copy of this document, *Notice of Opposition*, opposing registration of U.S. Trademark Application Serial No. 86/653,693 for the mark SUR-SET, is being filed electronically through <http://esta.uspto.gov> via the Trademark Trial and Appeal Board Electronic Filing System.

On Friday, the 23rd day of December, 2016.

/Laura A. Brock/

Laura A. Brock

CERTIFICATE OF SERVICE UNDER TBMP 113

I HEREBY CERTIFY that a true and correct copy of the foregoing *Notice of Opposition*, opposing registration of U.S. Trademark Application Serial No. 86/653,693 for the mark SUR-SET, is being sent by First Class U.S. Mail, postage prepaid, to the attorney of record and domestic representative for Applicant, Baker Hughes Incorporated, as follows:

Anthony F. Matheny
Baker Hughes Incorporated
P.O. Box 4740
Houston, Texas 77210-4740
United States

On Friday, the 23rd day of December, 2016.

/Laura A. Brock/

Laura A. Brock