

ESTTA Tracking number: **ESTTA911938**

Filing date: **07/26/2018**

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

Notice of Opposition

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

Opposer Information

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| Name | EMC Corporation |
| Granted to Date of previous extension | 09/02/2018 |
| Address | 176 South Street Hopkinton, MA 01748 UNITED STATES |

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| Attorney information | Wendy C. Larson Pirkey Barber PLLC 600 Congress Ave., Suite 2120 Austin, TX 78701 UNITED STATES Email: wlarson@pirkeybarber.com, smeleen@pirkeybarber.com, eco-mbs@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com |
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Applicant Information

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|--------------------------------|--|---------------------------------|------------|
| Application No | 79212866 | Publication date | 03/06/2018 |
| Opposition Filing Date | 07/26/2018 | Opposition Period Ends | 09/02/2018 |
| International Registration No. | 1356825 | International Registration Date | 04/21/2017 |
| Applicant | SPIRID Creation B.V. Saturnusstraat 60 Den Haag, NL-2516 AH NETHERLANDS | | |

Goods/Services Affected by Opposition

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| <p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Motion sensitive security lights; Personal security alarms; Security and fire alarms; Security control panels and motion detectors; Security lights for outdoor use; Closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications; alarm installations and alarms; Electric and electronic video surveillance and alarm installations; electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles; electronic key cards; Electronic key fobs being remote control apparatus; remote controls for alarm systems; Electronic safes for stored valuables; Fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards; parts for</p> |
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anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, Personal security alarms and component parts thereof; Clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire; Protective headwear against fire, irradiation or accidents, namely, hard hats and helmets; safety protecting masks and filters therefor; safety goggles; mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system; reading glasses and sunglasses and cases therefor; mobile applications for the management of credit cards, passwords, personal data and information

Class 014. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Jewellery; watches, horological and chronometric instruments; key rings, key chains and key holders, all of precious metals; the aforesaid goods either with or without an alarm system for personal use

Class 018. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Leather and imitations of leather; animal skins; trunks and traveling bags; umbrellas, parasols, canes and walking sticks; whips, harness and saddlery; bags, namely, carry-all bags, clutch bags, cosmetic bags and travel bags; rucksacks; leather cases; purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system

Applicant Information

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|--------------------------------|---|---------------------------------|------------|
| Application No | 79207339 | Publication date | 02/13/2018 |
| Opposition Filing Date | 07/26/2018 | Opposition Period Ends | |
| International Registration No. | 1344168 | International Registration Date | 01/12/2017 |
| Applicant | SPIRID Creation B.V. Saturnusstraat 60 Den Haag NL-2516 AH NETHERLANDS | | |

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Motion sensitive security lights; Personal security alarms; Security and fire alarms; Security control panels and motion detectors; Security lights for outdoor use; Closed circuit TV systems for security and surveillance, namely cameras, switchers, monitors, microphones and recorders; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications; alarm installations and alarms; Electric and electronic video surveillance and alarm installations; electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles; electronic key cards; Electronic key fobs being remote control apparatus; remote controls for alarm systems; Electronic safes for stored valuables; Fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards; parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, Personal security alarms and component parts thereof; Clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire; Protective headwear against fire, irradiation or accidents, namely hard hats and helmets; safety protecting masks and filters therefor; safety goggles; mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system; reading glasses and sunglasses and cases therefor; mobile applications for the management of credit cards, passwords, personal data and information

Class 014. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Jewellery; watches, horological and chronometric instruments; key rings, key chains and key holders, all of precious metals; the aforesaid goods either with or without an alarm system for personal use

Class 018. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Leather and imitations of leather; animal skins; trunks and traveling bags; umbrellas, parasols, canes and walking sticks; whips, harness and saddlery; bags, namely carry-all bags, clutch bags, cosmetic bags and travel bags; rucksacks; leather cases; purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system

Applicant Information

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|--------------------------------|---|---------------------------------|------------|
| Application No | 79215002 | Publication date | 07/03/2018 |
| Opposition Filing Date | 07/26/2018 | Opposition Period Ends | 08/02/2018 |
| International Registration No. | 1362051 | International Registration Date | 01/17/2017 |
| Applicant | SPIRID Creation B.V. Saturnusstraat 60 Den Haag NL-2516 AH NETHERLANDS | | |

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Motion sensitive security lights; Personal security alarms; Security and fire alarms; Security control panels and motion detectors; Security lights for outdoor use; Closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications; alarm installations and alarms; Electric and electronic video surveillance and alarm installations; electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles; electronic key cards; Electronic key fobs being remote control apparatus; remote controls for alarm systems; Electronic safes for stored valuables; Fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards; parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, Personal security alarms and component parts thereof; Clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire; Protective headwear against fire, irradiation or accidents, namely, hard hats and helmets; safety protecting masks and filters therefor; safety goggles; mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system; reading glasses and sunglasses and cases therefor; mobile applications for the management of credit cards, passwords, personal data and information

Class 014. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Jewellery; watches, horological and chronometric instruments; key rings, key chains and key holders, all of precious metals; the aforesaid goods either with or without an alarm system for personal use

Class 018. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Leather and imitations of leather; animal skins; trunks and traveling bags; umbrellas, parasols, canes and walking sticks; whips, harness and saddlery; bags, namely, carry-all bags, clutch bags, cosmetic bags sold empty and travel bags; rucksacks; leather cases; purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Wholesale services and retail store services featuring perfumes, colognes, toilet water, fragrances for personal use, essential oils, non-medicated soaps, cosmetics, make-up products, namely, lipsticks, lip glosses, mascaras, eye shadows, eyeliners, blushes, pressed face powders, loose face powders, and foundations, nail care products, namely, nail polish and nail polish remover, non medicated toiletry preparations, non-medicated skin care products, namely, cosmetic creams and lotions for skin care, moisturizing creams, facial masks and skin firming creams and lotions, cosmetic preparations for baths and showers, namely, bath oil, bath salts not for medical purposes, bath beads and bath crystals, talcum powders, hair lotions, shampoos, dentifrices, antiperspirants, deodorants for personal use, shaving articles, namely, shaving soaps, shaving gel and shaving cream, after-shave, after-shave lotions and gels, shoe polish and creams, hair dyes, all purpose cleaning preparations, cosmetics for animals, cleaning and polishing preparations for leather and precious metals, pads impregnated with a detergent for cleaning, motion sensitive security lights, personal security alarms, security and fire alarms, security control panels and motion detectors, security lights for outdoor use, closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders, wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications, alarm installations and alarms, electric and electronic video surveillance and alarm installations, electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles, electronic key cards, electronic keyfobs being remote control apparatus, remote controls for alarm systems, electronic safes for stored valuables, fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, giftcards and identification cards incorporating RFID blocking technology and other magnetically encoded cards, parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, personal security alarms and component parts thereof, clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire, protective headwear against fire, irradiation or accidents, namely, hard hats and helmets, safety protecting masks and filters therefor, safety goggles, mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system, reading glasses and sunglasses and cases therefor, mobile applications for the management of credit cards, passwords, personal data and information, jewellery, watches, horological and chronometric instruments, key rings, key chains and key holders, all of precious metals, the aforesaid goods either with or without an alarm system for personal use, passport covers and passport cases; moneybands in the nature of moneyclips, card holders and receipt clips, copyholders, namely, filefolders, letter files, office stationery, pens, penholders, paper bags and sacks, leather and imitations of leather, animal skins, trunks and traveling bags, umbrellas, parasols, canes and walking sticks, whips, harness and saddlery, bags, namely, carry-all bags, clutch bags, cosmetic bags and travel bags, rucksacks, leather cases, purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system, perfume bottles sold empty and perfume sprayers, cleaning brushes for household use and cleaning pads; Import and export agencies in the field of perfumes, colognes, toilet water, fragrances for personal use, essential oils, non-medicated soaps, cosmetics, make-up products, namely, lipsticks, lip glosses, mascaras, eye shadows, eyeliners, blushes, pressed face powders, loose face powders, and foundations, nail care products, namely, nail polish and nail polish remover, non medicated toiletry preparations, non-medicated skin care products, namely, cosmetic creams and lotions for skin care, moisturizing creams, facial masks and skin firming creams and lotions, cosmetic preparations for baths and showers, namely, bath oil, bath salts not for medical purposes, bath beads and bath crystals, talcum powders, hair lotions, shampoos, dentifrices, antiperspirants, deodorants for personal use, shaving articles, namely, shaving soaps, shaving gel and shaving cream, after-shave, after-shave lotions and gels, shoe polish and creams, hair dyes, all purpose cleaning preparations, cosmetics for animals, cleaning and polishing preparations for leather and precious metals, pads impregnated with a detergent for cleaning, motion sensitive security lights, personal security alarms, security and fire alarms, security control panels and motion detectors, security lights for outdoor use, closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders, wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, secur-


ity, safety and other home and office monitoring and control applications, alarm installations and alarms, electric and electronic video surveillance and alarm installations, electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles, electronic key cards, electronic key fobs being remote control apparatus, remote controls for alarm systems, electronic safes for stored valuables, fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards, parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, personal security alarms and component parts thereof, clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire, protective headwear against fire, irradiation or accidents, namely, hard hats and helmets, safety protecting masks and filters therefor, safety goggles, mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system, reading glasses and sunglasses and cases therefor, mobile applications for the management of credit cards, passwords, personal data and information, jewellery, watches, horological and chronometric instruments, key rings, key chains and key holders, all of precious metals, the aforesaid goods either with or without an alarm system for personal use, passport covers and passport cases; moneybands in the nature of moneyclips, card holders and receipt clips, copyholders, namely, file folders, letterfiles, office stationery, pens, penholders, paper bags and sacks, leather and imitations of leather, animal skins, trunks and traveling bags, umbrellas, parasols, canes and walking sticks, whips, harness and saddlery, bags, namely, carry-all bags, clutch bags, cosmetic bags and travel bags, rucksacks, leather cases, purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system, perfume bottles sold empty and perfume sprayers, cleaning brushes for household use and cleaning pads; the aforesaid services also via the Internet

Grounds for Opposition

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

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| U.S. Registration No. | 1429087 | Application Date | 06/26/1986 |
| Registration Date | 02/17/1987 | Foreign Priority Date | NONE |
| Word Mark | SECURID | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1986/05/23 First Use In Commerce: 1986/05/23 NON-PREDICTABLE CODE CALCULATOR FOR ACCESSING A HOST DATA BANK COMPUTER | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1778802 | Application Date | 11/12/1992 |
| Registration Date | 06/29/1993 | Foreign Priority Date | NONE |
| Word Mark | SECURID | | |
| Design Mark |  | | |

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| Description of Mark | NONE |
| Goods/Services | Class 009. First use: First Use: 1986/05/23 First Use In Commerce: 1986/05/23 computer security device, specifically a non-predictable code calculator for accessing a host data bank computer |

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| Attachments | 74330353#TMSN.png(bytes) Dkt 1 - Consolidated Notice of Opposition.pdf(35357 bytes) |
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| Signature | /Wendy C. Larson/ |
| Name | Wendy C. Larson |
| Date | 07/26/2018 |

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

In Re Serial Nos.

79/215,002, 79/207,339, and 79/212,866 §

Filed: January 17, 2017, January 12, 2017, and §
April 21, 2017 §

Marks: §

SECRID (Ser. No. 79/215,002) §

Classes 9, 14, 18 and 35 only §

Published July 3, 2018 §

SECRID POCKETWEAR §

(Ser. No. 79/207,339) §

Published: February 13, 2018 §

SECRID POCKET-SIZED REVOLUTION §

(Ser. No. 79/212,866) §

Published: March 6, 2018 §

EMC Corporation, §

Opposer, §

v. §

SPIRID Creation B.V., §

Applicant. §

Opposition No. _____

CONSOLIDATED NOTICE OF OPPOSITION

EMC Corporation (“Opposer”), a corporation organized and existing under the laws of the State of Massachusetts, with a business address of 176 South Street, Hopkinton, Massachusetts 01748, believes that it will be damaged by registration of the marks identified above, and hereby opposes same under the provisions of 15 U.S.C. § 1063. Opposer opposes registration of Serial No. 79/215,002 for the goods and services in Classes 9, 14, 18 and 35 only. As grounds for opposition, Opposer asserts that:

1. Opposer EMC Corporation and its predecessors-in-interest have for many years used and promoted the mark SECURID (the “SECURID Mark”) in connection with identity management and user authentication solutions used to confirm that people attempting to access computer networks are authorized to do so. Such solutions include computer security devices, and specifically a non-predictable code calculator for accessing a host data bank computer.

2. Opposer’s use of its SECURID Mark has been continuous and extensive.

3. Opposer’s SECURID Mark is inherently distinctive. Additionally, as a result of Opposer’s use and promotion of its SECURID Mark, it has become widely recognized by consumers. Opposer has invested significant effort and resources in advertising and promoting its SECURID Mark and the goods and services sold under the Mark, with the result that the purchasing public has come to know, rely on, and recognize the goods of Opposer by that Mark. Opposer has established significant goodwill in its SECURID Mark.

4. In addition to its extensive common law rights, Opposer owns the following United States Trademark Registrations covering its SECURID Mark:

| Mark | U.S. Reg. No. |
|--------------------|----------------------|
| SECURID | 1,429,087 |
| SECURID (stylized) | 1,778,802 |

Each of these registrations is valid and subsisting, and both are incontestable pursuant to 15 U.S.C. § 1065.

5. On information and belief, SPIRID Creation B.V. (the “Applicant”) is a private limited liability company, organized under the laws of the Netherlands with a principal place of business at Saturnusstraat, 60 Den Haag, NL-2516 AH Netherlands. Applicant filed U.S. Application Serial Nos. 79/215,002, 79/207,339, and 79,212,866 (the “Applications”) pursuant to Section 66(a) of the Trademark Act, 15 U.S.C. § 1141f, on January 17, 2018, February 13, 2017, March 6, 2018, and,

respectively, for the marks **SECRID**, **SECRID POCKETWEAR**, **SECRID POCKET-SIZED REVOLUTION**, and (the “Applicant’s Marks”). The **SECRID POCKETWEAR** and **SECRID POCKET-SIZED REVOLUTION** Applications both cover “Motion sensitive security lights; Personal security alarms; Security and fire alarms; Security control panels and motion detectors; Security lights for outdoor use; Closed circuit TV systems for security and surveillance, namely cameras, switchers, monitors, microphones and recorders; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications; alarm installations and alarms; Electric and electronic video surveillance and alarm installations; electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles; electronic key cards; Electronic key fobs being remote control apparatus; remote controls for alarm systems; Electronic safes for stored valuables; Fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards; parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, Personal security alarms and component parts thereof; Clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire; Protective headwear against fire, irradiation or accidents, namely hard hats and helmets; safety protecting masks and filters therefor; safety goggles; mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system; reading glasses and

sunglasses and cases therefor; mobile applications for the management of credit cards, passwords, personal data and information” in Class 9; “Jewellery; watches, horological and chronometric instruments; key rings, key chains and key holders, all of precious metals; the aforesaid goods either with or without an alarm system for personal use” in Class 14; and “Leather and imitations of leather; animal skins; trunks and traveling bags; umbrellas, parasols, canes and walking sticks; whips, harness and saddlery; bags, namely carry-all bags, clutch bags, cosmetic bags and travel bags; rucksacks; leather cases; purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system” in Class 18.

The **SECRID** Application covers “Motion sensitive security lights; Personal security alarms; Security and fire alarms; Security control panels and motion detectors; Security lights for outdoor use; Closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications; alarm installations and alarms; Electric and electronic video surveillance and alarm installations; electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles; electronic key cards; Electronic key fobs being remote control apparatus; remote controls for alarm systems; Electronic safes for stored valuables; Fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards; parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and

receivers for remotely operating land vehicles, Personal security alarms and component parts thereof; Clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire; Protective headwear against fire, irradiation or accidents, namely, hard hats and helmets; safety protecting masks and filters therefor; safety goggles; mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system; reading glasses and sunglasses and cases therefor; mobile applications for the management of credit cards, passwords, personal data and information” in Class 9; “Jewellery [sic]; watches, horological and chronometric instruments; key rings, key chains and key holders, all of precious metals; the aforesaid goods either with or without an alarm system for personal use” in Class 14; “Leather and imitations of leather; animal skins; trunks and traveling bags; umbrellas, parasols, canes and walking sticks; whips, harness and saddlery; bags, namely, carry-all bags, clutch bags, cosmetic bags sold empty and travel bags; rucksacks; leather cases; purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system” in Class 18; and “Wholesale services and retail store services featuring perfumes, colognes, toilet water, fragrances for personal use, essential oils, non-medicated soaps, cosmetics, make-up products, namely, lipsticks, lip glosses, mascaras, eye shadows, eyeliners, blushes, pressed face powders, loose face powders, and foundations, nail care products, namely, nail polish and nail polish remover, non medicated toiletry preparations, non-medicated skin care products, namely, cosmetic creams and lotions for skin care, moisturizing creams, facial masks and skin firming creams and lotions, cosmetic preparations for baths and showers, namely, bath oil, bath salts not for medical purposes, bath beads and bath crystals, talcum powders, hair lotions, shampoos, dentifrices, antiperspirants, deodorants for personal use, shaving articles, namely, shaving soaps, shaving gel and shaving cream, after-shave, after-shave

lotions and gels, shoe polish and creams, hair dyes, all purpose cleaning preparations, cosmetics for animals, cleaning and polishing preparations for leather and precious metals, pads impregnated with a detergent for cleaning, motion sensitive security lights, personal security alarms, security and fire alarms, security control panels and motion detectors, security lights for outdoor use, closed circuit TV systems for security and surveillance, namely, cameras, switchers, monitors, microphones and recorders, wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications, alarm installations and alarms, electric and electronic video surveillance and alarm installations, electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles, electronic key cards, electronic key fobs being remote control apparatus, remote controls for alarm systems, electronic safes for stored valuables, fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards, parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, personal security alarms and component parts thereof, clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire, protective headwear against fire, irradiation or accidents, namely, hard hats and helmets, safety protecting masks and filters therefor, safety goggles, mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system, reading glasses and sunglasses and cases therefor, mobile applications for the management of credit cards, passwords,

personal data and information, jewellery [sic], watches, horological and chronometric instruments, key rings, key chains and key holders, all of precious metals, the aforesaid goods either with or without an alarm system for personal use, passport covers and passport cases; moneybands in the nature of moneyclips, card holders and receipt clips, copyholders, namely, file folders, letter files, office stationery, pens, penholders, paper bags and sacks, leather and imitations of leather, animal skins, trunks and traveling bags, umbrellas, parasols, canes and walking sticks, whips, harness and saddlery, bags, namely, carry-all bags, clutch bags, cosmetic bags and travel bags, rucksacks, leather cases, purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system, perfume bottles sold empty and perfume sprayers, cleaning brushes for household use and cleaning pads; Import and export agencies in the field of perfumes, colognes, toilet water, fragrances for personal use, essential oils, non-medicated soaps, cosmetics, make-up products, namely, lipsticks, lip glosses, mascaras, eye shadows, eyeliners, blushes, pressed face powders, loose face powders, and foundations, nail care products, namely, nail polish and nail polish remover, non medicated toiletry preparations, non-medicated skin care products, namely, cosmetic creams and lotions for skin care, moisturizing creams, facial masks and skin firming creams and lotions, cosmetic preparations for baths and showers, namely, bath oil, bath salts not for medical purposes, bath beads and bath crystals, talcum powders, hair lotions, shampoos, dentifrices, antiperspirants, deodorants for personal use, shaving articles, namely, shaving soaps, shaving gel and shaving cream, after-shave, after-shave lotions and gels, shoe polish and creams, hair dyes, all purpose cleaning preparations, cosmetics for animals, cleaning and polishing preparations for leather and precious metals, pads impregnated with a detergent for cleaning, motion sensitive security lights, personal security alarms, security and fire alarms, security control panels and motion detectors, security lights for outdoor use, closed circuit TV systems for security and

surveillance, namely, cameras, switchers, monitors, microphones and recorders, wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, home and office automation systems comprising wireless and wired controllers, controlled devices, and software for lighting, HVAC, security, safety and other home and office monitoring and control applications, alarm installations and alarms, electric and electronic video surveillance and alarm installations, electric and electronic alarm apparatus, systems and installations for protection against theft, other than for vehicles, electronic key cards, electronic key fobs being remote control apparatus, remote controls for alarm systems, electronic safes for stored valuables, fitted protective cases and holders for magnetically encoded public transportation passes, credit cards, admission tickets, gift cards and identification cards incorporating RFID blocking technology and other magnetically encoded cards, parts for anti-theft automotive alarms, namely, electronic sensors, remote control transmitters and receivers for remotely operating land vehicles, personal security alarms and component parts thereof, clothing, protective clothing which prevents the reading of RFID data, footwear, gloves, belts and visors for protection against accidents, irradiation and fire, protective headwear against fire, irradiation or accidents, namely, hard hats and helmets, safety protecting masks and filters therefor, safety goggles, mobile telephones and fitted holders therefor, made of leather, other natural materials or plastic, either with or without an electronic security device or alarm system, reading glasses and sunglasses and cases therefor, mobile applications for the management of credit cards, passwords, personal data and information, jewellery, watches, horological and chronometric instruments, key rings, key chains and key holders, all of precious metals, the aforesaid goods either with or without an alarm system for personal use, passport covers and passport cases; moneybands in the nature of moneyclips, card holders and receipt clips, copyholders, namely, file folders, letter files, office stationery, pens, penholders, paper bags and

sacks, leather and imitations of leather, animal skins, trunks and traveling bags, umbrellas, parasols, canes and walking sticks, whips, harness and saddlery, bags, namely, carry-all bags, clutch bags, cosmetic bags and travel bags, rucksacks, leather cases, purses, key wallets and wallets made of leather, other natural materials or plastic, and either with or without an electronic security device or alarm system, perfume bottles sold empty and perfume sprayers, cleaning brushes for household use and cleaning pads; the aforesaid services also via the Internet” in Class 35. Applicant’s SECURID application also covers certain goods in class 3, 16, and 21 but Opposer does not oppose this application with respect to such goods.

6. Opposer has priority based on its prior use and registration of its SECURID Marks in the United States.

7. Applicant’s goods and services are highly related to the goods for which Opposer has used and registered its SECURID Mark.

8. Applicant’s Marks so resemble Opposer’s SECURID Mark as to be likely, when used in connection with Applicant’s goods and services to cause confusion, or to cause mistake, or to deceive. Indeed, SECURID, the entirety of one of Applicant’s marks and the dominant element of the other two, differs from Opposer’s SECURID Mark by only one letter, and they are phonetically identical. Purchasers and prospective purchasers are likely to believe that the goods and services offered under Applicant’s Marks are sponsored, endorsed, or approved by Opposer, or are in some way affiliated, connected, or associated with Opposer or its goods and services. Registration should therefore be refused under 15 U.S.C. § 1052(d) and 1063.

9. Opposer has not given Applicant permission or approval to use or register Applicant’s Marks.

10. Registration of Applicant’s Marks would damage Opposer because purchasers are

likely to attribute the source or sponsorship of Applicant's goods or services offered under the marks to Opposer.

11. In addition, registration of Applicant's Marks would damage Opposer because it would confer upon Applicant statutory presumptions to which it is not entitled in view of Opposer's prior use and registration of its SECURID Mark.

WHEREFORE, Opposer prays that Application Serial Nos. 79/207,339, and 79/212,866 be rejected, and that registration of the marks therein be refused, and that Application Serial No. 79/215,002 be rejected as to the goods and services in classes 9, 14, 18, and 35, and that registration of the mark therein be refused for such goods and services.

This Consolidated Notice of Opposition is being filed electronically, along with the filing fee required by 37 C.F.R. § 2.6(a)(17). The Commissioner is authorized to draw on the Deposit Account of Pirkey Barber PLLC, Account No. 50-3924/DELL580/WCL, if there is any problem with the processing of the electronically submitted fee.

Respectfully submitted,

Date: July 26, 2018

/Wendy C. Larson/

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