

ESTTA Tracking number: **ESTTA912942**

Filing date: **08/01/2018**

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

Name	American Automobile Association, Inc.		
Entity	Corporation	Citizenship	Connecticut
Address	1000 AAA Drive Heathrow, FL 32746 UNITED STATES		

Correspondence information	Lawrence E. Laubscher, Jr. Laubscher, Spendlove & Laubscher, PC 1160 Spa Road, Suite 2B Annapolis, MD 21403 UNITED STATES Email: llaubscher@laubscherlaw.com, asimonini@laubscherlaw.com, info@laubscherlaw.com
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### Applicant Information

Application No	87551830	Publication date	07/10/2018
Opposition Filing Date	08/01/2018	Opposition Period Ends	08/09/2018
Applicant	AAA WORLD-WIDE ENTERPRISES LTD. 5TH FL., MODERN PLAZA NO. 183 CHUNG-HSIAO EAST RD, SEC 4 TAIPEI TAIWAN		

### Goods/Services Affected by Opposition


Class 011. First Use: 1972/01/02 First Use In Commerce: 1972/01/02 All goods and services in the class are opposed, namely: ARC LAMPS; STANDARD LAMPS; LANTERNS FOR LIGHTING; HANGING LAMPS; THEATRICAL STAGE LIGHTING APPARATUS; LAMPS; ELECTRIC LAMPS; DIVING LIGHTS; LIGHTING APPARATUS FOR VEHICLES; HEADLIGHTS FOR VEHICLES; TAILLIGHTS FOR VEHICLES; HIGH INTENSITY SEARCH LIGHTS; POCKET SEARCH LIGHTS
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

### Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3171606	Application Date	02/07/2006
Registration Date	11/14/2006	Foreign Priority	NONE

		Date	
Word Mark	AAA		
Design Mark			
Description of Mark	The mark consists of AAA in an orbit.		
Goods/Services	Class 011. First use: First Use: 1997/03/01 First Use In Commerce: 1997/03/01 Flashlights		

Attachments	78809064#TMSN.png( bytes ) noa.pdf(127382 bytes )
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Signature	/leljr/
Name	Lawrence E. Laubscher, Jr.
Date	08/01/2018

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

American Automobile Association, Inc.

Opposer

v.

Opposition No.  
Application S/N 87/551,830

AAA World-Wide Enterprises, Ltd.

Applicant

**NOTICE OF OPPOSITION**

In the matter of trademark application Serial No. 87/551,830 for the mark AAA (in an oval) in the color red filed on August 1, 2017 by AAA World-Wide Enterprises, Ltd. (“Applicant”) and published for opposition on July 10, 2018, American Automobile Association, Inc. (“Opposer”) believes that it will be damaged by registration of the mark and hereby opposes registration of the same.

Opposer is a corporation of Connecticut having a principal place of business at 1000 AAA Drive, Heathrow, Florida 32746.

As grounds for opposition, Opposer alleges that:

1. Opposer is an automobile association which has over 50 million members throughout the United States and Canada. It provides numerous goods and services to its members including emergency road service, towing, travel information and travel agency services, and financial and insurance services, and it arranges for its members to obtain discounted purchases and services from third parties for various goods and services including for example, rental cars, hotel reservations, eyewear, attractions, clothing, cellular telephone plans, and prescriptions.
2. Opposer provides its goods and services throughout the United States and Canada. Among the goods provided by Opposer are flashlights which have been provided continuously since at least 1902.
3. Opposer is the owner of the following US trademark registration for its goods and

services:

3171606      AAA (in an oval)

4.      The mark shown in the '606 registration is a revised version of an AAA (in an oval) mark that was adopted by Opposer in 1997. This version replaced a prior AAA (in an oval) mark as shown in expired US registration No. 625, 769. Opposer has been using some version of an AAA (in an oval) mark continuously since 1902. The mark is normally used in a red color.

5.      Opposer's '606 registration identified above is incontestable.

6.      Applicant filed application S/N 87/551,830 for registration on the principal register on August 1, 2017. The application is based on use of the AAA (in an oval) mark in commerce in connection with arc lamps, standard lamps; lanterns for lighting, projector lamps, hanging lamps, theatrical stage lighting apparatus, lamps, electric lamps, diving lights, lighting apparatus for vehicles, headlights for vehicles, taillights for vehicles, search lights, and pocket search lights in Class 11 since January 1, 1972.

7.      Applicant's use and filing dates are well after Opposer's date of first use of its AAA (in an oval) mark.

8.      Applicant's mark AAA (in an oval) mark is similar to Opposer's AAA (in an oval) mark.

9.      The goods recited in the '830 application are closely related to Opposer's goods provided under its AAA (in an oval) mark.

10.     Registration of Applicant's AAA (in an oval) mark to identify its goods in Class 11 is likely to cause confusion, mistake and deception as to the source, origin, sponsorship or association of the services and will damage Opposer in violation of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d).


11.     The grant of a registration to Applicant for Applicant's AAA (in an oval) mark for its goods in Class 11 is inconsistent with and in derogation of Opposer's prior rights and would therefore cause damage and injury to Opposer and deception and confusion of the public.

12.     The grant of a registration to Applicant for Applicant's AAA (in an oval) mark for its goods in Class 11 will dilute the distinctive quality of Opposer's AAA (in an oval) mark and would therefore cause damage and injury to Opposer.

WHEREFORE, Opposer prays that the Opposition be sustained and that registration of Applicant's AAA (in an oval) mark be refused.

Respectfully submitted,

August 1, 2018



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