

ESTTA Tracking number: **ESTTA1094563**

Filing date: **11/10/2020**

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	Solar Turbines Incorporated
Granted to Date of previous extension	11/11/2020
Address	2200 PACIFIC HIGHWAY SAN DIEGO, CA 92101 UNITED STATES

Correspondence information	JONATHAN M. GELCHINSKY PIERCE ATWOOD LLP 254 COMMERCIAL STREET PORTLAND, ME 04101 UNITED STATES Primary Email: trademark@pierceatwood.com 207-791-1100
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Applicant Information

Application No.	88977897	Publication date	07/14/2020
Opposition Filing Date	11/10/2020	Opposition Period Ends	11/11/2020
Applicant	BJ Services, LLC 11211 FM 2920 ROAD TOMBALL, TX 77375 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: Oil and gas well stimulation equipment in the nature of equipment for hydraulic fracturing of oil and gas wells, namely, high-pressure fracturing pumps for use in oil or gas well hydraulic fracturing operations, slurry fracturing blender machines for use in oil or gas well hydraulic fracturing operations, and dry-on-the-fly units for use in oil or gas well hydraulic fracturing operations; oil and gas well equipment for hydraulic fracturing of oil and gas wells, namely, a mobile oil and gas well stimulation system comprised of a turbine engine, compressor, controller, fuel lines, power lines, data communications lines and fluid pumps for supplying fracturing fluid to oil and gas wells

Applicant Information

Application No.	88977898	Publication date	07/14/2020
Opposition Filing Date	11/10/2020	Opposition Period Ends	

Applicant	BJ Services, LLC 11211 FM 2920 ROAD TOMBALL, TX 77375 UNITED STATES
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Applicant Information

Application No.	88977899	Publication date	07/14/2020
Opposition Filing Date	11/10/2020	Opposition Period Ends	
Applicant	BJ Services, LLC 11211 FM 2920 ROAD TOMBALL, TX 77375 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: Oil and gas well stimulation equipment in the nature of equipment for hydraulicfracturing of oil and gas wells, namely, high-pressure fracturing pumps for usein oil or gas well hydraulic fracturingoperations, slurry fracturing blender machines for use in oil or gas well hydraulic fracturing operations, and dry-on-the-fly units for use in oil or gas well hydraulic fracturing operations; oil andgas well equipment for hydraulic fracturing of oil and gas wells, namely, a mobile oil and gas well stimulation system comprised of a turbine engine, compressor, controller, fuel lines, power lines, data communications lines and fluid pumps for supplying fracturing fluid to oil and gas wells

Applicant Information

Application No.	88977900	Publication date	07/14/2020
Opposition Filing Date	11/10/2020	Opposition Period Ends	
Applicant	BJ Services, LLC 11211 FM 2920 ROAD TOMBALL, TX 77375 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: Oil and gas well stimulation equipment in the nature of equipment for hydraulicfracturing of oil and gas wells, namely, high-pressure fracturing pumps for usein oil or gas well hydraulic fracturingoperations, slurry fracturing blender machines for use in oil or gas well hydraulic fracturing operations, and dry-on-the-fly units for use in oil or gas well hydraulic fracturing operations; oil andgas well equipment for hydraulic fracturing of oil and gas wells, namely, a mobile oil and gas well stimulation system comprised of a turbine engine, compressor,
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controller, fuel lines, power lines, data communications lines and fluid pumps for supplying fracturing fluid to oil and gas wells
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Grounds for Opposition

Priority and likelihood of confusion

Trademark Act Section 2(d)

Mark Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	TITAN		
Goods/Services	Gas turbine packages and related products and services in the oil and gas industries.		

Attachments	Notice of Opposition_88977897_88977898_88977899_88977900.pdf(169017 bytes) Exhibit A - TITAN Specification No.1.PDF(394571 bytes) Exhibit A - TITAN Specification No.2.PDF(421135 bytes)
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Signature	/Jonathan M. Gelchinsky/
Name	JONATHAN M. GELCHINSKY
Date	11/10/2020

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

<p style="text-align: center;">SOLAR TURBINES INCORPORATED,</p> <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p style="text-align: center;">BJ SERVICES, LLC,</p> <p style="text-align: center;">Applicant.</p>	<p>Application No.: 88/977,897 Mark: TITAN Filing Date: December 10, 2019</p> <p>Application No.: 88/977,898 Mark: TITAN Filing Date: December 10, 2019</p> <p>Application No.: 88/977,899 Mark: TITAN5 Filing Date: December 10, 2019</p> <p>Application No.: 88/977,900 Mark: TITAN5 Filing Date: December 10, 2019</p>
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NOTICE OF OPPOSITION

Solar Turbines Incorporated (“Opposer”), a Delaware corporation having its principal place of business at 2200 Pacific Highway, San Diego, California 92101, believes that it is being and will be damaged by the registration of the marks shown in U.S. Trademark Application Nos. 88977897, 88977898, 88977899, and 88977900 filed by BJ Services, LLC (“Applicant”), and hereby opposes the same.

As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to Applicant and Applicant’s applied-for marks:

Opposer's TITAN Mark

1. Opposer is one of the world's leading manufacturers of energy conversion machines; and its parent corporation, Caterpillar Inc., is one of the world's largest manufacturers of goods in the oil and gas industries. Opposer designs, manufactures, and services gas turbine engines that play an important role in the development of oil, natural gas, and power regeneration projects in hundreds of countries.

2. Among its various trademarks, Opposer owns and has used the mark TITAN for the promotion and sale of gas turbine packages and related products and services in the oil and gas industries. Opposer's rights in the TITAN mark date back to at least as early as 1997. Printouts of specification documents showing Opposer's use of the TITAN mark for such goods are attached as Exhibit A.

3. Opposer has continuously and extensively used the TITAN mark in commerce in connection with the sale and advertising of its goods and related services since long prior to Applicant's filing dates and any date of first use that Applicant may allege.

4. Opposer has invested considerable amounts of money in advertising and promoting the TITAN mark, and has enjoyed substantial sales in the goods and related services it identifies throughout the United States.

5. Through its continued use in commerce in connection with the advertising, promotion, and sale of Opposer's goods and related services, Opposer's

TITAN mark has acquired considerable public recognition and goodwill, and is an important trademark asset of Opposer.

6. By virtue of Opposer's extensive use and promotion, the TITAN mark and the goods and services it identifies have enjoyed substantial commercial success, and consumers have come to recognize Opposer exclusively as the source of those goods and services.

Applicant and Its Applied-for TITAN Marks

7. Applicant BJ Services, LLC is a Delaware limited liability company with an address of record listed as 11211 FM 2920 Road, Tomball, Texas 77375.

8. On December 10, 2019, Applicant filed Application Nos. 88977897, 88977898, 88977899, and 88977900 to register the marks TITAN, TITAN & Design, TITAN5, and TITAN5 & Design, respectively, each for "Oil and gas well stimulation equipment in the nature of equipment for hydraulic fracturing of oil and gas wells, namely, high-pressure fracturing pumps for use in oil or gas well hydraulic fracturing operations, slurry fracturing blender machines for use in oil or gas well hydraulic fracturing operations, and dry-on-the-fly units for use in oil or gas well hydraulic fracturing operations; oil and gas well equipment for hydraulic fracturing of oil and gas wells, namely, a mobile oil and gas well stimulation system comprised of a turbine engine, compressor, controller, fuel lines, power lines, data communications lines and fluid pumps for supplying fracturing fluid to oil and gas wells" in International Class

7, under Section 1(b), 15 U.S.C. § 1051(b), alleging a bona fide intent to use the marks in commerce.

Likelihood of Confusion, 15 U.S.C. § 1052(d)

9. Opposer repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 8.

10. Opposer has used the TITAN mark in commerce since well prior to the filing dates of the opposed applications and any date of first use that Applicant may allege.

11. Applicant's applied-for marks, which each incorporate Opposer's TITAN mark in its entirety, are identical or nearly identical in appearance, sound, connotation, and overall commercial impression to Opposer's previously used TITAN mark.

12. Application Nos. 88977897, 88977898, 88977899, and 88977900 each recite goods in Class 7 that are closely related to the Class 7 goods and related services covered by Opposer's TITAN mark, and that are presumed to be sold through similar sales channels and to the same classes of consumers.

13. Applicant's applied-for marks so resemble Opposer's previously used TITAN mark as to be likely, when applied to the identified goods, to cause confusion, or to cause mistake, or to deceive under Section 2(d), 15 U.S.C. § 1052(d).

WHEREFORE, for the foregoing reasons, Opposer is being and will be damaged by the registration of the marks shown in Application Nos. 88977897, 88977898, 88977899, and 88977900, and respectfully requests that registration to Applicant be refused, and that this Opposition be sustained in favor of Opposer.

A filing fee of \$1,600 has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge the deficiency to Deposit Account No. 500282.

Respectfully Submitted,

SOLAR TURBINES INCORPORATED

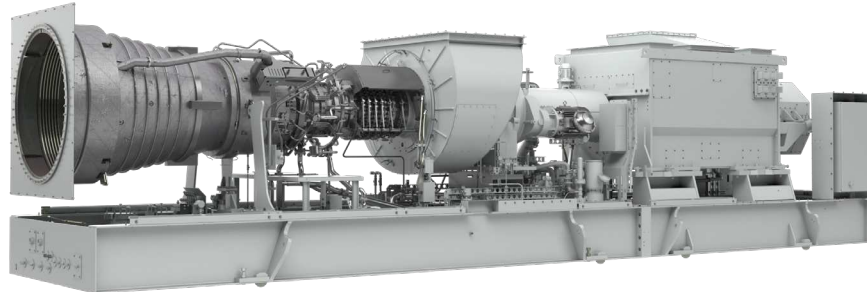
Dated: November 10, 2020

By: /s/ Jonathan M. Gelchinsky

Jonathan M. Gelchinsky
Kyle J. Glover
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Attorneys for Opposer

EXHIBIT A



General Specifications

Titan™ 130 Gas Turbine

- Industrial, Single-Shaft
- 14 Stage Axial Compressor
 - Variable Inlet Guide Vanes and Stators
 - Pressure Ratio: 19.1:1
 - Inlet Airflow: 55.4 kg/sec (122 lb/sec)
 - Vertically Split Case
- Combustion Chamber, Annular-Type
 - 21 Conventional Fuel Injectors
 - 14 Lean-Premixed, Dry Low Emissions SoLoNOx™ Injectors
 - Single Torch Ignitor System
- Power Turbine
 - 3-Stage Reaction
 - Clockwise Rotation
- Bearings
 - 3 Radial Journal: Tilt-Pad
 - 1 Thrust, Active: Tilt-Pad
 - 1 Thrust, Inactive: Fixed Tapered Land
- Coatings
 - Compressor: Inorganic Aluminum
 - Turbine and Nozzle Blades: Platinum Aluminide (Stages 1 and 2)
- Vibration Transducer Type
 - Proximity Probes, 2 per Radial Bearing/ 2 per Thrust Bearing

Main Reduction Drive

- Epicyclic Type
 - 1500 or 1800 rpm (50 or 60 Hz)
 - Vibration monitoring: Acceleration Transducer

Generator

- 4 Pole, 3 Phase, 6 Wire, Wye Connected, Synchronous with Permanent Magnet Generator Exciter
- Available Construction Types:
 - Open Drip-Proof Construction
 - CACA/TEAAC (Closed Air, Cooling Air/ Totally Enclosed, Air to Air Cooling)*
 - CACW/TEWAC (Closed Air, Cooling Water/Totally Enclosed, Water to Air Cooling)*
- Sleeve Bearings
- Vibration Monitoring; Velocity Transducers
- Vibration Monitoring; Displacement Transducers*

- NEMA Class F Insulation
- Class B Temperature Rise*
- Continuous Duty Rating Voltages:
 - 3300, 6600, 11 000 (50Hz)
 - 4160, 6900, 12 470, 13 200, 13 800 (60Hz)

Package

- Mechanical Construction
 - Steel Base Frame with Drip Pans
 - 316L Stainless Steel Piping
 - Compression Type Tube Fittings
- Start System
 - Direct Drive AC Motor with VFD Control
- Package Electrical Certification
 - NEC, CSA Class 1, Group D, Div.2
- Fuel System
 - Natural Gas
 - Diesel*
 - Dual (Natural Gas and Diesel)*
 - Low BTU Gas*
- Integrated Lube Oil System
 - Turbine-Driven Lube Pump
 - AC Motor Driven Pre/Post Lube Pump
 - DC Motor Driven Backup Lube Pump
 - Air to Oil Cooler
 - Water to Oil Cooler*
 - Integral Lube Oil Tank
 - Lube Oil Tank Heater
 - Lube Oil Filter
 - Duplex Lube Oil Filter*
 - Oil Tank Vent Separator with Flame Arrestor
- Air Inlet and Exhaust Systems
 - Carbon Steel
 - Stainless Steel*
 - Barrier Type Filters
 - Self-Cleaning Filters
 - Inlet and Exhaust Silencers
 - Inlet Evaporative Cooler*
 - Inlet Chiller Coils*
- Enclosure
 - Complete Package
 - Driver Only*
 - Fire Detection and CO2 Suppression System
- Turbine Compressor Cleaning Systems

- On-Crank/On-Line
- Portable Cleaning Tank*
- Package Power
 - 120VDC Battery/Charger System
- Turbotronic™ On-Skid Gas Turbine and Generator Control System Features
 - Combination Generator Control Module with Load Share, Auto Synchronization, Voltage Control
 - Standard Display with Discrete Event Log, Strip Chart, Historical Trend, Maintenance Screen
 - Vibration and Temperature Monitoring
 - English Display Text and Labels
 - Spanish, Portuguese, German, French or Simplified Chinese Display Text
 - Auxiliary and Remote Display/Control Terminals*
 - Turbine Performance Map*
 - KW Import Control*
 - KVAR/Power Factor Control*
 - ControlNet Redundant Media, Ethernet or Modbus RS232C/422/485 Supervisory Interface*
 - Heat Recovery Application Interface*
 - Multi-Unit Applications: Load Shed Control, Import/Export or kW/KVAR Control Panels*
 - InSight System™ Equipment Health Management*
 - Printer/Logger*
- Electrical System Options
 - Neutral Grounding Resistor or Transformer*
 - Switchgear and Generator Protective Relay*
 - Motor Control Center with Automatic Transfer Switch*
- Documentation
 - Drawings
 - Quality Control Data Book
 - Inspection and Test Plan
 - Test Reports
 - O&M Manuals
- Factory Testing of Turbine
- Factory Testing of Package Systems
 - Non-Dynamic
 - Dynamic

Performance

Output Power	16 530 kWe
Heat Rate	10 160 kJ/kWe-hr (9630 Btu/kWe-hr)
Exhaust Flow	202 510 kg/hr (446,460 lbs/hr)
Exhaust Temperature	490°C (910°F)

Application Performance

Steam (Unfired)	29.2 tonnes/hr (64,490 lb/hr)
Steam (Fired)	134.1 tonnes/hr (295,730 lb/hr)
1536°C (2800°F)	
Chilling (Absorp.)	25 240 kW (7170 refrigeration tons)

Nominal rating – per ISO
At 15°C (59°F), sea level

No inlet/exhaust losses

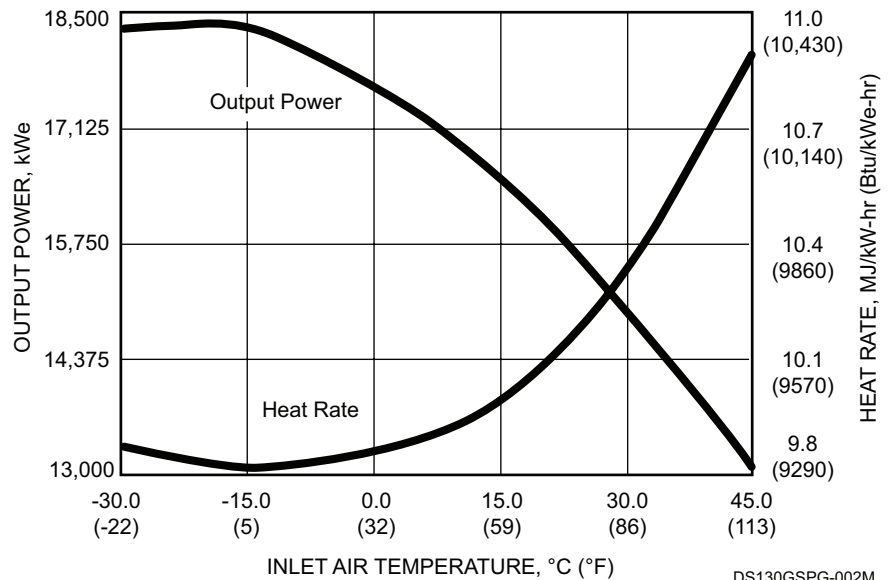
Relative humidity 60%

Natural gas fuel with
LHV = 35 MJ/Nm³ (940 Btu/scf)

No accessory losses

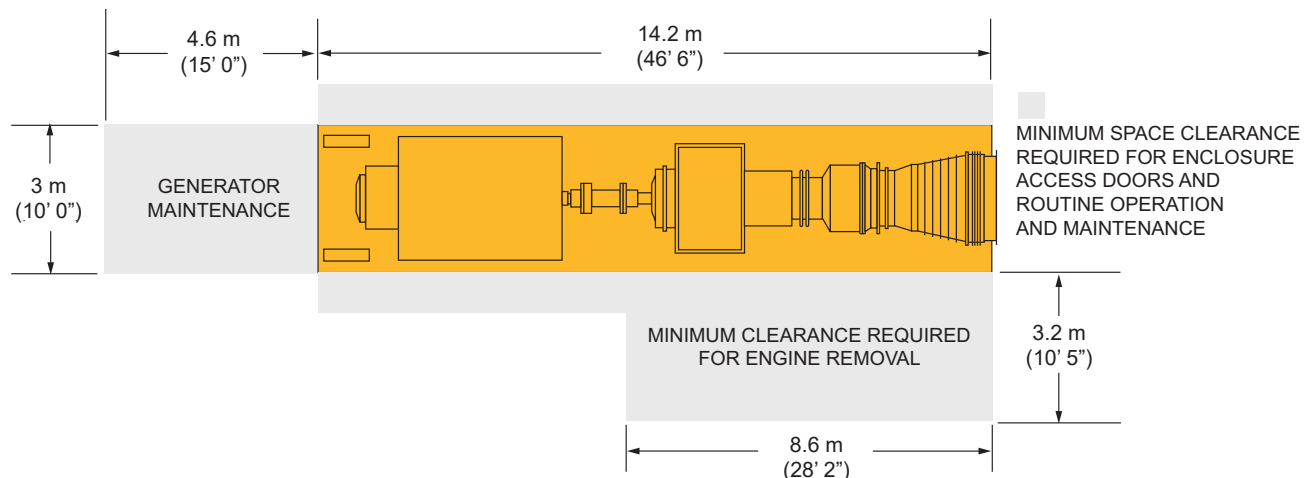
Engine efficiency: 35.4%
(measured at generator terminals)

Available Power*



* SoLoNOx

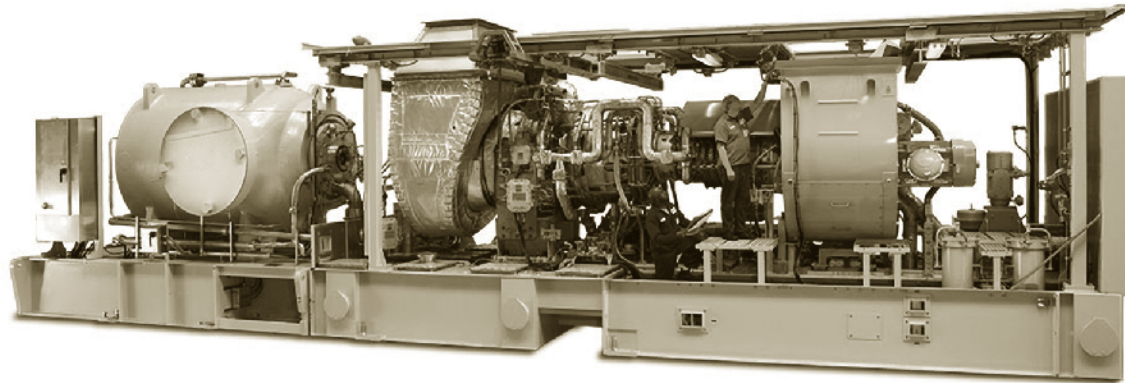
Enclosure Access and Maintenance Space



Package Height: 3.9 m (12' 9")
Package Weight: 87 510 kg (192,925 lb)

Dry weight, unenclosed height

DS130PG-003C



General Specifications

Titan™ 250 Gas Turbine

- Industrial, Two-Shaft
- Axial Compressor
 - 16-Stage
 - Variable Inlet Guide Vane and 5 Variable Guide Vanes
 - Pressure Ratio: 24:1
- Combustion System
 - Annular-Type, Lean-Premixed, Dry, Low Emission (SoLoNOx™)
 - 14 Fuel Injectors (SoLoNOx)
 - Torch Ignitor System
- Gas Generator Turbine
 - 2-Stage, Axial
 - Max. Speed: 10,690 rpm
 - Thrust Bearing, Active: Tilting-Pad
 - Thrust Bearing, Inactive: Fixed Tapered Land
- Power Turbine
 - 3-Stage, Axial
 - Max. Speed: 6500 rpm
 - Full Tilting-Pad Thrust Bearing
- Journal Bearings
 - Tilting-Pad
- Turning Gear
- Coatings
 - Compressor: Inorganic Aluminum
 - Turbine and Nozzle Blades: Precious Metal Diffusion Aluminide
- Vibration Transducer Type
 - Proximity Probes

Key Package Features

- Driver Skid with Drip Pans
- 316L Stainless Steel Piping ≤ 4 " dia.
- Compression-Type Tube Fittings
- Digital Display Panel
- Electrical System Options
 - NEC, Class I, Group D, Div 1, or Div 2
 - ATEX, Zone 2
 - CENELEC, Zone 1
- Turbotronic™ Microprocessor Control System
 - Onskid Control System (Div 2 or ATEX, Zone 2)
 - Freestanding Control Console
 - Color Video Display
 - Vibration Monitoring
- Control Options
 - 120 VDC Battery/Charger System
 - Gas Turbine and Package Temperature Monitoring
 - Serial Link Supervisory Interface
 - Turbine Performance Map
 - Compressor Performance Map
 - Historical Displays
 - Printer/Logger
 - Remote Monitoring and Diagnostics Option
 - Process Controls
 - Compressor Anti-Surge Control
 - Field Programming
- Start Systems
 - Direct-Drive AC
- Natural Gas Fuel System
- Integrated Lube Oil System
 - Turbine-Driven Main Pump
 - AC Motor-Driven Pre/Post Pump
 - DC (120 V) Motor-Driven Backup Pump
 - Oil Cooler and Oil Heater (Options)
 - Tank Vent Separator and Flame Trap
 - Lube Oil Filter
 - DC (120 V) Turning Gear System
- Package Skid Design
 - Optional Modifications for Floating Production Applications
 - Modularized System Design
- Axial Compressor Cleaning Systems
 - On-Crank/On-Line
 - Portable Cleaning Tank
- Gearbox (if applicable)
 - Speed Increaser
 - Speed Decreaser
- Air Inlet and Exhaust System Options (Carbon or Stainless Steel)
- Enclosure and Associated Options
- Documentation
 - Drawings
 - Quality Control Data Book
 - Inspection and Test Plan
 - Test Reports
 - Operation and Maintenance Manuals

Performance

Output Power	23 790 kW (31,900 hp)
Heat Rate	8880 kJ/kW-hr (6725 Btu/hp-hr)
Exhaust Flow	253 440 kg/hr (558,740 lb/hr)
Exhaust Temp.	460°C (865°F)

Nominal rating – per ISO
At 15°C (59°F), at sea level

No inlet/exhaust losses

Relative humidity 60%

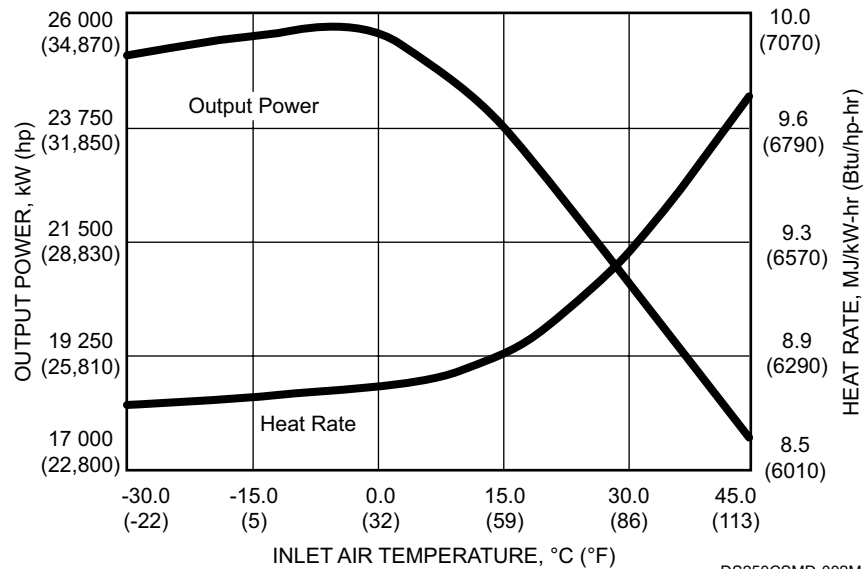
Natural gas fuel with
LHV = 31.5 to 43.3 MJ/nm³
(800 to 1100 Btu/scf)

Optimum power turbine speed

AC-driven accessories

Engine efficiency: 39.9%

Available Power



DS250CSMD-002M

Package Dimensions*

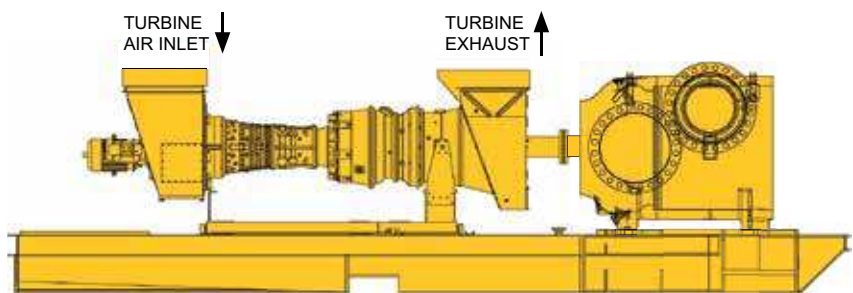
Length: 10.3 m (33' 9")

Width: 3.4 m (11' 1")

Height: 3.9 m (12' 9")

Typical Weight: 49 900 kg (110,000 lb)

*Driver package only, dry weight,
unenclosed height



DS250CS-003CS

Solar Turbines Incorporated
P.O. Box 85376
San Diego, CA 92186-5376

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DS250CS/1118/EO

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