

ESTTA Tracking number: **ESTTA1160241**

Filing date: **09/17/2021**

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	Henkel IP & Holding GmbH		
Entity	Limited Liability Company	Citizenship	Germany
Address	HENKELSTRASSE 67 DUESSELDORF, 40589 GERMANY		
Attorney information	AMY SPAN WERGELES HENKEL CORPORATION ONE HENKEL WAY LEGAL DEPARTMENT ROCKY HILL, CT 06067 UNITED STATES Primary Email: amy.wergeles@henkel.com Secondary Email(s): amy.wergeles@henkel.com, trademarks@henkel.com, lizette.sayah@henkel.com 8604667960		
Docket Number	LOCTITE		

Applicant Information

Application No.	90478718	Publication date	09/14/2021
Opposition Filing Date	09/17/2021	Opposition Period Ends	10/14/2021
Applicant	DIRK HOFFMANN 40 GERMANIASTRASSE, NORDEND OST FRANKFURT, 60389 FED REP GERMANY		


Goods/Services Affected by Opposition

Class 011. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Air filtering installations; Air fryers; Chimney flues; Clothes dryers; Electric air deodorizing apparatus; Electrical induction heating apparatus for heating metal workpieces; Gas scrubbing apparatus; Holding furnaces and melting furnaces for industrial use; Ice machines and apparatus; Refrigerating or freezing showcases; Touchless hand drying apparatus

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	6358733	Application Date	08/22/2018
Registration Date	05/25/2021	Foreign Priority Date	06/05/2018
Word Mark	LOCTITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0 Unprocessed synthetic resins for use in three dimensional (3D) printers; ceramic powders used in manufacturing; unprocessed thermoplastic compounds and thermoset resin compounds for use in 3D printing</p> <p>Class 002. First use: First Use: 0 First Use In Commerce: 0 Filled toner cartridges for 3D printers, filled ink cartridges for 3D printers, printing ink, toner</p> <p>Class 003. First use: First Use: 0 First Use In Commerce: 0 Cleaning preparations; Polishing preparations; Scouring preparations; Abrasive preparations; Adhesive removers; degreasers, other than for use in manufacturing process; cleaning fluid for 3D printers</p> <p>Class 007. First use: First Use: 0 First Use In Commerce: 0 Three dimensional (3D) Printers; Printing machines for commercial or industrial use</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Online software in the nature of downloadable computer software for use in three dimensional scanning and printing of objects; printing and imaging software, namely, computer software for the three-dimensional scanning of objects, editing of such images, and operating and managing three dimensional printers that print such images; imaging hardware, namely, three dimensional (3D) scanners and three-dimensional (3D) capture platforms comprised of three dimensional (3D) scanners containing imbedded software for use in scanning, measuring and capturing images of scanned objects; downloadable computer software that provides web-based access to applications and services for print management</p> <p>Class 017. First use: First Use: 0 First Use In Commerce: 0 Semi-worked plastic composite materials in the nature of processed thermoplastic and thermoset resin compounds and semi-processed thermoplastic and thermoset compounds in pellet and powder form for use in 3D printing</p>		
U.S. Registration No.	4572581	Application Date	03/07/2014
Registration Date	07/22/2014	Foreign Priority	NONE

		Date	
Word Mark	LOCTITE		
Design Mark	<h1>LOCTITE</h1>		
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 2001/10/31 First Use In Commerce: 2001/10/31 Soft solders; solder wire; rods of metal for soldering, brazing and welding		

U.S. Registration No.	3458857	Application Date	02/07/2007
Registration Date	07/01/2008	Foreign Priority Date	NONE
Word Mark	LOCTITE		
Design Mark	<h1>LOCTITE</h1>		
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2007/04/27 First Use In Commerce: 2007/04/27 Adhesive tape for household purposes Class 017. First use: First Use: 2007/03/30 First Use In Commerce: 2007/03/30 Adhesive tape for use in home and building construction, renovation, maintenance, and repair		

U.S. Registration No.	3541790	Application Date	12/08/2004
Registration Date	12/02/2008	Foreign Priority Date	NONE
Word Mark	LOCTITE INSTANT-MIX		

Design Mark	LOCTITE INSTANT- MIX		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 adhesives and epoxies for use in home construction, renovation, maintenance and repair Class 016. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 adhesives and epoxies for use in household do-it-yourself, crafts, and wood-working projects		

U.S. Registration No.	2817934	Application Date	07/31/2001
Registration Date	02/24/2004	Foreign Priority Date	NONE
Word Mark	LOCTITE		
Design Mark	LOCTITE		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2001/07/03 First Use In Commerce: 2001/07/03 construction adhesives		

U.S. Registration No.	2367378	Application Date	08/06/1997
Registration Date	07/18/2000	Foreign Priority Date	NONE
Word Mark	LOCTITE		


Design Mark	LOCTITE
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1996/12/19 First Use In Commerce: 1996/12/19 Automatic dispensers for dispensing household, commercial and/or industrial adhesives and sealants; measuring and dosing systems comprised of radiometers, electrical controllers, regulators, peristaltic hand pumps, pneumatic hand pumps, pneumatic hand-held cartridges, applicators, reservoirs, syringes, needles, roto-discs and solenoid valves for precision application of adhesives and sealants; electrical adapters, electric foot switches and ultraviolet curing systems comprised of electrical power supply units, curing chamber units, flexible wands, lamps and conveyors for use with automatic dispensers which dispense household, commercial and/or industrial adhesives and sealants

U.S. Registration No.	1801777	Application Date	11/25/1991
Registration Date	11/02/1993	Foreign Priority Date	NONE

Word Mark	LOCTITE
Design Mark	<i>LOCTITE</i>
Description of Mark	NONE
Goods/Services	<p>Class 001. First use: First Use: 1956/10/31 First Use In Commerce: 1956/10/31 housemark for a full line of industrial adhesives, adhesives for use in the fields of electronics, medical devices and computers, general purpose adhesives, cyanoacrylate adhesives, adhesives for use in engineering, UV curable adhesives for bonding, encapsulating and sealing applications, acrylic adhesives, thermally conductive adhesives, silicone adhesives, adhesives for use with threaded and cylindrical assemblies, adhesives for use in home repair and improvement, adhesives for use in arts and crafts, adhesives sealants and adhesives for automotive use; a full line of chemical preparations for automotive repair and maintenance</p> <p>Class 003. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 housemark for a full line of industrial cleaning preparations, [cleaning preparations for household use,] automotive cleaning preparations, all purpose cleaning preparations, hand cleaners, cleaning solvents for preparing parts for use with adhesives and sealants and cleaning preparations for gasket removal; a full line of degreasers for industrial use, [degreasers for automotive use,] and general purpose degreasing preparations; [a full line of paint remover preparations;] a full line of rust remover preparations and rust inhibiting preparations</p> <p>Class 016. First use: First Use: 1956/01/00 First Use In Commerce: 1956/01/00 housemark for a full line of household adhesives</p>

	Class 017. First use: First Use: 1956/01/00 First Use In Commerce: 1956/01/00 housemark for a full line of sealants for industrial use, adhesive sealants, silicone sealants, sealants for use with threaded assemblies, sealants for impregnating porous parts, sealants for automotive use, sealants for household use for filling and sealing surfaces and spaces; and a full line of non-metal gasketing materials, anaerobic gasketing preparations, silicone gasketing preparations, and general purpose gasketing preparations (non-metal) for automotive use and for use with machinery and equipment
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U.S. Registration No.	725497	Application Date	01/09/1961
Registration Date	12/26/1961	Foreign Priority Date	NONE
Word Mark	LOCTITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1960/11/29 First Use In Commerce: 1960/11/29 Settable Resinous Liquid Compositions Having Anaerobic Curing Properties-i.e., which Are Essentially Convertible from Liquids to Solids by Exclusion of Air by Confinement Between Closefitting Surfaces		

U.S. Registration No.	1830106	Application Date	06/04/1993
Registration Date	04/12/1994	Foreign Priority Date	NONE
Word Mark	LOCTITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 1963/12/00 First Use In Commerce: 1963/12/00 greases and lubricants for industrial and automotive uses and for use with equipment and machinery		

U.S. Registration No.	952639	Application Date	10/05/1971
Registration Date	02/06/1973	Foreign Priority Date	NONE
Word Mark	LOCTITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U023 (International Class 007, 008). First use: First Use: 1966/00/00 First Use In Commerce: 1966/00/00		

	AUTOMATED AND SEMI-AUTOMATED ASSEMBLY LINE MACHINES FOR HANDLING, CLEANING, AND ASSEMBLING PARTS, AND FOR THE APPLICATION AND METERING OF SEALANTS, ADHESIVES, BONDING AGENTS, LUBRICANTS OR THE LIKE TO SUCH PARTS IN MASS PRODUCTION SYSTEMS AND MANUALLY OPERATED APPLICATORS TO APPLY SEALANTS, ADHESIVES, BONDING AGENTS, LUBRICANTS OR THE LIKE
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U.S. Application No.	90782280	Application Date	06/18/2021
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	LOCTITE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Industrial management consulting</p> <p>Class 037. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Technical support services, namely, technical advice related to industrial adhesives</p> <p>Class 040. First use: First Use: 2020/12/31 First Use In Commerce: 2020/12/31 Manufacturing process consulting; custom manufacture and assembly services; custom assembling of materials for others; custom 3D printing for others; additive manufacturing for others</p> <p>Class 041. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Educational services, namely, conducting online and live programs in the field of industrial, construction, electronic, and consumer adhesives</p> <p>Class 042. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Consulting services in the field of industrial engineering; chemical research and analysis; electronic monitoring of industrial equipment and structural bonds in industrial settings; inventory and supply chain management for chemicals and the sourcing, acquisition, storage, management, and distribution of chemicals</p>
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U.S. Application No.	90785669	Application Date	06/21/2021
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	LOCTITE
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Design Mark	
Description of Mark	The mark consists of the name LOCTITE in red letters, with a white L, O, and C inside the red L, O, and C, respectively.
Goods/Services	<p>Class 035. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Industrial management consulting</p> <p>Class 037. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Technical support services, namely, technical advice related to industrial adhesives</p> <p>Class 040. First use: First Use: 2020/12/31 First Use In Commerce: 2020/12/31 Manufacturing process consulting; custom manufacture and assembly services; custom assembling of materials for others; custom 3D printing for others; additive manufacturing for others</p> <p>Class 041. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Educational services, namely, conducting online and live programs in the field of industrial, construction, electronic, and consumer adhesives</p> <p>Class 042. First use: First Use: 1999/12/31 First Use In Commerce: 1999/12/31 Consulting services in the field of industrial engineering; chemical research and analysis; electronic monitoring of industrial equipment and structural bonds in industrial settings; inventory and supply chain management for chemicals and the sourcing, acquisition, storage, management, and distribution of chemicals</p>

U.S. Application No.	90735497	Application Date	05/26/2021
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LOCTITE PULSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0 Adhesives with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings</p> <p>Class 002. First use: First Use: 0 First Use In Commerce: 0 Coatings with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p>		

	<p>Industrial equipment and structural bond monitoring system comprised of sensor embedded in adhesives, sealants, and coatings, edge device, and on-line cloud application for data monitoring</p> <p>Class 017. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sealants with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Electronic monitoring of industrial equipment and structural bonds in industrial settings</p>
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U.S. Application No.	90792971	Application Date	06/24/2021
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LOCTITE PULSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 007. First use: First Use: 0 First Use In Commerce: 0</p> <p>Machine parts, namely, pipes, flanges, valves, tanks, pumps, motors, gearboxes and related equipment used as part of a structural bond monitoring system</p>		

Attachments	<p>88088544#TMSN.png(bytes)</p> <p>86214282#TMSN.png(bytes)</p> <p>77101778#TMSN.png(bytes)</p> <p>78529252#TMSN.png(bytes)</p> <p>76293214#TMSN.png(bytes)</p> <p>75336771#TMSN.png(bytes)</p> <p>74225312#TMSN.png(bytes)</p> <p>74399385#TMSN.png(bytes)</p> <p>90782280#TMSN.png(bytes)</p> <p>90785669#TMSN.png(bytes)</p> <p>90735497#TMSN.png(bytes)</p> <p>90792971#TMSN.png(bytes)</p> <p>LOCTITE - Notice of Opposition SN 90478718 .pdf(158683 bytes)</p>
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Signature	//Amy Span Wergeles//
Name	Amy Span Wergeles
Date	09/17/2021

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

In the Matter of United States Trademark Application:

Applicant: Dirk Hoffmann

Serial No.: 90/478718

Filed: January 21, 2021

Mark: LOCTITE

Henkel IP & Holding GmbH,	:	
Opposer	:	
	:	Opposition No. _____
vs.	:	
	:	
Dirk Hoffmann,	:	
Applicant	:	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

Henkel IP & Holding GmbH (“Henkel”), a German limited liability company with an address of Henkelstrasse 67, Duesseldorf, Federal Republic of Germany, 40589, believes that it will be damaged by registration of the mark shown in the above-referenced application, which was published in the Official Gazette of September 14, 2021, and hereby opposes issuance of the registration.

As grounds for opposition, Opposer alleges as follows:

1. Opposer and/or its predecessors have used the trademark “LOCTITE” in commerce since at least as early as 1953 in association with adhesives, sealants, surface treatments, and related goods.

2. Since at least as early as 1953, Opposer and/or its predecessors have engaged in the manufacture, distribution and sale of adhesives, sealants, surface treatments and related products in Commerce in conjunction with the LOCTITE trademark, and the mark has been in continuous use by Opposer and/or its predecessors both as an individual mark and as a housemark for such products since that time.

3. Henkel’s LOCTITE mark has been used in connection with hundreds of products, both as product names and on product packaging as a housemark. Products bearing the LOCTITE mark are used in household and DIY uses, as well as a variety of industries. As a result of Henkel’s extensive use and promotion of the LOCTITE mark, the LOCTITE mark has become famous.

4. Opposer is the owner of ten United States Trademark Registrations for the trademark LOCTITE for a variety of products, as well as four pending applications for the mark.

Specifically, Opposer owns the following LOCTITE registrations and applications:

Reg/App Number	Mark	Issue Date	First Use Date	Goods
1801777	LOCTITE & Design <i>LOCTITE</i>	11/2/1993	Classes 1, 16, 17: 1/31/1956 Class 3: 1960	IC 001: Housemark for a full line of industrial adhesives, adhesives for use in the fields of electronics, medical devices and computers, general purpose adhesives, cyanoacrylate adhesives, adhesives for use in engineering, UV curable adhesives for bonding, encapsulating and sealing applications, acrylic adhesives, thermally conductive adhesives, silicone adhesives, adhesives for use with threaded and cylindrical assemblies, adhesives for use in home repair and improvement, adhesives for use in arts and crafts, adhesives sealants and adhesives for automotive use; a full line of

LOCTITE (SN 90/478718)

				<p>chemical preparations for automotive repair and maintenance.</p> <p>IC 003: Housemark for a full line of industrial cleaning preparations, automotive cleaning preparations, all purpose cleaning preparations, hand cleaners, cleaning solvents for preparing parts for use with adhesives and sealants and cleaning preparations for gasket removal; a full line of degreasers for industrial use, and general purpose degreasing preparations; a full line of rust remover preparations and rust inhibiting preparations.</p> <p>IC 016: Housemark for a full line of household adhesives.</p> <p>IC 017: Housemark for a full line of sealants for industrial use, adhesive sealants, silicone sealants, sealants for use with threaded assemblies, sealants for impregnating porous parts, sealants for automotive use, sealants for household use for filing and sealing surfaces and spaces; and a full line of non-metal gasketing materials, anaerobic gasketing preparations, silicone gasketing preparations, and general purpose gasketing preparations (non-metal) for automotive use and for use with machinery and equipment.</p>
0725497	LOCTITE	12/26/1961	11/29/1960	IC 001: Settable resinous liquid compositions having anaerobic curing properties - i.e., which are essentially convertible from liquids to solids by exclusion of air by confinement between close fitting surfaces.
1830106	LOCTITE & Design LOCTITE	4/12/1994	12/1963	IC 004: Greases and lubricants for industrial and automotive uses and for use with equipment and machinery.
0952639	LOCTITE	2/6/73	1966	IC 007: Automated and semi-automated assembly line machines for handling, cleaning, and assembling parts, and for the application and metering of sealants, adhesives, bonding agents, lubricants or the like to such parts in mass production systems and manually operated applicators to apply sealants, adhesives, bonding agents, lubricants or the like.
2367378	LOCTITE	7/18/2000	12/19/1996	IC 009: Automatic dispensers for dispensing household, commercial and/or industrial

LOCTITE (SN 90/478718)

				adhesives and sealants; measuring and dosing systems comprised of radiometers, electrical controllers, regulators, peristaltic hand pumps, pneumatic hand pumps, pneumatic hand-held cartridges, applicators, reservoirs, syringes, needles, roto-discs and solenoid valves for precision application of adhesives and sealants; electrical adapters, electric foot switches and ultraviolet curing systems comprised of electrical power supply units, curing chamber units, flexible wands, lamps and conveyors for use with automatic dispensers which dispense household, commercial and/or industrial adhesives and sealants.
2817934	LOCTITE	2/24/2004	7/3/2001	IC 001: Construction adhesives.
4572581	LOCTITE	7/22/14	10/31/01	IC 006: Soft solders; solder wire; rods of metal for soldering, brazing and welding
3541790	LOCTITE INSTANT-MIX	12/2/2008	9/30/2007	IC 001: Adhesives and epoxies for use in home construction, renovation, maintenance and repair. IC 016: Adhesives and epoxies for use in household do-it-yourself, crafts, and woodworking projects.
3458857	LOCTITE	7/1/2008	Class 16: 4/27/2007 Class 17: 3/30/2007	IC 016: Adhesive tape for household purposes. IC 017: Adhesive tape for use in home and building construction, renovation, maintenance, and repair.
88088544	LOCTITE	5/21/2021		IC 001: Unprocessed synthetic resins for use in three dimensional (3D) printers; ceramic powders used in manufacturing; unprocessed thermoplastic compounds and thermoset resin compounds for use in 3D printing IC 002: Filled toner cartridges for 3D printers, filled ink cartridges for 3D printers, printing ink, toner IC 003: Cleaning preparations; Polishing preparations; Scouring preparations; Abrasive preparations; Adhesive removers; degreasers, other than for use in manufacturing process; cleaning fluid for 3D printers IC 007: Three dimensional (3D) Printers; Printing machines for commercial or

LOCTITE (SN 90/478718)

				<p>industrial use</p> <p>IC 009: Online software in the nature of downloadable computer software for use in three dimensional scanning and printing of objects; printing and imaging software, namely, computer software for the three-dimensional scanning of objects, editing of such images, and operating and managing three dimensional printers that print such images; imaging hardware, namely, three dimensional (3D) scanners and three-dimensional (3D) capture platforms comprised of three dimensional (3D) scanners containing imbedded software for use in scanning, measuring and capturing images of scanned objects; downloadable computer software that provides web-based access to applications and services for print management</p> <p>IC 017: Semi-worked plastic composite materials in the nature of processed thermoplastic and thermoset resin compounds and semi-processed thermoplastic and thermoset compounds in pellet and powder form for use in 3D printing</p>
90782280	LOCTITE		<p>Classes 035, 037, 041, 042: 12/31/99</p> <p>Class 040: 12/31/20</p>	<p>IC 035: Industrial management consulting.</p> <p>IC 037: Technical support services, namely, technical advice related to industrial adhesives.</p> <p>IC 040: Manufacturing process consulting; custom manufacture and assembly services; custom assembling of materials for others; custom 3D printing for others; additive manufacturing for others.</p> <p>IC 041: Educational services, namely, conducting online and live programs in the field of industrial, construction, electronic, and consumer adhesives.</p> <p>IC 042: Consulting services in the field of industrial engineering; chemical research and analysis; electronic monitoring of industrial equipment and structural bonds in industrial settings; inventory and supply chain management for chemicals and the sourcing, acquisition, storage, management, and</p>

LOCTITE (SN 90/478718)

				distribution of chemicals.
90785669	LOCTITE (stylized) LOCTITE		Classes 035, 037, 041, 042: 12/31/99 Class 040: 12/31/20	IC 035: Industrial management consulting. IC 037: Technical support services, namely, technical advice related to industrial adhesives. IC 040: Manufacturing process consulting; custom manufacture and assembly services; custom assembling of materials for others; custom 3D printing for others; additive manufacturing for others. IC 041: Educational services, namely, conducting online and live programs in the field of industrial, construction, electronic, and consumer adhesives. IC 042: Consulting services in the field of industrial engineering; chemical research and analysis; electronic monitoring of industrial equipment and structural bonds in industrial settings; inventory and supply chain management for chemicals and the sourcing, acquisition, storage, management, and distribution of chemicals.
90735497	LOCTITE PULSE			IC 001: Adhesives with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings IC 002: Coatings with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings IC 009: Industrial equipment and structural bond monitoring system comprised of sensors embedded in adhesives, sealants, and coatings, edge device, and online cloud application for data monitoring IC 017: Sealants with embedded sensors for monitoring the condition of industrial equipment and structural bonds in industrial settings IC 042: Electronic monitoring of industrial equipment and structural bonds in industrial settings
90792971	LOCTITE PULSE			IC 007: Machine parts, namely, pipes, flanges, valves, tanks, pumps, motors,

				gearboxes and related equipment used as part of a structural bond monitoring system
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Copies of records showing the current status and title of these Registrations, taken from the USPTO TESS electronic database, are attached hereto.

5. The above referenced registrations are valid and, in addition, Registration Nos. 1801777, 0725497, 1830106, 0952639, 2367378, 2817934, 4572581, 3541790 and 3458857 are incontestable.

6. Opposer has invested considerable effort and resources in advertising and promoting its trademark and housemark LOCTITE and the goods sold under the mark, with the result that the purchasing public has come to know, rely upon, and recognize the goods of Opposer by that mark. Opposer has established valuable goodwill in its mark LOCTITE and the mark has become well known and famous to the purchasing public.

7. Upon information and belief, Applicant is a German individual, with an address of 40 Germaniastrasse, Nordend ost Frankfurt, Federal Republic of Germany, 60389.

8. On January 21, 2021, Applicant filed intent-to-use trademark application Serial No. 90478718 for the mark "LOCTITE" for a wide range of unrelated goods in International Class 11: "Air filtering installations; Air fryers; Chimney flues; Clothes dryers; Electric air deodorizing apparatus; Electrical induction heating apparatus for heating metal workpieces; Gas scrubbing apparatus; Holding furnaces and melting furnaces for industrial use; Ice machines and apparatus; Refrigerating or freezing showcases; Touchless hand drying apparatus."

9. Application Serial No. 90478718 was published for opposition in the USPTO Official Gazette of September 14, 2021. This Opposition is therefore timely.

10. There is no issue as to priority. Opposer has priority based on use and registration of its mark LOCTITE in the United States. Opposer used and registered its mark LOCTITE and the mark became famous long before the Applicant's filing date.

Count I – Likelihood of Confusion

11. Applicant's trademark LOCTITE is visually and phonetically identical to Opposer's mark LOCTITE, and creates a commercial impression which is identical to that of Opposer's mark.

12. The goods identified in Applicant's application are similar to and/or related to the goods with which Opposer's mark LOCTITE is used and for which it is registered, and Applicant's goods may be offered for sale to the same customers and through the same channels of trade as Opposer's goods.

13. Applicant's trademark LOCTITE so resembles Opposer's trademark LOCTITE as to be likely, when applied to Applicant's goods, to cause confusion or to cause mistake or to deceive within the meaning of 15 U.S.C. §1052(d), in view of Opposer's prior use, ownership and registration of its trademark LOCTITE.

14. Registration should therefore be refused under 15 U.S.C. §1052(d).

15. Registration of Applicant's proposed mark on the Principal Register would be inconsistent with Opposer's rights under the aforementioned registrations, and its common-law rights, and would be damaging to Opposer.

Count II – Dilution

16. Henkel's LOCTITE mark is famous, as that term is used in 15 U.S.C. §1125(c), and was famous before the filing date of Applicant's mark, based on, among other things, the federal registrations of LOCTITE which precede Applicant's filing date, and the mark's acquired

distinctiveness through the extensive nationwide use, advertising, promotion and recognition of the LOCTITE mark which precede Applicant's filing date.

17. Applicant's registration of the mark LOCTITE is likely to dilute the distinctive quality of Henkel's famous LOCTITE mark.

18. Registration should therefore be refused under 15 U.S.C. §1125(c).

19. Registration of Applicant's proposed mark on the Principal Register would be inconsistent with Opposer's rights under the aforementioned registrations, and its common-law rights, and would be damaging to Opposer.

WHEREFORE, Opposer prays that its opposition be sustained and that the registration sought by Applicant be refused.

Respectfully submitted,

By: //Amy Span Wergeles//

Amy Span Wergeles
Attorney for Opposer
One Henkel Way
Rocky Hill, CT 06067
Telephone: (860) 466-7960

Dated: September 17, 2021