

ESTTA Tracking number: **ESTTA1160567**

Filing date: **09/20/2021**

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	Texas Precision Optics Inc.		
Entity	Corporation	Citizenship	Texas
Address	9880 MONROE DRIVE DALLAS, TX 75220 UNITED STATES		
Attorney information	JEROEN J. VAN CAUWELAERT JEROEN VAN CAUWELAERT, ATTORNEY AT LAW 12700 HILLCREST ROAD SUITE 271 DALLAS, TX 75230 UNITED STATES Primary Email: jvc@vcandchang.com Secondary Email(s): jommevc@gmail.com 2142930079		
Docket Number			

Applicant Information

Application No.	90447806	Publication date	08/24/2021
Opposition Filing Date	09/20/2021	Opposition Period Ends	09/23/2021
Applicant	Gu, Tao ROOM 104, BUILDING 12, ZHONGNAN CENTURY CITY, CHONGCHUAN DISTRICT, NANTONG CITY JIANGSU PROVINCE, 226000 CHINA		

Goods/Services Affected by Opposition


Class 009. First Use: 2019/03/07 First Use In Commerce: 2020/12/29
Opposed goods and services in the class: Optical lens sights

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4193988	Application Date	12/31/2011
Registration Date	08/21/2012	Foreign Priority Date	NONE

Word Mark	SNIPER
Design Mark	
Description of Mark	The mark consists of the stylized wording "SNIPER" and a device consists of two circles with a cross.
Goods/Services	Class 009. First use: First Use: 2010/12/01 First Use In Commerce: 2011/08/01 Batteries for lighting; Batteries for pocketlamps; Fiber optics; Laser pointing-device for use with firearms; Laser rangefinders; Laser speed detectors; Laser tracers for application of conduction patterns to insulation media; Laser-beam-emitting device which projects right angles for construction purposes; Lasers for non-medical purposes; Lasers not for medical use; Rifle scopes; Rifle-scopes; Spotting scopes; Tactical laser sights; Telescopes; Telescopic gun sights

Attachments	85506826#TMSN.png(bytes) NOTICE OF OPPOSITION.pdf(222683 bytes) Opposer Sniper Current Listing on Amazon.pdf(181125 bytes) AIMSNIPER CURRENT LISTING ON AMAZON.pdf(241654 bytes)
-------------	--

Signature	/Jeroen Van Cauwelaert/
Name	Jeroen J. Van Cauwelaert
Date	09/20/2021

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

TEXAS PRECISION OPTICS INC.)	
Opposer,)	
)	
v.	)	Opposition No. _____
	)	Serial No. 90447806
GU TAO LIMITED COMPANY (LTD.)	)	Mark: Aimsniper
Applicant	)	Filing Date: January 5, 2021
	)	Publication Date: August 24, 2021
)	

NOTICE OF OPPOSITION

Texas Precision Optics Inc., a Texas corporation, located at 9880 Monroe Drive, Dallas, Texas 75220 (hereinafter called “Opposer”), believes that it will be damaged by the registration of the mark shown in Application Serial No. 90447806 in Class 9, filed by Gu Tao Limited Company (Ltd.) (hereinafter “Applicant”) on January 5, 2021, and opposes Application Serial No. 90447806.

The grounds for this opposition are as follows:

1. Opposer is an importer and seller of rifle scopes, mounting hardware, rail systems, tactical accessories, binoculars, and tactical gear under the SNIPER brand. Opposer has an exclusive license to sell the SNIPER brand scopes in the United States, under contract with the Chinese manufacturer and SNIPER mark owner.
2. Wuyang Longtian Precision Instruments Co., Ltd (hereinafter “Wuyang Longtian”) is the manufacturer of scopes imported and sold by Opposer. Wuyang Longtian applied for and registered the mark “SNIPER” with U.S. Serial No. 85506826, registered on August 21, 2012, with Registration No. 4193988. The mark was first used in commerce in August 2011. On October 24, 2018, Wuyang Longtian assigned the SNIPER mark to its affiliate Nantong Longtian Photoelectric Instrument Co., Ltd. (“Nantong Longtian”). Assignor and assignee are two plant locations of the same manufacturing concern and affiliated through common ownership. Nantong Longtian is currently the primary manufacturer of the SNIPER brand products.

Registered mark:	SNIPER
Registration No.:	4193988
Issue Date:	08/21/2012
IC 009 – Goods:	Batteries for lighting; Batteries for pocket lamps; Fiber optics; Laser pointing device for use with firearms; Laser rangefinders; Laser speed detectors; Laser tracers for application of conduction patterns to insulation media; Laser-beam-emitting device which projects right angles for construction purposes; Lasers for non-medical

purposes; Lasers not for medical use; *Rifle scopes; Riflescopes; Spotting scopes; Tactical laser sights; Telescopes; Telescopic gun sights*

3. Opposer has exclusive rights to import and sell products under the SNIPER mark, under license from both Wuyang Longtian and Nantong Longtian, the current owner of the SNIPER mark. Opposer has been distributing and selling rifle scopes in commerce under license of the registered SNIPER mark since it started its incorporation in Texas in December 2017, long prior to Applicant's filing date.
4. Opposer has extensively used, advertised, promoted, and offered goods bearing the SNIPER mark to the public through various channels. Opposer sells the SNIPER brand products direct online through ecommerce sites like Amazon, and through gun shop dealers.
5. Upon information and belief, notwithstanding Opposer's licensed rights in and to SNIPER mark, on January 5, 2021, Applicant filed an application for registration of the following proposed trademark:

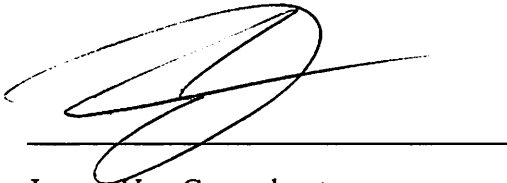
Applied for mark:	AIMSNIPER
Serial No.:	90447806
Application date:	01/05/2021
Publication date:	08/24/2021
IC 009- Goods:	Optical apparatus and instruments, namely, optical ports for underwater photography, dome ports for underwater photography, wet diopters, adapter lenses for underwater photography; <i>Optical lens sights</i>

6. *Opposer specifically takes issue with the registration of Applicant's AIMSNIPIER mark as it applies to "optical lens sights,"* in International Class 009. Applicant's optical lens sight products are identical to the goods Opposer sells under the SNIPER trademark, and Applicant is currently marketing and selling them through the same online channel as Opposer, i.e., Amazon, as evidenced by current listings of both parties. Applicant's AIMSNIPIER mark so resembles Opposer's licensed SNIPER registered trademark as to be likely, when applied to the goods of Opposer, including firearm scopes and sights, to cause confusion or mistake or to deceive purchasers resulting in damage and detriment of Opposer and its reputation.
7. Opposer, upon information and belief, avers that its customers, and the general public, are likely to be confused, mistaken or deceived as to the origin and sponsorship of Applicant's proposed goods of Application Serial Number 90447806 to be marketed under Applicant's proposed AIMSNIPIER mark and misled into believing that such goods emanate from, are licensed by, or are in some way directly or indirectly associated with, approved by or sponsored by Opposer, to the damage and detriment of Opposer and its reputation.
8. Opposer, upon information and belief, avers that it will be damaged by the registration by Applicant of the proposed AIMSNIPIER trademark, as set forth in Applicant's Trademark Application Serial Number 90447806, in that the mark is substantially similar to Opposer's licensed SNIPER mark and will be (and is) used in connection with goods that, as described in Applicant's application and as currently being offered for sale through Amazon, directly compete with Opposer's licensed SNIPER brand products.

Wherefore, this Opposer, Texas Precision Optics Inc., believes and avers that it is being and will continue to be damaged by registration of the proposed AIMSNIPEr trademark as aforesaid, prays that the said Application Serial Number 90447806 be rejected as it relates to "optical lens sights" in accordance with the provisions of the Trademark Act, that no registration be issued thereon to Applicant for "optical lens sights," and that this Opposition be sustained in favor of Opposer.

Respectfully Submitted,

For Texas Precision Optics, Inc.

A handwritten signature in black ink, appearing to read 'Jeroen Van Cauwelaert', is written over a horizontal line.

Jeroen Van Cauwelaert
Attorney at Law
12700 Hillcrest Road, #271
Dallas, TX 75230
(214) 293-0079
Member State Bar of Texas
License No. 24043969


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

TEXAS PRECISION OPTICS INC.)	
Opposer,)	
)	
v.	)	Opposition No. _____
	)	Serial No. 90447806
GU TAO LIMITED COMPANY (LTD.)	)	Mark: Aimsniper
Applicant	)	Filing Date: January 5, 2021
	)	Publication Date: August 24, 2021
)	

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on the following Attorney of Record and Correspondent for Gu, Tao Limited Company as listed on the TSDR website of the United States Patent and Trademark Office by mailing (U.S. priority mail) and emailing said copy on September 20, 2021, to:

Haochi Chen
Arch & Lake, LLP (Houston Office)
2500 Wilcrest Drive, Suite 301
Houston, TX 77042
haoyichen@archlakelaw.com



Jeroen J. Van Cauwelaert

SNIPER CURRENT LISTING ON AMAZON.COM

Deliver to Jeroen Dallas 75205

Sports & Outdoors

Hello, Jeroen Account & Lists Returns & Orders

0

All Prime Best Sellers Home Improvement Prime Video Sell Outdoor Recreation Pet Supplies Coupons

No annual credit card fee

Sports & Outdoors Sports & Fitness Outdoor Recreation Sports Fan Shop Sports Deals Outdoor Deals

amazon pharmacy

Your medication, delivered

Learn more



Sports & Outdoors > Sports & Fitness > Airsoft & Paintball > Airsoft > Sights & Optics > Gun Sights



Roll over image to zoom in

SNIPER RD22F (Blue) 1X22X33 Red Green Dot Sight, Reflex Sight, RED DOT Sight, Crossbow Sight with 20mm Rail

Visit the Sniper Store

\$45.99

FREE delivery: Sep 20 - 21

Fastest delivery: Sep 17 - 20

Deliver to Jeroen - Dallas 75205

Only 6 left in stock - order soon.

Qty: 1

Add to Cart

Buy Now

Secure transaction

Ships from and sold by Texas Precision Optics.

Return policy: Eligible for Return, Refund or Replacement

1-Click ordering is not available for this item.

Add to List

Share

Price: \$45.99

Best price S+

Get \$125 off: Pay \$0.00 upon approval for the Amazon Business Prime Card. Terms apply.

Brand Sniper

Material Aluminum

Magnification 1 x

Minimum

Compatible Cross Bow

Devices

About this item

- 4 reticle patterns offer unlimited eye-relief and corrected parallax.
- Reflex Sight Reticle Type: Circle Dot, Cross, 10 MOA & 3 MOA (Red and green illuminated).
- Durable: Precision Machined from high grade aluminum with a matte Black anodized, includes standard profile Picatinny mounting base.
- Accurate: Fully adjustable height, brightness, windage and elevation.
- Inside the Box: Reflex Sight (blue), Lens Cover, Allen Wrench, CR2032 Batteries, 1 x Lens Cleaning Cloth.

Report incorrect product information.



Buy it with



Total price: \$78.97

Add all three to Cart

Some of these items ship sooner than the others. Show details

AIMSNIPER CURRENT LISTING ON AMAZON.COM

Deliver to Jeroen
Dallas 75205

Sports & Outdoors

Hello, Jeroen
Account & Lists

Returns
& Orders

0

All Prime Best Sellers Home Improvement Prime Video Sell Outdoor Recreation Pet Supplies Coupons Sports & Fitness Jessica Alba livestream

Sports & Outdoors Sports & Fitness Outdoor Recreation Sports Fan Shop Sports Deals Outdoor Deals

amazon pharmacy

Your medication, delivered

Learn more



Sports & Outdoors > Sports & Fitness > Airsoft & Paintball > Airsoft > Sights & Optics > Gun Sights



VIDEO



AimSniper Red & Green Dot Sight Tactical Reflex Rifle Scope Adjustable Reticle (4 Styles) with 20mm Weaver Mount Rails

Brand: Aimsniper

7 ratings

17 answered questions

Price: **\$39.99** FREE One-Day & FREE Returns

Best price **S+**

Thank you for being a Prime Member. Get \$125 off: Pay \$0.00 ~~\$39.99~~ upon approval for the Amazon Business Prime Card. Terms apply.

Brand	Aimsniper
Color	Red
Item Dimensions LxWxH	3.11 x 1.12 x 2.12 inches
Sport Type	Airsoft
Material	Aluminum

[See more](#)

\$39.99

FREE One-Day & FREE Returns

FREE delivery: **Tomorrow**
Order within 13 hrs and 17 mins
[Details](#)

Deliver to Jeroen - Dallas 75205

In Stock.

Qty: 1

Add to Cart

Buy Now

Secure transaction

Sold by **AWESOME OUTDOOR** and Fulfilled by Amazon.

Return policy: [Eligible for Return, Refund or Replacement](#)

1-Click ordering is not available for this item.

Add a gift receipt for easy returns

Add to List

Roll over image to zoom in

Share

About this item

- **【Sturdy Design】**: Precision Machined from high grade aluminum with a matte Black anodized, includes standard profile 20mm Weaver Picatinny mounting base. Red Dot Sight Water resistance, fog and shock proof design for uncompromised performance in all weather conditions. Aluminium alloy offers long using life with light weight. we provide 5-year product warranty and 7x24 hrs friendly customer service.
- **【Wide Field of View】**: HD Glass Tubeless design with 22x33mm reflex lens aperture provides quick target acquisition, also a wider field of view to maintain situational awareness.
- **【Accurate】**: Parallax corrected & unlimited eye-relief. Reflex Sight Fully adjustable height, brightness, windage and elevation. Where the dot goes, so does the point of impact.
- **【Easy to Install】**: Built-in scope picatinny mount base for 20mm

(0.8") mounts. tactical sight fit .22/.308 airsoft etc.

- **【Multi-layer coating and Brightness Options】** Reticle allows for 4 different styles, Dot, Circle/Dot, Crosshair/Dot, Crosshair/Circle/Dot combinations. All in one sight! this Red Green reflex scope offers a total of 8 different sighting options and 5 brightness levels to toggle between. Product Include: 1x Reflex Sight, 2x Screw Driver Tool, 1x Carry Bag, 1x User Manual, 1 lithium-ion battery. And Cleaning Cloth

[Report incorrect product information.](#)



Buy it with



Total price: **\$64.35**

[Add all three to Cart](#)

These items are shipped from and sold by different sellers. [Show details](#)

- This item:** AimSniper Red & Green Dot Sight Tactical Reflex Rifle Scope Adjustable Reticle (4 Styles) with 20mm We... **\$39.99**
- CVLIFE Two Points Rifle Sling with Length Adjuster Traditional Sling with Metal Hook for Outdoors **\$9.99**
- Pinty Red Laser Red Dot Sight Waterproof Military Grade Low Profile Compact with Rail Mount and Accessory **\$14.37**

Products related to this item

Sponsored



3 MOA Red Dot Sight, Multi Coated Scope Optic, Adjustable Brightness Reflex...
\$59.99



MidTen 1X22X33 Red Green Dot Sight 4 Reticles Reflex Sight Quick Detach Mount...
 832
\$48.99



CVLIFE 1x22x33 Reflex Sight Red and Green 4 Reticle Dot Sight with 2mW Gun Sight Laser
 1,915
\$53.67



UUQ Prism 4x32 Red/Green/Blue Triple Illuminated Rapid Range Reticle Rifle Scope W/...
 1,469
\$65.99



Red Dot Sight Gun Sights for Rifle Shotgun Pistol Reflex Sight with 4 Switchable Re...
 1
\$32.79



UUQ Tactical 4X3 Compact .223 .308 Scope Rangefinder Reticle/w Ring M...
 732
\$29.99

Inspired by your recent shopping trends