

ESTTA Tracking number: **ESTTA1288351**

Filing date: **05/31/2023**

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	NIKKISO CO., LTD.		
Entity	Corporation	Citizenship	Japan
Address	20-3 EBISU 4-CHOME SHIBUYA-KU, TOKYO, 1506022 JAPAN		

Attorney information	MICHAEL J. LEONARD FOX ROTHSCHILD LLP 997 LENOX DRIVE, BLDG. 3 LAWRENCEVILLE, NJ 08648-2311 UNITED STATES Primary email: ipdocket@foxrothschild.com Secondary email(s): mleonard@foxrothschild.com 215.299.2085		
Docket no.	148411.00157		

Applicant information

Application no.	97180105	Publication date	05/02/2023
Opposition filing date	05/31/2023	Opposition period ends	06/01/2023
Applicant	FOSHANSHI JIAYITE Trading Co., Ltd. 2F-1 NO. 120 RONGGANG ROAD, RONGGUI DESHENG NEIGHBORHOOD COMMITTEE, SHUNDE DIST, FOSHAN, 528300 CHINA		

Goods/services affected by opposition

<p>Class 007. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Dishwashers; Apparatus for aerating beverages; Automatic packing machines for food; Centrifugal grinding machines; Cleaning appliances utilizing steam; Clothes washing machines; Crushers for kitchen use, electric; Dry-cleaning machines; Electric food blenders for household purposes; Electric knife sharpeners; Electric mixers for household purposes; Electric vacuum cleaners; Electrical ultrasonic cleaning units for Jewelry, Jewels and Watch; Electrically-powered steam cleaning device comprising a hose and nozzle and a vapor-producing chamber that is attached to a water source; Food processors, electric; Fruit presses, electric, for household purposes; Kitchen grinders, electric; Kitchen machines, namely, electric standing mixers; Sealing machines for industrial purposes; Tin openers, electric; Vacuum packaging machines; Vegetable spiralizers, electric; Waste disposal units; Whisks, electric, for household purposes</p>

Applicant information

Application no.	97180109	Publication date	05/02/2023
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Opposition filing date	05/31/2023	Opposition period ends	06/01/2023
Applicant	FOSHANSHI JIAYITE Trading Co., Ltd. 2F-1 NO. 120 RONGGANG ROAD, RONGGUI DESHENG NEIGHBORHOOD COMMITTEE, SHUNDE DIST, FOSHAN, 528300 CHINA		

Goods/services affected by opposition

Class 011. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Humidifiers; Multicookers; Refrigerators; Air fryers; Air purifying apparatus and machines; Air sterilizers; Apparatus for dehydrating food waste; Beverage refrigerators for use in cars; Bread-making machines; Bread baking machines; Cosmetic refrigerators; Electric air driers; Electric appliances for making yoghurt; Electric kettles; Electrical ice cream makers; Feed water heaters; Fruit roasters; Heating and cooling apparatus for dispensing hot and cold beverages; Ice-cream making machines; Ice machines and apparatus; Portable electric heaters; Programmable electronic devices for setting temperatures and cook times which also feature recipes, sold as a component of gas cooking ovens, electric cooking ovens and electric deep fryers; Refrigerating machines; Sterilizers; Ultrasonic sterilizers for household purposes; Water fountains; Water ionizers

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b), 44(e) or 66(a)

Marks cited by opposer as basis for opposition

U.S. registration no.	0874203	Application date	02/21/1968
Register	Principal		
Registration date	08/05/1969	Foreign priority date	NONE
Word mark	NIKKISO		
Design mark			
Description of mark	NONE		
Goods/services	Class 023. First use: First Use: Jan 1, 1960 First Use In Commerce: Jan 1, 1960 PRECISION PUMPS FOR THE CHEMICAL AND PROCESS INDUSTRIES, AND PARTS THEREFOR		

U.S. registration no.	1889205	Application date	03/27/1992
Register	Principal		
Registration date	04/11/1995	Foreign priority date	NONE
Word mark	NIKKISO		
Design mark			
Description of mark	NONE		
Goods/services	Class 010. First use: First Use: Apr 1, 1971 First Use In Commerce: Apr 1, 1971 medical apparatus and instruments; namely, diagnostic instruments; namely,		

	stethoscopes, percussors, blood testing instruments, sphygmomanometers, electrocardiographs, electroencephalographs, speculums, pelvimeters, probes, ophthalmic testing instruments, cornea examination instruments, ophthalmotonometers, tongue depressors, audiometers, therapeutic instruments; namely, syringe needles, catheters, infusion instruments, puncture instruments, suture instruments, lavage instruments, blood transfusion instruments, inhalers, medical dialyzers, dialysis membranes for dialyzers, sprayers, oxygen inhalers, artificial pneumothorax devices, kneaders and X-ray apparatus[; hospital equipment; namely, examining tables, operating tables, sterilizing apparatus, instrument stands, instrument tables, instrument cabinets, gurneys, stretchers, pharmaceutical apparatus for preparing dialysis solution and dissecting tables]
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U.S. registration no.	3631413	Application date	09/28/2005
Register	Principal		
Registration date	06/02/2009	Foreign priority date	NONE
Word mark	NIKKISO		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 007. First use: First Use: None First Use In Commerce: None valves being parts of machines; machines, namely, degassing vessels for removing gases from liquid; machines in the nature of pulverizers for producing fine powder; couplings for machines; transmission components for pumps, namely, parts for transmitting motor power to hydraulic equipment, namely, pumps, blowers and compressors; wind and water power machines, apparatus and instruments, namely, pumps, vacuum pumps, blowers and compressors; industrial machine presses; isotropic pressing machines for industrial use; isostatic bonding machines for electronic parts; stacking machines; semiconductor manufacturing machines; machines, namely, pulverizers; power-operated sprayers; hydrothermal units, namely, reactors for synthetically producing, processing, or manipulating a wide variety of materials through hydrothermal reactions; machines, namely, anti-contamination units that generate and circulate ozone water inside of machinery to prevent contaminants from adhering to such machinery; electric motors for machines; shaft couplings not for land vehicles; machine parts, namely, speed change gears for industry; turbojet engines for aircraft; turboprop engines for aircraft engines; machinery parts, namely, cowls which are used to cover noses and fans used in conjunction with engines not for land vehicles; thrust reversers for aircraft engines; machine parts, namely, damping devices to prevent friction; metalworking machines and tools, namely, drilling machines and metalworking machine tools; drying machines for drying gas, liquid, chemicals and fluids in industrial machines; hydraulic intensifier machine elements not for land vehicles, namely, hydraulic pressure intensifiers for creating pressures greater than those ordinarily obtained directly from either hand-operated pumps or motor-driven pumps; heat exchangers being parts of machines; valves being parts of fluid handling machines, namely, water supply machines, water treatment machines and fluid pipelines; parts and fittings for all the aforesaid goods, engine nacelles for aircraft</p> <p>Class 009. First use: First Use: None First Use In Commerce: None measuring equipment for fluid handling plants, namely, pressure reducers, pressure regulators, and flowmeters, all for providing constant flow and/or constant temperature of water or steam to provide optimal conditions for measurements and analysis of such water or steam; electronic controls for motors, machines and engines; automatic control valves; water quality analyzers, namely, conductivity meters, hydrazine analyzers, total iron analyzers, pH meters, silica analyz-</p>		

ers, ion-copper analyzers, dissolved oxygen analyzers, dissolved hydrogen analyzers, phosphate ion analyzers, sodium analyzers, turbidimeters, and on-line and portable on-line chromatographic systems for water quality control comprised of dedicated pumps and diagnostic units for measuring and analyzing water quality; monitors for detecting and monitoring wear of bearings; pneumatic control devices for metering pumps; electric stroke control devices for metering pumps; electronic servo motor controllers; blank magnetic data carriers, blank recordable discs; data processing equipment, namely, data processors; particle analysis apparatus and instruments, namely, dynamic light scattering units and laser light scattering units for particle sizing and characterization; measuring instruments, namely, particle size analyzers, surface area analyzers, sample circulating apparatus for particle analyzers, and zeta potential analyzers; boiler control apparatus and instruments, namely, integrated electronic control systems for boiler-fired power generation; process control apparatus and instruments for power plants, namely, integrated electronic control systems for power plants; electric control panels; wire or wireless remote control telemetering machines and instruments, namely, machines to monitor, observe, record and/or control automatically the active conditions, temperature, pressure, flow rate, water quality, liquid level, length, wear, particle size distribution of wind and water power machines, namely, pumps, blowers, compressors, water treatment machines and particle size analyzers by remote control; automatic adjusting or regulating machines and instruments, namely, machines to monitor the amount of change or the conditions of variation of temperature, pressure, flow, water quality, liquid level, length, and wear of wind and water powered machines, namely, pumps, blowers, compressors and water treatment machines and then to adjust them to the given target value; flow meters; flow elements, namely, flow sensors; temperature indicators; pressure gauges; experimental reaction apparatus comprising pressure vessels and heater; computers; computer software programs, computer interface software and simulation software to regulate temperature and operate industrial machinery, water conditioning systems and particle analysis apparatus and instruments and to analyze data; measuring apparatus, electrical distribution or control machines and apparatus, namely, bearing abrasion measuring machines and instruments for canned motor pumps; remote monitoring system for pumps; parts and fittings for all the aforesaid goods, equipment for fluid handling plants, namely, pressure reducers, pressure regulators, flowmeters, valves, and degassing vessels, all for providing constant flow and/or constant temperature of water or steam to provide optimal conditions for measurements and analysis of such water or steam; heat exchangers being parts of machines, dialysis data management systems comprised of servers, personal computers, printers, weighing machines, dialyzer units, and multi-person dialysis fluid supply units, artificial satellites, namely, man-made satellites; pipes and panels for satellite structures

Class 010. First use: First Use: None First Use In Commerce: None

Surgical and medical apparatus and instruments, namely, artificial kidneys, dialyzer membranes, hollow fibers for dialyzers, hollow fiber membranes for dialyzers, hemodialysers, hemodiafiltration apparatus, hemodiafilters, hemofiltration apparatus, namely, hemoconcentrators, hemofilters, hemofiltration membranes and artificial pancreases; sutures; artificial kidney machines; dialysis apparatus and instruments, namely, dialysis machines that act as artificial kidneys; hemodialysis machines; dialyzers for medical purposes; filters and filtering materials, namely, medical filters for use in hemofiltration; sucking organs for medical purposes, namely, absorption apparatus for medical purposes; powder dialysate mixing apparatus and instruments, namely, mixing machines for dialysate powder; medical apparatus, namely, dialysis feeding equipment and patient monitors for dialysis; and multi-person dialysis fluid supply units; infusion control apparatus and instruments; deaerators for medical purposes, namely, deaerators for use with hemodialysis equipment; medical equipment and apparatus, namely, infusion pumps, re-infusion pumps, syringe pumps, blood pumps, pumps for dialysis, blood tubing sets, and infusion giving sets; medical apparatus

us and instruments, namely, machines that act as an artificial pancreas; insulin infusion apparatus and instruments; measuring apparatus for medical purposes, namely, osmometers and bubble detecting equipment; gamma-ray apparatus for medical purposes, namely, gamma ray apparatus for irradiating cancer; needles for medical purposes; puncture needles for medical purposes; catheters; tubing sets for medical purposes, namely, arterial and venous lines comprised of shunt connectors, shunt connector caps, rubber buttons, pillows, blood pump segments, infusion lines, drip chambers, and dialyzer connectors, and patient administration sets comprised of roller clamps, chambers, plastic needles, plastic needle caps, air needles, and substitution fluid lines for dialysis; blood drawing apparatus; sanitization units for medical instruments; parts and fittings for all the aforesaid goods

Class 011. First use: First Use: None First Use In Commerce: None

[electro-mechanical de-icers for aircraft; humidifiers for industrial use; dehumidifiers for industrial use; industrial dryers for heating and/or dehumidifying; air purifiers for industrial use; waste water processing units for industrial use; waste water treatment units; water purifying units; water purifying apparatus by reverse osmosis; water conditioning apparatus and instruments; regulating accessories for water supply, namely, level controlling valves in tanks; pipe line cocks; spigots; constant head tanks in the nature of a machine comprising a reservoir tank, sensors, a pump, and a sluice gate that maintains a constant elevation head of water in a reservoir for creating a flow of water by recirculating the water at a greater rate than it flows out; gas separators for use in separating gas from fluid before the fluid is measured by a turbidity meter; cooling machines used with or incorporated into other machines for reducing the temperature of electronic instrumentation; electric commercial heaters with temperature controls; heat exchangers not being parts of machines; water purification equipment, namely, cation exchangers in the nature of ion exchangers with cations as the counterions; vacuum degasification units, namely, vacuum deaerators for eliminating the effects of carbon dioxide gas; water ionizers; reverse osmosis water treatment apparatus and instruments for medical purposes; water conditioning system for thermal power plants comprised of sampling units for extracting water, steam, and gas samples, chemical injection units, liquid analysis instruments, and condenser leakage monitoring units; water conditioning system for nuclear power plants comprised of sampling units for extracting water, steam, and gas samples, lead shields and hoods for protection against radiation, neutralizing units for pH control of waste solutions, and automatic remote control devices; water filtering units for industrial use and for disaster relief; parts and fittings for all the aforesaid goods]

Class 012. First use: First Use: None First Use In Commerce: None

motors and engines for land vehicles; non-metal coupling and transmission mechanisms for land vehicles; turbojet engines for land vehicles; turboprop engines for land vehicles; aircrafts, parts and fittings of aircrafts, namely, composite thrust reverser cascade for commercial airplanes, ailerons, flaps of aircraft, slats of aircraft, shrouds, spoilers of aircraft, rotor blades, structural struts of aircraft, wings of aircraft, fuselages of aircraft, doors of aircraft, stringers and longerons, vertical and horizontal stabilizers, and airplane propellers; hydraulic circuits for aircraft; composite parts for aerospace, namely, structural parts for satellites; brakes for land vehicles; aircraft parts, namely, landing gear; parts and fittings for all the aforesaid goods

Class 037. First use: First Use: None First Use In Commerce: None

Building construction and repair; installation, repair and maintenance of wind and water power machines, apparatus and implements; installation, repair and maintenance of chemical machines and apparatus; installation, repair and maintenance of metalworking machines and instruments; installation, repair and maintenance of semiconductor manufacturing machines and systems; installation, repair and maintenance of machines and apparatus for processing foods or beverage; installation, repair and maintenance of power distribution or control

	<p>machines and apparatus; installation, repair and maintenance of measuring and testing machines and instruments; installation, repair and maintenance of water quality control apparatus and instruments; installation, repair and maintenance of laboratory apparatus and instruments; installation, repair and maintenance of electronic machines and apparatus; installation, repair and maintenance of telecommunication machines and apparatus; installation, repair and maintenance of medical machines and apparatus; installation, repair and maintenance of apparatus for waste water purification; installation, repair and maintenance of water purifying apparatus; installation, repair and maintenance of industrial dehumidifiers; installation, repair and maintenance of industrial air purifiers; installation, repair and maintenance of air conditioning apparatus; repair and maintenance of aircrafts; plumbing services; installation of electrical wiring; technical support services, namely, providing technical advice relating to the maintenance, repair, setting, checking and performance check of automobiles and aircraft and other vehicles and their parts and fittings that require high levels of personal knowledge, skill or experience of the operators to meet the required accuracy in operating them</p> <p>Class 042. First use: First Use: None First Use In Commerce: None</p> <p>Designing of machines, apparatus, instruments including their parts or systems composed of such machines, apparatus, and instruments; computer software design, computer programming for others, maintenance of computer software; technical advice relating to performance, operation, pre-operation testing, and checking of computers that requires high levels of personal knowledge, skill or experience of the operators to meet the required accuracy in operating them; testing, inspection or research of pharmaceuticals; testing, inspection, and research regarding composite materials and chemical products; testing or research of machines, apparatus and instruments</p>
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U.S. registration no.	3476686	Application date	07/27/2006
Register	Principal		
Registration date	07/29/2008	Foreign priority date	NONE
Word mark	NIKKISO E MONITOR		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: Jun 26, 2001 First Use In Commerce: Jun 26, 2001</p> <p>Electronic devices for monitoring and controlling the condition of bearings in order to determine when to replace or repair; electrical and mechanical instruments for power distribution and control, electromagnetic measuring instruments for measuring bearing wear for electric motors and pumps, and electromagnetic monitors of electric motors and pumps; machines for power distribution and power control, namely, electronic measuring and control equipment and electronic apparatus and instruments, all for controlling pumps; electric relays; electronic detectors for detection of abnormal state of operation condition and running status of electric motors and pumps; electronically applied machines and instruments, namely, device in the nature of a central monitor to control pump operation, store and display information and data regarding pump status and condition of bearings; electronic detection and communication machines and instruments, namely, remote control telemetering machines and instruments, equipment in the nature of a centralized monitor to remotely control and monitor bearing wear and operation status of pumps, power plants, factories and industrial facilities</p>		

U.S. registration no.	2756955	Application date	06/07/2001
Register	Principal		
Registration date	08/26/2003	Foreign priority date	NONE
Word mark	NIKKISO MILFLO		
Design mark			
Description of mark	NONE		
Goods/services	Class 007. First use: First Use: Dec 7, 2002 First Use In Commerce: Dec 7, 2002 PUMPS, NAMELY POSITIVE DISPLACEMENT PUMPS, MECHANICAL PUMP CONTROLLERS Class 009. First use: First Use: Dec 7, 2002 First Use In Commerce: Dec 7, 2002 PUMPS, NAMELY CONTROLLED VOLUME PUMPS, RECIPROCATING PUMPS, METERING PUMPS, AND PUMP ADJUSTORS		

U.S. registration no.	0959761	Application date	01/14/1971
Register	Principal		
Registration date	05/29/1973	Foreign priority date	NONE
Word mark	NIKKISO NON-SEAL		
Design mark			
Description of mark	NONE		
Goods/services	Class 023. First use: First Use: None First Use In Commerce: None WIND AND WATER POWER MACHINES, APPARATUS AND IMPLEMENTS- NAMELY, PUMPS, VACUUM PUMPS, BLOWERS AND COMPRESSORS		

Attachments	2023-05-31 UKKISO Notice of Opposition.pdf(386371 bytes)
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Signature	/mjl/
Name	Michael J. Leonard
Date	05/31/2023

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

RE: U.S. Trademark Application Serial No. 97/180105
Published in the Official Gazette on 2 May 2023

RE: U.S. Trademark Application Serial No. 97/180109
Published in the Official Gazette on 2 May 2023

NIKKISO CO., LTD.)

Opposer,)

-v-)

FOSHANSHI JIAYITE TRADING CO., LTD.)

Applicant.)

Opposition No. _____

CONSOLIDATED NOTICE OF OPPOSITION

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22314

Commissioner:

In the matter of Application Serial Nos. 97/180105 and 97/180109 filed 20 December 2021 by FOSHANSHI JIAYITE TRADING CO., LTD. (“Applicant”), to register the mark UKKISO for goods described in Serial No. 97/180105 as: “Dishwashers; Apparatus for aerating beverages; Automatic packing machines for food; Centrifugal grinding machines; Cleaning appliances utilizing steam; Clothes washing machines; Crushers for kitchen use, electric; Dry-cleaning machines; Electric food blenders for household purposes; Electric knife sharpeners; Electric mixers for household purposes; Electric vacuum cleaners; Electrical ultrasonic cleaning

units for Jewelry, Jewels and Watch; Electrically-powered steam cleaning device comprising a hose and nozzle and a vapor-producing chamber that is attached to a water source; Food processors, electric; Fruit presses, electric, for household purposes; Kitchen grinders, electric; Kitchen machines, namely, electric standing mixers; Sealing machines for industrial purposes; Tin openers, electric; Vacuum packaging machines; Vegetable spiralizers, electric; Waste disposal units; Whisks, electric, for household purposes” in International Class 7; and as described in Serial No. 97/180109 as “Humidifiers; Multicookers; Refrigerators; Air fryers; Air purifying apparatus and machines; Air sterilizers; Apparatus for dehydrating food waste; Beverage refrigerators for use in cars; Bread-making machines; Bread baking machines; Cosmetic refrigerators; Electric air driers; Electric appliances for making yoghurt; Electric kettles; Electrical ice cream makers; Feed water heaters; Fruit roasters; Heating and cooling apparatus for dispensing hot and cold beverages; Ice-cream making machines; Ice machines and apparatus; Portable electric heaters; Programmable electronic devices for setting temperatures and cook times which also feature recipes, sold as a component of gas cooking ovens, electric cooking ovens and electric deep fryers; Refrigerating machines; Sterilizers; Ultrasonic sterilizers for household purposes; Water fountains; Water ionizers” in International Class 11 (hereafter collectively “Applicant’s Goods”), which were each published in the Official Gazette on 2 May 2023, NIKKISO CO., LTD. (“Opposer”) of Japan, believes it will be damaged by the registration of the UKKISO mark and opposes the same. The grounds for the opposition are as follows:


1. Upon information and belief, Applicant is a Limited Company (Ltd.) of China having an address at 2F-1 No. 120 Ronggang Road, Ronggui Desheng Neighborhood Committee, Shunde Dist, Foshan, CHINA 528300.

2. On 20 December 2021, Applicant filed Application Serial Nos. 97/180105 and 97/180109 for the UKKISO marks based, as amended, on Applicant's intent to use the marks in commerce.

3. Opposer, NIKKISO CO., LTD. is a corporation of Japan and is the owner of various trademark registrations consisting of, or incorporating, the NIKKISO mark.

4. Opposer is currently using and has invested substantial resources in advertising, promoting, offering for sale, selling and rendering its NIKKISO-branded goods and services and has developed substantial goodwill under the NIKKISO Mark.

5. Opposer will rely upon its rights obtained through its prior and continuous use and registration of its NIKKISO Mark and its ownership of the following trademark registrations:


Mark	App. No./ Reg. No.	Goods/Services
NIKKISO	RN: 0874203 SN: 72291627	Int'l Class: 07 precision pumps for the chemical and process industries, and parts therefor
NIKKISO	RN: 1889205 SN: 74259994	Int'l Class: 10 medical apparatus and instruments; namely, diagnostic instruments; namely, stethoscopes, percussors, blood testing instruments, sphygmomanometers, electrocardiographs, electroencephalographs, speculums, pelvimeters, probes, ophthalmic testing instruments, cornea examination instruments, ophthalmotonometers, tongue depressors, audiometers, therapeutic instruments; namely, syringe needles, catheters, infusion instruments, puncture instruments, suture instruments, lavage instruments, blood transfusion instruments, inhalers, medical dialyzers, dialysis membranes for dialyzers, sprayers, oxygen inhalers, artificial pneumothorax devices, kneaders and X-ray apparatus
NIKKISO and Design 	RN: 3631413 SN: 78721937	Int'l Class: 07 valves being parts of machines; machines, namely, degassing vessels for removing gases from liquid; machines in the nature of pulverizers for producing fine powder; couplings for machines; transmission components for pumps, namely, parts for transmitting motor power to hydraulic equipment, namely, pumps, blowers and compressors; wind and water

Mark	App. No./ Reg. No.	Goods/Services
		<p>power machines, apparatus and instruments, namely, pumps, vacuum pumps, blowers and compressors; industrial machine presses; isotropic pressing machines for industrial use; isostatic bonding machines for electronic parts; stacking machines; semiconductor manufacturing machines; machines, namely, pulverizers; power-operated sprayers; hydrothermal units, namely, reactors for synthetically producing, processing, or manipulating a wide variety of materials through hydrothermal reactions; machines, namely, anti-contamination units that generate and circulate ozone water inside of machinery to prevent contaminants from adhering to such machinery; electric motors for machines; shaft couplings not for land vehicles; machine parts, namely, speed change gears for industry; turbojet engines for aircraft; turboprop engines for aircraft engines; machinery parts, namely, cowls which are used to cover noses and fans used in conjunction with engines not for land vehicles; thrust reversers for aircraft engines; machine parts, namely, damping devices to prevent friction; metalworking machines and tools, namely, drilling machines and metalworking machine tools; drying machines for drying gas, liquid, chemicals and fluids in industrial machines; hydraulic intensifier machine elements not for land vehicles, namely, hydraulic pressure intensifiers for creating pressures greater than those ordinarily obtained directly from either hand-operated pumps or motor-driven pumps; heat exchangers being parts of machines; valves being parts of fluid handling machines, namely, water supply machines, water treatment machines and fluid pipelines; parts and fittings for all the aforesaid goods, engine nacelles for aircraft (Int'l Class: 09)</p> <p>measuring equipment for fluid handling plants, namely, pressure reducers, pressure regulators, and flowmeters, all for providing constant flow and/or constant temperature of water or steam to provide optimal conditions for measurements and analysis of such water or steam; electronic controls for motors, machines and engines; automatic control valves; water quality analyzers, namely, conductivity meters, hydrazine analyzers, total iron analyzers, pH meters, silica analyzers, ion-copper analyzers, dissolved oxygen analyzers, dissolved hydrogen analyzers, phosphate ion analyzers, sodium analyzers, turbidimeters, and on-line and portable on-line chromatographic systems for water quality control comprised of dedicated pumps and diagnostic units for measuring and analyzing water quality; monitors for detecting and monitoring wear of bearings; pneumatic control devices for metering pumps; electric stroke control devices for metering pumps; electronic servo motor controllers; blank magnetic data carriers, blank recordable discs; data processing equipment, namely, data processors; particle analysis apparatus and instruments, namely, dynamic light scattering units and laser light scattering units for particle sizing and characterization; measuring instruments, namely, particle size analyzers, surface area analyzers, sample circulating apparatus for particle analyzers,</p>

Mark	App. No./ Reg. No.	Goods/Services
		<p>and zeta potential analyzers; boiler control apparatus and instruments, namely, integrated electronic control systems for boiler-fired power generation; process control apparatus and instruments for power plants, namely, integrated electronic control systems for power plants; electric control panels; wire or wireless remote control telemetering machines and instruments, namely, machines to monitor, observe, record and/or control automatically the active conditions, temperature, pressure, flow rate, water quality, liquid level, length, wear, particle size distribution of wind and water power machines, namely, pumps, blowers, compressors, water treatment machines and particle size analyzers by remote control; automatic adjusting or regulating machines and instruments, namely, machines to monitor the amount of change or the conditions of variation of temperature, pressure, flow, water quality, liquid level, length, and wear of wind and water powered machines, namely, pumps, blowers, compressors and water treatment machines and then to adjust them to the given target value; flow meters; flow elements, namely, flow sensors; temperature indicators; pressure gauges; experimental reaction apparatus comprising pressure vessels and heater; computers; computer software programs, computer interface software and simulation software to regulate temperature and operate industrial machinery, water conditioning systems and particle analysis apparatus and instruments and to analyze data; measuring apparatus, electrical distribution or control machines and apparatus, namely, bearing abrasion measuring machines and instruments for canned motor pumps; remote monitoring system for pumps; parts and fittings for all the aforesaid goods, equipment for fluid handling plants, namely, pressure reducers, pressure regulators, flowmeters, valves, and degassing vessels, all for providing constant flow and/or constant temperature of water or steam to provide optimal conditions for measurements and analysis of such water or steam; heat exchangers being parts of machines, dialysis data management systems comprised of servers, personal computers, printers, weighing machines, dialyzer units, and multi-person dialysis fluid supply units, artificial satellites, namely, man-made satellites; pipes and panels for satellite structures (Int'l Class: 10)</p> <p>Surgical and medical apparatus and instruments, namely, artificial kidneys, dialyzer membranes, hollow fibers for dialyzers, hollow fiber membranes for dialyzers, hemodialysers, hemodiafiltration apparatus, hemodiafilters, hemofiltration apparatus, namely, hemoconcentrators, hemofilters, hemofiltration membranes and artificial pancreases; sutures; artificial kidney machines; dialysis apparatus and instruments, namely, dialysis machines that act as artificial kidneys; hemodialysis machines; dialyzers for medical purposes; filters and filtering materials, namely, medical filters for use in hemofiltration; sucking organs for medical purposes, namely, absorption apparatus for medical purposes; powder dialysate mixing apparatus and instruments, namely, mixing machines for</p>

Mark	App. No./ Reg. No.	Goods/Services
		<p>dialysate powder; medical apparatus, namely, dialysis feeding equipment and patient monitors for dialysis; and multi-person dialysis fluid supply units; infusion control apparatus and instruments; deaerators for medical purposes, namely, deaerators for use with hemodialysis equipment; medical equipment and apparatus, namely, infusion pumps, re-infusion pumps, syringe pumps, blood pumps, pumps for dialysis, blood tubing sets, and infusion giving sets; medical apparatus and instruments, namely, machines that act as an artificial pancreas; insulin infusion apparatus and instruments; measuring apparatus for medical purposes, namely, osmometers and bubble detecting equipment; gamma-ray apparatus for medical purposes, namely, gamma ray apparatus for irradiating cancer; needles for medical purposes; puncture needles for medical purposes; catheters; tubing sets for medical purposes, namely, arterial and venous lines comprised of shunt connectors, shunt connector caps, rubber buttons, pillows, blood pump segments, infusion lines, drip chambers, and dialyzer connectors, and patient administration sets comprised of roller clamps, chambers, plastic needles, plastic needle caps, air needles, and substitution fluid lines for dialysis; blood drawing apparatus; sanitization units for medical instruments; parts and fittings for all the aforesaid goods (Int'l Class: 12)</p> <p>motors and engines for land vehicles; non-metal coupling and transmission mechanisms for land vehicles; turbojet engines for land vehicles; turboprop engines for land vehicles; aircrafts, parts and fittings of aircrafts, namely, composite thrust reverser cascade for commercial airplanes, ailerons, flaps of aircraft, slats of aircraft, shrouds, spoilers of aircraft, rotor blades, structural struts of aircraft, wings of aircraft, fuselages of aircraft, doors of aircraft, stringers and longerons, vertical and horizontal stabilizers, and airplane propellers; hydraulic circuits for aircraft; composite parts for aerospace, namely, structural parts for satellites; brakes for land vehicles; aircraft parts, namely, landing gear; parts and fittings for all the aforesaid goods (Int'l Class: 37)</p> <p>Building construction and repair; installation, repair and maintenance of wind and water power machines, apparatus and implements; installation, repair and maintenance of chemical machines and apparatus; installation, repair and maintenance of metalworking machines and instruments; installation, repair and maintenance of semiconductor manufacturing machines and systems; installation, repair and maintenance of machines and apparatus for processing foods or beverage; installation, repair and maintenance of power distribution or control machines and apparatus; installation, repair and maintenance of measuring and testing machines and instruments; installation, repair and maintenance of water quality control apparatus and instruments; installation, repair and maintenance of laboratory apparatus and instruments; installation, repair and maintenance of electronic machines and apparatus; installation, repair and maintenance</p>

Mark	App. No./ Reg. No.	Goods/Services
		<p>of telecommunication machines and apparatus; installation repair and maintenance of medical machines and apparatus; installation, repair and maintenance of apparatus for waste water purification; installation, repair and maintenance of water purifying apparatus; installation, repair and maintenance of industrial dehumidifiers; installation, repair and maintenance of industrial air purifiers; installation, repair and maintenance of air conditioning apparatus; repair and maintenance of aircrafts; plumbing services; installation of electrical wiring; technical support services, namely, providing technical advice relating to the maintenance, repair, setting, checking and performance check of automobiles and aircraft and other vehicles and their parts and fittings that require high levels of personal knowledge, skill or experience of the operators to meet the required accuracy in operating them (Int'l Class: 42)</p> <p>Designing of machines, apparatus, instruments including their parts or systems composed of such machines, apparatus, and instruments; computer software design, computer programming for others, maintenance of computer software; technical advice relating to performance, operation, pre-operation testing, and checking of computers that requires high levels of personal knowledge, skill or experience of the operators to meet the required accuracy in operating them; testing, inspection or research of pharmaceuticals; testing, inspection, and research regarding composite materials and chemical products; testing or research of machines, apparatus and instruments</p>
NIKKISO E MONITOR	RN: 3476686 SN: 78939384	<p>Int'l Class: 09</p> <p>Electronic devices for monitoring and controlling the condition of bearings in order to determine when to replace or repair; electrical and mechanical instruments for power distribution and control, electromagnetic measuring instruments for measuring bearing wear for electric motors and pumps, and electromagnetic monitors of electric motors and pumps; machines for power distribution and power control, namely, electronic measuring and control equipment and electronic apparatus and instruments, all for controlling pumps; electric relays; electronic detectors for detection of abnormal state of operation condition and running status of electric motors and pumps; electronically applied machines and instruments, namely, device in the nature of a central monitor to control pump operation, store and display information and data regarding pump status and condition of bearings; electronic detection and communication machines and instruments, namely, remote control telemetering machines and instruments, equipment in the nature of a centralized monitor to remotely control and monitor bearing wear and operation status of pumps, power plants, factories and industrial facilities</p>

Mark	App. No./ Reg. No.	Goods/Services
NIKKISO MILFLO	RN: 2756955 SN: 76268368	(Int'l Class: 07) pumps, namely positive displacement pumps, mechanical pump controllers (Int'l Class: 09) pumps, namely controlled volume pumps, reciprocating pumps, metering pumps, and pump adjustors
NIKKISO NON-SEAL (Stylized) 	RN: 0959761 SN: 72381039	(Int'l Class: 07) wind and water power machines, apparatus and implements-namely, pumps, vacuum pumps, blowers and compressors

The foregoing marks are hereinafter referred to as “Opposer’s NIKKISO Marks”

6. Opposer’s Registrations are valid and subsisting and are prima facie evidence of the validity of the registered marks set forth therein, and Opposer's exclusive right to use the registered marks set forth therein in connection with the goods and/or services specified in the registrations.

7. Commencing prior to Applicant's filing date, Opposer commenced its use of Opposer’s NIKKISO Marks in connection with the offering, advertising, promotion, and rendering and sale of a variety of goods/services which are similar to, related to, and/or directly overlapping of Applicant’s Goods.

8. Opposer’s customers and the public in general know and recognize Opposer’s NIKKISO Marks and associate same with Opposer and/or Opposer’s goods and services. Opposer has built notoriety and goodwill in connection with the offering, rendering and/or sale of goods and/or services under Opposer’s NIKKISO Marks.

9. Applicant’s UKKISO mark is confusingly similar to Opposer’s NIKKISO Mark in that the Applicant’s Mark fully incorporates the K-K-I-S-O letter string, thereby causing

confusion or mistake or to deceive purchasers resulting in damage and detriment to Opposer and its reputation.

10. Opposer's Goods and Services and Applicant's Goods are likely to be offered through the same channels of trade and will likely be purchased and used by the same class of purchasers.

11. Applicant's filing date of 20 December 2021 is subsequent to the filing and registration dates of Opposer's NIKKISO Marks set forth above in Paragraph 5.

12. Applicant's 20 December 2021 constructive date of first use in commerce is subsequent to Opposer's dates of first use of Opposer's NIKKISO Marks.

13. Opposer's customers, and the public in general, are likely to be confused, mistaken or deceived as to the origin, affiliation, endorsement and sponsorship of Applicant's goods advertised, promoted, offered for sale, marketed and sold under Applicant's UKKISO mark and misled into believing that such goods are advertised, promoted, offered, sold, or are in some way associated with Opposer, to the damage and detriment of Opposer and its reputation.

14. Opposer will be damaged by Applicant's registration of the UKKISO mark as set forth in Application Serial Nos. 97/180105 and 97/180109 in that Applicant's UKKISO mark is confusingly similar to Opposer's NIKKISO Marks for use in connection with goods that are similar to, overlapping of, and/or closely related to the goods and services advertised, offered, sold and rendered under Opposer's NIKKISO Marks.

15. Upon information and belief, at the time Applicant filed its Application, Applicant did not possess a bona fide intent to use the UKKISO mark on or in connection with all of the goods listed in the Application Serial No. 97/180105.

16. Upon information and belief, at the time Applicant filed its Application, Applicant did not possess a bona fide intent to use the UKKISO mark on or in connection with all of the goods listed in the Application Serial No. 97/180109.

17. Applicant's filing of Application Serial Nos. 97/180105 and 97/180109 is without license, authorization or permission from Opposer.

18. Registration of Applicant's UKKISO mark should not be granted as it is contrary to 15 U.S.C. § 1052(d) and will violate and diminish the prior and superior rights of Opposer to its NIKKISO Marks.

WHEREFORE, Opposer prays that its Opposition be sustained, that Application Serial Nos. 97/180105 and 97/180109 for the NIKKISO mark be refused, and for such other relief as may be deemed just and proper.

Respectfully submitted,

Date: 1 June 2023

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