

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

**In the Matter of Registration No. 3,102,873 for
IONOPLAST in International Class 17**

E.I. DU PONT DE NEMOURS AND COMPANY,

Petitioner,

V.

AGP PLASTICS, INC.,

Registrant.

Cancellation No. 92-052,517

REGISTRANT'S TRIAL BRIEF

JOHN LEZDEY AND ASSOCIATES, INC.

John Lezdey
12800 Indian Rocks Road
Suite 4C
Largo, FL 33774

Attorney for Registrant
AGP Plastics, Inc.



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I. PRELIMINARY STATEMENT

AGP Plastics, Inc. is the owner of U.S. Trademark Registration No. 3,102,873 for the mark IONOPLAST for a type of ionomer interlayer used in laminated safety glass. Registrant first coined the term and is the first to use the mark in interstate commerce as shown by the evidence submitted. Petitioner E.I. du Pont de Nemours and company (“DuPont” or “Petitioner”) is seeking to cancel the mark on the basis that it is generic through its voluminous use of the mark in publications.

The evidence submitted will be clear that Petitioner has intentionally confused the public with its numerous publications using the mark IONOPLAST owned by the Registrant in an attempt to lead others to believe the mark is generic for use with several different types of ionomer interlayers when in fact the mark is for a specific type of ionomer of which the Registrant is the inventor.

Petitioner, DuPont, obtained firsthand knowledge of the mark IONOPLAST from Registrant during numerous trips to Registrant’s manufacturing plant between 1997 and 2005 while Registrant was manufacturing the ionomer interlayer known as IONOPLAST and selling it to DuPont.

Petitioner has submitted numerous publications in an attempt to make the term generic for their own benefit and continued use when the evidence submitted by Registrant clearly shows the date of first use by Registrant and that the term is not “generic” but is for a specific type of ionomer that is the subject of a U.S. Patent owned and invented by Registrant.

II. THE RECORD

A. Evidence Submitted by Registrant AGP

**Exhibit A: Registrant's Ionoplast Patent: U.S. Patent 5,763,062
Issued June 9, 1998**

Exhibit B: IONOPLAST Label Showing First Use In 1997

Exhibit C: DuPont Trademark Application for SENTRYGLAS PLUS

III. THE FACTS

Registrant filed a patent application on 11/8/1996 which issued on 6/9/1998 as U.S. Patent No. 5,763,062 which claimed a novel ionomer. Edwin Bolton, an Officer of Registrant coined the name IONOPLAST from the term Ionomer-Plastic. A sale of IONOPLAST as an interlayer was made in 1997 as evidenced by an invoice and a photo of a pallet with the interlayer having a label. The sale was the result of a news release to the industry working with interlayers which included the Petitioner, E.I. Du Pont.

In 1997 a team of persons from DuPont came to Registrant to observe the preparation of the novel interlayer. The team included Mr. Turnbull. After several visits by DuPont a contract was prepared and executed. Pursuant to the contract, over a million pounds of IONOPLAST was sold to DuPont during the years of 1997-2005 pursuant to the patent specification.

In 2005, DuPont opened a plant to manufacture their version of IONOPLAST and told Registrant they were not infringing the patent claims. Therefore, the IONOPLAST prepared and sold by DuPont was not the interlayer previously prepared by Registrant on which the customer relied.

A. DuPont Claims Ionoplast Is Four Different Interlayers

Petitioner claims that IONOPLAST is a generic term for four different interlayers, namely, polyvinyl butyral (PVB), SPALLSHIELD, the ionomer manufactured by Registrant, the ionomer manufactured by DuPont. All of these interlayers require a separate MSDS disclosure because they are different, yet Petitioner states it has an

IONOPLAST MSDS sheet. There cannot be a single MSDS for all four interlayers since they are all different in physical and chemical properties.

Petitioner lists the different structures which were built between 1997 and 2005 based on DuPont development but all of the structures were based on IONOPLAST manufactured by Registrant. Petitioner did not use the ionomer it produced for its customers until Registrant no longer produced the interlayers for Petitioner.

The interlayer produced by Petitioner would require a new and different MSDS since Petitioner claims it did not infringe Registrant's patent.

B. IONOPLAST Is Recognized As A Type Of Interlayer

Petitioner is the only one that considers the term IONOPLAST to be generic. As stated by Petitioner, the Laminated Glazing Reference Manual 2003 Edition recognizes IONOPLAST as a different type of laminating interlayer.

IONOPLAST cannot be recognized as a generic term for all interlayers as alleged by Petitioner since it is recognized as being a different type. Also, during the period of 1997 to the present, IONOPLAST has been sold by Registrant. IONOPLAST has been recognized as an improvement based on the publicity generated by Petitioner using IONOPLAST produced by Registrant in building structures.

C. DuPont's Claim To Discovery

Petitioner attempted to claim credit for the discovery of the ionomer used by continuous publication in its newsletter of its development by DuPont and the multiple use and as being bomb and hurricane resistant.

Petitioner developed hurricane resistant composites using PVB and used the mark SENTRYGLAS®. It now attempts to include PVB in the definition of IONOPLAST.

During the period of 1997 to 2005 Petitioner claimed the ionomer sold as IONOPLAST was developed and owned by DuPont. The volume of newsletters and other activities by DuPont was to take credit for the discovery of Registrant which is a father and son operation as opposed to the giant DuPont.

On pages 13-14 of Petitioner's brief it is stated that the Ionoplast interlayer was used for the first time in 2002. This interlayer was manufactured by Registrant which comprised the ionomer of Registrant's patent.

On page 14 of the brief, Petitioner creates the impression that Registrant's ionomer was developed by DuPont. The mark SentryGlas® was used to stress this point even though the public and customers of DuPont associated the mark with an interlayer comprising polyvinyl butyral which was promoted as being hurricane proof and bomb proof.

D. Dupont's And Registrant's Ionomer Interlayers Differ

Petitioner in 2005 started using a different ionomer which did not have the improved characteristics of Registrant's ionomer but alleged it was the same. The Petitioner now attempts to convince this Board that the two ionomers are the same. However, the Patent and Trademark Office issued a patent as an improvement over two DuPont patents relating to ionomers that Petitioner is now using.

On page 11 of Petitioner's brief it states "the new product, DuPont SentryGlas® PLUS ionoplast interlayer, is a totally new interlayer based on proprietary DuPont

chemistry.” Petitioner made this statement in its numerous publications, advertisements, and articles published by its employees so that DuPont employees believed the statement.

Petitioner on page 26 mentions Registrant’s ionomer and states that the Petitioner’s ionomer “differs only somewhat in acid content and percentage from the ionomer resin of DuPont.” However, the Patent and Trademark Office recognized the unobvious improvement and granted a patent. During the period of 2002-2005 Petitioner continuously mentioned the improved characteristics of Registrant’s ionomer and even now tells the public of the excellent features.

The customers believe that the ionomer now sold by Petitioner is the same as manufactured by Registrant. This causes confusion by Registrant’s customers since the ionomers are not the same.

The Registrant’s process of manufacture requires proprietary machinery and chemical additives to obtain the novel ionomer.

IV. ARGUMENT

A. Is Ionoplast A Generic Term

1. Registrant Coined The Term IONOPLAST

Registrant coined the term IONOPLAST when it first sold the ionomer interlayer in 1997. The ionomer was the ionomer of its patent application. Registrant has only used the term IONOPLAST for the ionomer as an interlayer. When the ionomer was to be used differently, the mark NOVIFLEX was used.

2. Petitioner's Claim The Term Ionoplast Is Generic

In contrast, Petitioner promoted Registrant's IONOPLAST registration as being a generic term after Petitioner approached Registrant to abandon its mark.

The Petitioner claims it coined the term IONOPLAST in 1998 but used the term in its Brief in connection with the PVB interlayer of 1992. The term IONOPLAST was first coined in 1997 by Registrant.

Registrant since 1997 has not used the term in any fashion to make it generic. Registrant is the single source of the goods made pursuant to its patent. Petitioner is a competitor which has attempted to convince the public that the term IONOPLAST has a broader meaning so as to include its other products. The public has refused to give IONOPLAST a broad meaning by defining IONOPLAST as a type of interlayer which is an ionomer.

B. A Trademark Is Presumed Valid According To Case Law

A registered mark is presumed valid and a party seeking to cancel a registration on any ground, including genericness, bears the burden of overcoming that presumption by a preponderance of the evidence. *Cold War Museum, Inc. v. Cold War Air Museum, Inc.*, 586 F.3d 1352, 1358 (Fed. Cir. 2009). A generic term is one that the relevant public understands to primarily refer to a genus or type of goods or services. *See In re Dial-A-Mattress Operating Corp.*, 240 F.3d 1341, 57 USPQ2d 1807, 1811 (Fed. Cir. 2001); *In re Am. Fertility Soc'y*, 188 F.3d 1341, 1346, 51 USPQ2d 1832, 1836 (Fed. Cir. 1999). A genus of goods or services may be denoted by more than one generic term and any term

that the relevant public understands to refer to that genus is generic. *In re 1800Mattress.com IP LLC*, 586 F.3d 1359, 1364, 92 USPQ2d 1682, 1685 (Fed. Cir. 2009). The determination of genericness requires a two-part test: **1)** What is the genus of goods or services at issue? And **2)** does the relevant public understand the term primarily to refer to that genus of goods or services? *H. Marvin Ginn Corp. v. Int’l Ass’n of Fire Chiefs, Inc.*, 782 F.2d 987, 990, 228 USPQ 528, 530 (Fed. Cir. 1986). “The critical issue in genericness cases is whether members of the relevant public primarily use or understand the term sought to be protected to refer to the genus of goods or services in question.” *Id.* At 989-90, 228 USPQ at 530. The relevant public’s understanding can be determined from any competent source, such as dictionary definitions, trade journals, newspapers and other publications. See *In re Northland Aluminum Products, Inc.*, 777 F.2d 1556, 227 USPQ 961 (Fed. Cir. 1985).

Where, as here, a product is new to the market it may not have a generic name because there may not be an existing genus for that type of goods. *Birtcher Electro Med. Sys., Inc. v. Beacon Labs., Inc.*, 738 F. Supp. 417, 420-21 (D. Colo. 1990). However, the developer of the product as in the case of Registrant, may coin a generic designation by giving the new product a common label in its marketing and promotional materials.

There has been no survey evidence to prove that the mark is generic. Those in the art have referred to “IONOPLAST” as a different type of interlayer.

C. The Deposition Of Edwin Bolton

Mr. Bolton admitted that Petitioner used the term “Ionoplast” generically. However, the term was used improperly. “Ionoplast” is not recognized by others that it also includes PVB, PET, etc. Others in the industry have stated that the interlayer is formed from different “types” and that the ionomer interlayer was a different type.

D. Dupont’s Many Publications Using The Term IONPLAST

Registrant coined the term “IONOPLAST” to refer to an ionomer interlayer which was manufactured by the Registrant under special conditions and in a specific apparatus. This was recognized by the customers of Registrant. Petitioner changed the meaning of the term to include ionomers which no longer had the improved physical characteristics of Registrant’s ionomer. Through the many publications of DuPont together with the seminars attended by DuPont employees, people including the employees of DuPont started to believe that the ionomer with the improved physical characteristics used during 1997-2005 was a development of DuPont and not Registrant and that the ionomer prepared by DuPont after 2005 was the same.

1. Dupont Attempts To Alter The Fact Of Inventiveness

This shows the power of the press and that concentrated propaganda can alter the facts. This has also confused the customers of Registrant believing that DuPont produces the same ionomer as Registrant. The petitioner has added more confusion by attempting to make the term “IONOPLAST” to include different types of plastic and even alleges that an MSDS sheet would be for different types of plastic.

All the different publications prove that Petitioner was successful in convincing those in the art that DuPont developed the technology that was based on a DuPont patent and that Registrant can take no credit for its development.

However, the term “ionoplast” is used by others to refer to ionomer interlayers and not to others such as PVB. This is supported by Eckalt Glass as stated on Page 23 in paragraph 2) of Petitioner’s Brief.

Page 12 of Petitioner’s Brief discloses the various self-serving publications wherein DuPont attempted to claim the improvement found in Registrant’s patent as being a DuPont development.

SentryGlas® Plus as stated by Petitioner is not a registered trademark for DuPont’s brand of ionoplast since PVB is not a species of an ionomer.

Petitioner is still trying to claim that the term was used as early as 1992. However, Registrant has evidence that Registrant first used the term IONOPLAST in its sale of an ionomer interlayer in 1997. The term NOVIFLEX was used when the same ionomer had a different use than interlayer.

2. DuPont’s Employee Comparison Of Ionoplast With DuPont’s PVB

Pages 13-20 of Petitioner’s Brief discusses all of the numerous publications to support Petitioner’s allegations that ionoplast was a DuPont development. However, on page 20, section 3), a DuPont employee compares an ionoplast interlayer with PVB which is not an ionoplast interlayer. However, in Petitioner’s Brief, PVB is stated to be known as ionoplast in 1992. This contradiction is found throughout Petitioner’s Brief.

E. Business of Registrant

Registrant manufactures and sells plastic sheets which includes different types of ionomers including ionomer interlayers. Registrant is a father and son operation wherein the sales, marketing and research operation is primarily handled by the two. Registrant does use the internet for sales but relies on personal contact and telephone sales to its customers. One of its customers had been DuPont.

1. Registrant's Relationship With DuPont

DuPont was informed of Registrant's development and of its patent position. In 1998, Mr. Turnbull and other representatives visited Registrant's manufacturing facilities several times to observe the manufacturing process. These visits lead to a contract for Registrant to prepare ionoplast interlayers for Petitioner during the period of 1997-2005 which amounted to millions of pounds of the ionomer interlayer which Registrant also sold to others under the trademark "IONOPLAST".

Registrant never knew that DuPont claimed to be the developer of the ionomer known as IONOPLAST. Not being aware of trademark law, Registrant believed that DuPont was promoting the specific ionomer of Registrant. As long as Registrant was buying the ionomer from Registrant, Registrant did not object. Petitioner was the only one using the term. However, when Petitioner manufactured its own ionomer interlayer, Registrant filed the trademark application stating that the earliest use was "at least as early as 2005". The past history of its sales to Petitioner and others was not noted. The use of the trademark IONOPLAST with the ionomer of Petitioner caused a confusion with Registrant's and other customers was due to the fact that Petitioner's ionomer was

different although Petitioner claimed the ionomers were the same. The improvement was recognized by the Patent Examiner.

F. The Label Used In The Application And Earliest First Use

The label used with the application for registration is only one example of the use of the trademark with Registrant's interlayer. The earliest and first use Registrant has evidence is the interlayer pallet with an IONOPLAST label supported by the invoice with the 1997 date. (EXHIBIT B)

Registrant's sale of 1997-1998 with its advertisement of IONOPLAST led to the interest and visit of the committee from DuPont which led to a contract for sale of IONOPLAST to DuPont from Registrant.

Petitioner's questioning at the deposition was as if there was no prior sale to DuPont and others prior to July 11, 2005 which mischaracterized the earlier sales. Petitioner noted that Registrant used the mark NOVIFLEX for non-interlayer ionomers. This was obviously to advise customers that the ionomer labeled IONOPLAST was for different use. The two different marks were used continuously prior to 2002 and Petitioner was aware of both marks.

It is obvious that the deposition of Mr. Bolton was speaking specifically about the kind of label sent with the application for registration. Other kinds of labels were in use as evidenced by the fact that an IONOPLAST label was mistakenly applied to an ionomer for a NOVIFLEX customer. The difference of IONOPLAST and NOVIFLEX is the slight variation in production to satisfy the needs of the customer.

G. IONOPLAST Is Not Generic Term

Petitioner has gone to broad lengths to make the mark generic. One reason being that the interlayer produced by Petitioner after the contract ended in 2005 was that the interlayer was inferior to the interlayer produced by Registrant. Petitioner keeps referring to the structures made with Registrant's interlayer.

The Petitioner also is claiming that the advancement in the art is due to DuPont beginning in 1992 when PVB was used as the interlayer. Even at the present time, Petitioner is trying to make the term IONOPLAST generic for all different kinds of plastic materials.

It is apparent that the plastics fall into different categories. Those in the art have placed the interlayers into four different types.

Petitioner has attempted to make the term generic to a variety of ionomers to convince the customers that the ionomer produced by Petitioner is the same as the ionomer produced by Registrant. The Petitioner is even trying to convince this Board that there is no difference by the allegation that the patented ionomer was only a slight change from Petitioner's present ionomer. However, the Patent examiner recognized the patentable improvement over the ionomers of Petitioner which were the cited prior art.

1. Petitioner's Arguments Support Registrant's Position

The Petitioner's arguments on pages 32-34 supports Registrant's position. Petitioner has attempted to make IONOPLAST generic to different types of plastic materials. However, the public recognizes IONOPLAST only for a single type of plastic, namely, an ionomer. The Petitioner with its many publications, newsletters and seminars

has failed to alter that the term IONOPLAST relates to a specific type of ionomer, namely, one which is used as an interlayer.

2. The Trademark Clarification Act of 1984

In the “Trademark Clarification Act of 1984”, it is stated, “The primary significance of the registered mark to the relevant public rather than purchaser motivation should be the test for determining whether the registered mark has become the common descriptive name of the goods or services in connection with which it has been used.”

3. Registrant Is The First To Use The Mark IONOPLAST In Interstate Commerce

Registrant first used the mark IONOPLAST in Interstate Commerce in the United States to differentiate from different classes of goods.

Petitioner alleges use in foreign countries which is not “use” of the mark “in commerce” within the meaning of the Lanham Act. (See *Buti v Impresse Perosa, S.A.* 139 F3d 98 (2d Cir) cert denied 525 U.S. 826 (1998).

The exclusive right to a trademark belongs to one who first uses it in connection with a specific goods. (*McClean v Fleming*, 96 U.S. 245, 24 L.Ed.828 (1877). Registrant invented a specific ionomer and named it.

The Petitioner in its Brief attempts to use the mark with a plurality of different goods, while the public recognizes the term ionoplast as relating to an ionomer.

H. Petitioner’s Trademarks

Petitioner is owner of the mark SENTRYGLAS, Registration No. 1848202 filed October 21, 1992 for plastic composite materials. The mark was commercially used in

connection with a PVB interlayer which was advertised as hurricane proof and bomb proof in 1992 (a copy of the registration is attached as Exhibit b).

An application for registration of the mark SENTRYGLAS PLUS for a plastic interlayer was filed April 7, 1998 and expressly abandoned on January 27, 2000. That mark had Application No. 75/463754. (EXHIBIT C)

The Petitioner had started use of the mark SENTRYGLAS PLUS to identify the ionoplast interlayer manufactured for Petitioner by Registrant. Registrant was using the term "IONOPLAST" to identify the ionomer which was the subject matter of its patent. Registrant had the belief that use of the term "IONOPLAST" without the term SENTRYGLAS® PLUS was due to public recognition that the term IONOPLAST was for an ionomer and not a PVB interlayer for which Petitioner claims exists.

That Petitioner uses the term SENTRYGLAS for its interlayers illustrates that the term "IONOPLAST" has not been used in a trademark sense. The purchaser has recognized that the term "IONOPLAST" relates to an ionomer.

I. False Representations

1. Section 43(a)(1)(B); 15 U.S.C. § 1125(a)(1)(B)

Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which ---

(2) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities,

shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

Subsection (a) currently covers false designations of origin and false descriptions or representations with regard to a person's own products. It has been held, however, that Section 43(a) does not cover such statements with regard to the products of another.

There is irrefutable evidence that Registrant invented a patentable improvement in an ionomer which issued into patent and arrived at the trademark "IONOPLAST" prior to Petitioner.

Petitioner in its self-serving publications has provided to the public a false designation of origin, namely that DuPont developed the technology. In its commercial promotion Petitioner misrepresented the characteristics and quality of Registrant's novel ionomer as being the same as Petitioner's ionomer which was produced after 2005. Petitioner makes the same allegations in its Brief.

Briefly, Petitioner is telling the public that it developed the technology, that the ionomer produced after 2005 has the same characteristics as the ionomer produced 1997-2005.

The aim of Petitioner is to have "Bragging Rights" and to exclude Registrant as a participant in the development since Registrant is a competitor.

Consequently, Petitioners have provided misleading or false representation of facts within Section 43(a)(1)(B) of the Lanham Act.

J. Petitioner Misuses The Term “GENERIC”

“A generic term is one that refers or has come to be understood as referring to the genus of which the particular product is a species.” Trademark and Unfair Competition Law, Fourth Edition, p78, Ginburg et al.

The issue of a generic term is noted in trademark case law. See “Stix Products, Inc. vs. United Merchants & Manufacturers, Inc., 295 F. Supp. 475 (S.D.N.Y. 1968).

Petitioner claims that “PVB” is a generic term but PVB=polyvinyl butyral which is the name of a species.

Similarly, Petitioner claims that “PET” is a generic term but “PET” relates to a species which is polyethylene terephthalate.

IONOPLAST was the term given by Registrant to identify a species of an ionomer. Namely, an ionomer prepared according to Petitioner’s patent. Other ionomers do not have the physical and chemical properties of Petitioner’s patent ionomer.

The Petitioner has gone to great lengths to convince the public that its ionomer is the same as the ionomer having the registered mark “IONOPLAST”.

“IONOMER” is the generic term for the species called IONOPLAST.

PET, PVB, etc are not species of ionomer as alleged by Petitioner and would not be identified as an “ionoplast” by a skilled practitioner.

V. CONCLUSION

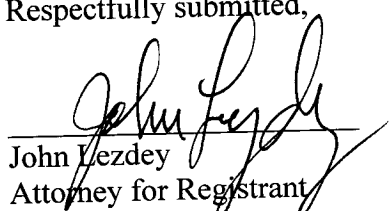
Petitioner through its numerous publications had convinced the public that the ionomer was the kind used in the foreign structures and that DuPont was the inventor or developer of the ionoplast technology. Even in its Brief, Petitioner claims to be the developer of the ionoplast ionomer. There is irrefutable evidence that Registrant patented the ionomer used in 1997-2005 in the building structures and prepared the ionomer for Petitioner for which Petitioner also appropriated the term "IONOPLAST" for an ionomer interlayer.

The term "IONOPLAST" identifies a species of an ionomer which was first prepared and sold in commerce by Registrant.

Petitioner attempted to claim its use in foreign commerce or to claim the term IONOPLAST is a generic term for different classes of plastics which are recognized by the public as being a different type.

Wherefore, the petition to cancel the registration should be dismissed and the registration be recognized as valid.

Respectfully submitted,



John Lezdey
Attorney for Registrant
AGP Plastics, Inc.

*John Lezdey & Associates
12800 Indian Rocks Road, Suite 4c
Largo, FL 33774
Phone; (727) 588-0000*

Certificate of Service

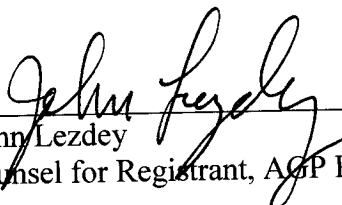
I hereby certify that on the 30th day of November, 2012, a true and correct copy of the foregoing TRIAL BRIEF of REGISTRANT was served on counsel for Petitioner, E.I. DU PONT DE NEMOURS AND COMPANY by first class mail, postage prepaid to:

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

And

Attorneys for E.I. du Pont de Nemours and Company:

Julie K. Smith, Esq.
Dickerson M. Downing, Esq.
Crowell & Moring LLP
590 Madison Avenue
New York, NY 10022-2524
DDowning@crowell.com



John Lezdey
Counsel for Registrant, AGP Plastics, Inc.

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IONOPLAST

Word Mark	IONOPLAST
Goods and Services	IC 017. US 001 005 012 013 035 050. G & S: Plastic films and sheets, namely plastics for use in laminated glass. FIRST USE: 20050500. FIRST USE IN COMMERCE: 20050500
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	76642723
Filing Date	July 13, 2005
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 21, 2006
Registration Number	3102873
Registration Date	June 13, 2006
Owner	(REGISTRANT) AGP PLASTICS, INC. CORPORATION PENNSYLVANIA 2184 Trumbauersville Road Trumbauersville PENNSYLVANIA 189700276
Attorney of Record	John Lezdey
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark	SENTRYGLAS
Goods and Services	IC 017. US 001. G & S: plastic composite materials made of synthetic films that are laminated to glass during the glazing process to produce vandal and burglary resistant glass. FIRST USE: 19931122. FIRST USE IN COMMERCE: 19931122
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74324217
Filing Date	October 21, 1992
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	March 30, 1993
Registration Number	1848202
Registration Date	August 2, 1994
Owner	(REGISTRANT) E. I. du Pont de Nemours and Company CORPORATION DELAWARE 1007 Market Street Wilmington DELAWARE 19898
Attorney of Record	MELANYE K. JOHNSON
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040916.
Renewal	1ST RENEWAL 20040916
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark SENTRYGLAS PLUS
Goods and Services (ABANDONED) IC 017. US 001 005 012 013 035 050. G & S: Synthetic plastic interlayer to be used in laminating glass
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75463754
Filing Date April 7, 1998
Current Filing Basis 1B
Original Filing Basis 1B
Published for Opposition December 29, 1998
Owner (APPLICANT) E.I. du Pont de Nemours and Company CORPORATION DELAWARE 1007 Market Street Wilmington DELAWARE 19898
Attorney of Record FREDERICK F ALEXANDRE
Prior Registrations 1848202
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Abandonment Date January 27, 2000

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Serial Number: 75463754 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark (words only): SENTRYGLAS PLUS

Standard Character claim: No

Current Status: Abandoned because the applicant filed an express abandonment. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2000-01-27

Filing Date: 1998-04-07

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2000-02-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. E.I. du Pont de Nemours and Company

Address:

E.I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 017

Class Status: Active

Synthetic plastic interlayer to be used in laminating glass

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1848202

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2000-01-27 - Abandonment - Express mailed, 2nd exam ITU case

1999-08-20 - Extension 1 granted

1999-07-23 - Extension 1 filed

1999-03-23 - NOA Mailed - SOU Required From Applicant

1998-12-29 - Published for opposition

1998-11-27 - Notice of publication

1998-11-03 - Approved For Pub - Principal Register

1998-10-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

FREDERICK F ALEXANDRE

Correspondent

FREDERICK F ALEXANDRE

E I DU PONT DE NEMOURS & CO

LEGAL DEPT

[illegible]





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CHLER
4619973 4663228

AGP Plastics, Inc.

2184 Trumbauersville Road
P. O. Box 276
Trumbauersville, PA 18970-0276
ph: 215 538-3244 fx: 215 538-3562

INVOICE

DATE	INVOICE NO.
5/26/98	A980175

BILL TO
Balance Works 178 Church Street Rutland, VT 05701

SHIP TO
Balance Works 178 Church Street Rutland, VT 05701 Attn: Kiki McShane 802 773-1543

TERMS	CURRENCY	DUE DATE	FOB	P.O. NO.	SHIP DATE	SHIP VIA
Net 30	USD	6/25/98	AGP Plastics	verbal-Kiki	5/26/98	Yellow
QTY ORDER...	QTY SHIPPED	U/M	DESCRIPTION	RATE	AMOUNT	
42	42	lb	VT 2100 Ionoplast Special Alloy 13 pcs .100" x 25" x 39"	5.75	241.50	
68	68	lb	VT 2100 Ionoplast Special Alloy 16 pcs .125" x 25" x 39"	5.75	391.00	
42	42	lb	VT 2100 Ionoplast Special Alloy 08 pcs .150" x 25" x 39"	5.75	241.50	
17	17	lb	VT 2100 Ionoplast Special Alloy 03 pcs .175" x 25" x 39"	5.75	97.75	
1	1	bx	Boxing & Crating			
			Freight, Prepaid	35.00	35.00	
				55.00	55.00	
			PAID AUG 19 1998 CK # 117 \$600.00			
			PAID NOV 10 98 CK # 2415 \$461.75			
				Total	\$1,061.75	