

### Response to Office Action

Mark: AUTOCARE ASSOCIATION
Applicant: Auto Care Association
Application Serial Number: 88/416,952
Date of Office Action: July 29, 2019

The Examining Attorney has refused registration of Application Serial Number 88/416,952 filed by Auto Care Association for the mark AUTOCARE ASSOCIATION (the "Mark" or "AUTOCARE ASSOCIATION Mark") used in connection with: i) "downloadable software featuring information in the field of motor vehicle aftermarket industry; downloadable software featuring information regarding conferences and trade shows in the field of the automotive aftermarket industry" in Class 9; ii) "association services, namely, promoting the interests of the motor vehicle aftermarket industry; lobbying services, namely, promoting the motor vehicle aftermarket industry in the fields of politics, legislation, and regulation; market research; providing trade information in the field of the motor vehicle aftermarket industry; provision of market research and market intelligence information; business services, namely, formulation of best practices and standards for e-commerce and information technology in the field of the motor vehicle aftermarket industry; and arranging and conducting business conferences; providing an online computer database featuring trade information in the field of automotive parts and accessories" in Class 35; iii) "conducting educational conferences and providing training in the field of the motor vehicle aftermarket industry, and distribution of materials in connection therewith in hard copy or electronic format on the same topics" in Class 41; and iv) "software as a service (SAAS) services featuring software in the field of motor vehicle aftermarket industry" in Class 42 (collectively, Applicant's goods and services in Classes 9, 35, 41, and 42 are referred to herein as "Services" or "Applicant's Services"). The Examining Attorney has refused registration on the Principal Register on the basis that Applicant's claim of acquired distinctiveness is insufficient because the term "autocare" is highly descriptive and the term "association" is generic. Applicant respectfully submits that the Mark has acquired distinctiveness in connection with Applicant's Services, thereby entitling it to registration on the Principal Register.

#### **I. The Term AUTOCARE is Not Descriptive.**

The Examining Attorney alleges that the term AUTOCARE is descriptive because: 1) the dictionary definition of "car care" is "keeping a car in good working order" and the wording "car care" means "auto care"; and 2) eight (8) third party webpages allegedly show that the wording "auto care" is a commonly used term in the auto industry to describe a provider of automotive maintenance. *See Office Action.*

A mark or term is merely descriptive under Section 2(e)(1) of the Act only if it immediately conveys knowledge of a quality, feature, function, or characteristic of an applicant's goods or

services. *See In re Chamber of Commerce of the U.S.*, 675 F.3d 1297, 1300, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012). For a term to be classified as “merely descriptive,” the term must “immediately tell a potential customer what to expect in sum total of these concepts.” *See Holiday Inns, Inc. v. Monolith Enter.*, 212 U.S.P.Q. 949, 952 (TTAB 1981) (holding that while THE AMERICAN CAFÉ for restaurant services may be highly suggestive, it falls short of being merely descriptive since “American” food could be any number of ethnic foods and the word “cafe” requires customers to ponder the service, décor, and ambience of the place making use of the term in connection with a restaurant nebulous, at best). The Examiner has the burden of proving that an applicant's mark is merely descriptive of the goods or services it identifies. *See* TMEP §1209.02 (noting that an Examiner must support a refusal to register on descriptiveness grounds with appropriate evidence).

In contrast, if the term used as a mark provides vague or indirect information about the goods or services, then the term is used in a “suggestive” manner. 2 J. THOMAS MCCARTHY ON TRADEMARKS § 11:19 (4th ed. 2002); *See also Glamorene Products Corp. v. Boyle-Midway, Inc.*, 188 U.S.P.Q. 145 (S.D.N.Y. 1975) (holding SPRAY ‘N VAC is not merely descriptive of a no-scrub rug cleaner and stating a “mark is not merely descriptive unless descriptiveness is its principal significance. A mark is not descriptive if it merely suggests the nature or class of the product on which it is used”). A mark that requires consumers to use imagination, thought or perception, as well as a multi-stage reasoning process is properly identified as a suggestive mark, and not a descriptive one. *See No Nonsense Fashions, Inc. v. Consolidated Foods Corp.*, 226 U.S.P.Q. 502 (T.T.A.B. 1985). Thus, a suggestive term differs from a descriptive term, which immediately tells something about the goods or services. *See In re George Weston Ltd.*, 228 USPQ 57 (TTAB 1985). *See In re Senhy Chem. Co.*, 230 U.S.P.Q. 556, 557-58 (TTAB 1986) (holding that HOSPICE is not merely descriptive of an odor neutralizing spray, which may be used in hospices); *See also In re Shutts*, 217 U.S.P.Q. 363, 364-65 (TTAB 1983) (holding that SNO-RAKE is not merely descriptive of a snow removal hand tool). As these cases illustrate, a mark does not have to be devoid of all meaning in relation to the goods and services to fall within the suggestive category. Furthermore, because “the suggestive/descriptive dichotomy can require the drawing of fine lines and often involves a good measure of subjective judgment,” “such doubts are to be resolved in favor of applicants.” *See In re Shutts*, 217 U.S.P.Q. at 365.

#### **A. Examiner Has Not Proven that AUTOCARE is Descriptive.**

In the present case, the evidence of record does not show that that the term AUTOCARE is merely descriptive of Applicant’s Services. That is, the definition of “car care” or “to keep a car in good working order”, does not describe any of the Applicant’s Services which include: association and lobbying services to promote the aftermarket industry, educational conferences and trade shows in the automotive aftermarket industry, and software in the field of motor vehicle aftermarket industry. Indeed, the Applicant does not provide any services that keep a car in good working order, such as automotive maintenance or repair services.

Furthermore, none of the 8 Internet References support a finding that the term

AUTOCARE is descriptive of Applicant's Services, which include:

1. [https://www.3m.com/3M/en\\_US/auto-care-us/](https://www.3m.com/3M/en_US/auto-care-us/) - website for auto care maintenance products, such as adhesives and sealants;
2. <https://www.danielsautocare.com/> - website for auto repair services;
3. <https://www.honest1alexandria.com/> - website for auto repair services;
4. <https://lakeridgeautocare.com/> - website for auto repair services;
5. <https://www.firestonecompleteautocare.com/> - website for auto repair services;
6. <https://www.precisiontune.com/> - website for auto repair services;
7. <https://www.ulmersautocare.com/> - website for auto repair services; and
8. <https://www.napaonline.com/en/napa-autocare-centers> - website for auto repair services.

Here, none of references above relate to the Applicant's Services, or support the contention that Applicant's potential customers perceive, or Applicant's competitors use the term AUTOCARE when referring to Applicant's Services. Indeed, Applicant is not even in the same business as, or even remotely related to the businesses referenced in these websites. Accordingly, the evidence of record fails to support a finding that the term AUTOCARE is descriptive in relation to Applicant's Services.

## **II. Applicant's Mark has Acquired Distinctiveness.**

It is well-settled law that "a descriptive mark can be registered if it has acquired secondary meaning." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1378 (Fed. Cir. 2012). Proof of substantially exclusive and continuous use of a mark by the applicant in commerce for the five years before a claim of distinctiveness is made constitutes prima facie evidence of acquired distinctiveness. *Id.* at 1378-79. Applicant submits the declaration of Mr. Bert Hogeman, General Counsel of the Applicant in support of its 2(f) claim of acquired distinctiveness based on five years of substantially exclusive and continuous use of the Mark in connection with Applicant's Services. (**Ex. A**, Declaration of Bert Hogeman ("Hogeman Decl."), ¶4).

In addition, to establish acquired distinctiveness, an applicant may rely on advertising expenditures and sales success, length and exclusivity of use, consumer or dealer statements of recognition of the mark as a source identifier, unsolicited media coverage, and any other evidence that establishes the mark serves as an indicator of source. *See Coach Servs.*, 668 F.3d at 1379; TMEP §§1212.06 *et seq.* In addition to its long-standing use in commerce of the Mark, Applicant's substantial evidence of marketing and advertising of the Mark, consumer recognition of the Mark as a brand, consumer declarations recognizing the use of the Mark as source identifier for Applicant, and media coverage highlighting the Mark as a brand overwhelmingly show that the

Mark has acquired secondary meaning in connection with the Services.

### **A. Marketing and Advertising Evidence**

"Large-scale expenditures in promoting and advertising goods and services under a particular mark are significant to indicate the extent to which a mark has been used." TMEP § 1212.06(b). Applicant has employed extensive marketing and advertising campaigns to promote the Mark as a brand for Applicant's Services. (**Ex. A**, Hogeman Decl., ¶8). Applicant's extensive advertising and marketing of the AUTOCARE ASSOCIATION brand have included spending tens of thousands of dollars on a wide variety of media, including websites, press releases, videos, and articles, generating nearly 100 million dollars in revenue over the past five years in connection with the sale of Applicant's Services. (*Id.*, ¶9; **Ex. B**, representative examples of Applicant's advertising of the Mark for Applicant's Services). Because of Applicant's substantial advertising and promotional efforts, Applicant's Mark has gained significant consumer recognition as a brand name for Applicant's Services uniquely associated with Applicant that is popular and well known among businesses in the automotive industry. (*Id.*, ¶11).

### **B. Length and Exclusivity of Use**

"Long use of the mark is one relevant factor to consider in determining whether a mark has acquired distinctiveness." TMEP § 1212.06(a). Applicant has made substantially exclusive and continuous use of its Mark in connection with Applicant's Services for over five years. (Hogeman Decl., ¶4). Therefore, Applicant's longstanding and substantially exclusive use of the Mark supports a finding of acquired distinctiveness.

### **C. Declarations Asserting Recognition of Mark as Source Indicator**

"Affidavits or declarations that assert recognition of the mark as a source indicator are relevant in establishing acquired distinctiveness." TMEP § 1212.06(c). Applicant has obtained numerous declarations of consumers and industry representatives attesting to their immediate recognition of the Mark as a source indicator for Applicant, which are summarized below:

1. Mr. Bradley T. Kraft, President and CEO of Hopkins Manufacturing Corporation, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. C**, Kraft Decl., ¶1). Mr. Kraft is intimately familiar with Applicant's services and his company has been a member of the Auto Care Association since at least 2000. (*Id.*, ¶4). Based on Mr. Kraft's close-working knowledge of Applicant's services and interaction with numerous professionals in the automotive industry, he has opined that professionals at Hopkins Manufacturing Corporation and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educational conferences, and databases and software in the field of automotive parts and accessories. (*Id.*, ¶¶5-7).
2. Mr. Jim Dykstra, CEO of Dytech Auto Group, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. D**, Dykstra Decl., ¶1). Mr. Dykstra is

intimately familiar with Applicant's services and his company has enjoyed the benefits of the AUTOCARE ASSOCIATION membership since 2012. (Id., ¶4). Based on Mr. Dykstra's close-working knowledge of Applicant's services and interaction with numerous professionals in the automotive industry, he has opined that professionals at Dytech Auto Group and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).

3. Mr. Larry Pavey, CEO of Federated Auto Part Distributors Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. E**, Pavey Decl., ¶1). As the head of an auto part distribution company, Mr. Pavey is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since before 2015 (Id., ¶4). Based on Mr. Pavey's considerable knowledge of the automotive industry and Applicant's Services, Mr. Pavey has opined that professionals at Federated Auto Part Distributors Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
4. Mr. Michael Klein, President of Las Colinas Investments, LLC, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. F**, Klein Decl., ¶1). Mr. Klein is intimately familiar with Applicant's services and his company has enjoyed the benefits of the AUTOCARE ASSOCIATION membership since 2015. (Id., ¶4). Based on Mr. Klein's considerable knowledge of the automotive industry and Applicant's Services, Mr. Klein has opined that professionals at Las Colinas Investments, LLC and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
5. Mr. Joseph Braun, Secretary of Dorman Products, Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. G**, Braun Decl., ¶1). Mr. Braun is intimately familiar with Applicant's services and his company has been member of Applicant's AUTOCARE ASSOCIATION since 2015. (Id., ¶4). Based on Mr. Braun's considerable knowledge of the automotive industry and Applicant's Services, Mr. Braun has opined that professionals at Dorman Products, Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-8).
6. Mr. Michael Boyer, President of Tasco, LLC, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. H**, Boyer Decl., ¶1). Mr. Boyer is

intimately familiar with Applicant's services and his company has been member of Applicant's AUTOCARE ASSOCIATION since before 2014. (Id., ¶4). Based on Mr. Boyer's considerable knowledge of the automotive industry and Applicant's Services, Mr. Boyer has opined that professionals at Tasco, LLC and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).

7. Mr. Charlie Crouse, President of TBA & Oil Warehouse Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. I**, Crouse Decl., ¶1). Mr. Crouse and his company have been members of Applicant's AUTOCARE ASSOCIATION since 2016. (Id., ¶4). Based on Mr. Crouse's extensive knowledge and experience in the automotive industry, as well as his considerable usage of Applicant's Services, Mr. Crouse has opined that professionals at TBA & Oil Warehouse Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
8. Mr. Chase Baxley, Chief Operating Officer of The Parts House, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. J**, Baxley Decl., ¶1). Mr. Baxley, through his company The Parts House, has enjoyed the benefits of a membership through Applicant's AUTOCARE ASSOCIATION since before 2015. (Id., ¶4). Based on Mr. Baxley's extensive knowledge and experience in the automotive industry, as well as The Parts House considerable usage of Applicant's Services, Mr. Baxley has opined that professionals at The Parts House and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
9. Mr. Jesse Kaplan, General Manager of Neptune Warehouse, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. K**, Kaplan Decl., ¶1). Mr. Kaplan, through his company, Neptune Warehouse, has enjoyed the benefits of a membership through Applicant's AUTOCARE ASSOCIATION since before 2015. (Id., ¶4). Based on Mr. Kaplan's extensive knowledge and experience in the automotive industry, as well as Neptune Warehouse's considerable usage of Applicant's Services, Mr. Kaplan has opined that professionals at Neptune Warehouse and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
10. Ms. Kelly Spence Connolly, President of Tri-States Automotive Warehouse. Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. L**,

Connolly Decl., ¶1). Ms. Connolly, through her company, Tri-States Automotive Warehouse, Inc., has enjoyed the benefits of a membership through Applicant's AUTOCARE ASSOCIATION since before 2015. (Id., ¶4). Based on Ms. Connolly's extensive knowledge and experience in the automotive industry, as well as Tri-States Automotive Warehouse's considerable usage of Applicant's Services, Ms. Connolly has opined that professionals at Tri-States Automotive Warehouse, Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).

11. Mr. Kyle Byrne, Vice President – Distribution of The Merrill Company/Arnold Motor Supply, has submitted a declaration in support of Applicant's acquired distinctiveness claim. (Ex. M, Byrne Decl., ¶1). As the vice president of an auto part distribution company, Mr. Byrne is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since 2004 (Id., ¶4). Based on Mr. Byrne's considerable knowledge of the automotive industry and Applicant's Services, Mr. Byrne has opined that professionals at The Merrill Company and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
12. Mr. Robert Segal, CEO of Automotive Supply Associates, Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (Ex. N, Segal Decl., ¶1). As the Chief Executive Officer of an auto part supply company, Mr. Segal is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since before 2015 (Id., ¶4). Based on Mr. Segal's considerable knowledge of the automotive industry and Applicant's Services, Mr. Segal has opined that professionals at Automotive Supply Associates, Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
13. Mr. Arnoldo Ventura, President of Frontera Radiators & Parts, Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (Ex. O, Ventura Decl., ¶1). As the President of an auto part supply business, Mr. Ventura is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since 2015 (Id., ¶4). Based on Mr. Ventura's considerable knowledge of the automotive industry and Applicant's Services, Mr. Ventura has opined that professionals at Frontera Radiators & Parts, Inc. and in the automotive industry recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively

with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).

14. Mr. John R. Washbish, President & CEO of Aftermarket Auto Parts Alliance, Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. P**, Washbish Decl., ¶ 1). As the head of an auto part alliance that has members in the parts distribution, parts retail, and service repair shops across the United States, Mr. Washbish is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since 2004 (Id., ¶4). Based on Mr. Washbish's considerable knowledge of the automotive industry and Applicant's Services, Mr. Washbish has opined that professionals at Aftermarket Auto Parts Alliance, Inc. and in the automotive industry, as well as consumers (e.g., professional repair technicians) in the industry, recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).
15. Mr. Mark Finestone, Executive Vice President of Merchandising and Supply Chain, of AutoZone Parts, Inc., has submitted a declaration in support of Applicant's acquired distinctiveness claim. (**Ex. Q**, Finestone Decl., ¶1). As the Executive Vice President of one of the largest auto part providers in the country, Mr. Finestone is intimately familiar with Applicant's Services and his company has been a member of Applicant's AUTOCARE ASSOCIATION since 2014 (Id., ¶4). Based on Mr. Finestone's considerable knowledge of the automotive industry and Applicant's Services, Mr. Finestone has opined that professionals at AutoZone Parts, Inc. and in the automotive industry, as well as consumers (e.g., professional repair technicians) in the industry, recognize AUTOCARE ASSOCIATION as a unique brand that is associated exclusively with Applicant's association services, business services, educations conferences, and databases and software in the field of automotive parts and accessories. (Id., ¶¶5-9).

#### **D. Media Coverage and Consumer Recognition of the Mark as a Source Indicator**

Numerous publications and press releases in the automotive industry have highlighted the fact that Applicant's Mark is a strong brand that is extremely popular and well-known among consumers. (**Ex. R**, press releases and media articles). Each of these publications capitalizes the AUTOCARE ASSOCIATION Mark, thereby showing use of the Mark as a source indicator and brand. Examples of media and press releases that highlight the fact that AUTOCARE ASSOCIATION is a strong and popular brand include the following references:

- Article prominently featuring the Mark and discussing the Applicant's Services. "For over 100 years, the Auto Care Association has been a trusted business partner in the automotive aftermarket, developing technical solutions to industry-wide challenges that help companies plan..." "Auto Care Standards, including ACES...and PIES... are accessible through the Auto Care Vehicle Information Portal (VIP). These standards are



widely adopted by the industry...” (*Id. Article on counterman.com*).

- Press release prominently featuring the Mark and discussing the Applicant’s Services. “The Auto Care Association today released the newest edition of its award-winning and industry-leading online publication, the Auto Care Factbook 2020 and the Auto Care Factbook Plus Lang Annual 2020. The annual research report serves as the industry’s flagship publication and an essential informational resource for the growing \$405 billion United States auto care industry.’ The digital publication is hosted on the Auto Care Digital Hub, allowing readers to access the book from a variety of devices, locate data easily, shar the publication with colleagues and even download charts, tables and graphs associated with the data... the Auto Care Digital Hub hosts a wide variety of market research and industry publications, all of which can be instantly accessed from any desktop or mobile device” (*Id. 06/25/2019 Press Release*).
- Press release prominently featuring the Mark and discussing the Applicant’s Services. “The aftermarket will soon be maintaining the cars of tomorrow and the Auto Care Association's Emerging Technologies Booth at AAPEX will present the latest solutions for standardization of the maintenance and repair of automated systems—ensuring safe and dependable vehicle operation long after the warranty expires. ‘In less than five years, 90% of new cars will be wirelessly transmitting real-time driver behavior and vehicle data,’ said Bill Hanvey, president and CEO, Auto Care Association. ‘These advanced vehicle technologies will have a lasting influence on our industry, which means securing the authentication and standardization of accessing vehicle telematics will be vital to the aftermarket's ability to maintain and repair these vehicles down the road.” (*Id. 10/16/2019 Press Release*).
- Press release prominently featuring the Mark and discussing the Applicant’s Services. “A petition created by the national education and advocacy campaign Your Car. Your Data. Your Choice.™ reached 15,000 petition signatures on Friday, Nov. 22, marking a significant milestone in the effort to ensure drivers have direct access to and control of their car data.” ‘Support for a driver's right to choose who controls their car data is reaching a fever pitch,’ said Bill Hanvey, president and CEO of the Auto Care Association. ‘We will continue to amplify the diverse voices of our stakeholders and place pressure on lawmakers to do what they know is right: give consumers control of their car data.” (*Id. 11/25/2019 Press Release*).
- Press release prominently featuring the Mark and discussing the Applicant’s Services. “The U.S. automotive aftermarket reached total sales of\$297 billion in 2018, exceeding the projected growth rate by nearly \$1 billion, according to the 2019 Joint Channel Forecast Model produced by the Automotive Aftermarket Suppliers Association (AASA) and the Auto Care Association.” ‘More vehicles on the road with an average age of nearly 12 years old -- and the 12-year-and-older category now representing 44% of total light vehicles and growing at 4% annually -- equals good business for the aftermarket,’ said

Bill Hanvey, president and CEO, Auto Care Association. ‘Coupling that with steady miles driven, growth in e-tailing and high consumer confidence reinforces the positive outlook for the industry. Emerging technologies such as ADAS, electrification and automation will present more opportunities for this growth to continue through 2022 and beyond.’ (*Id.* 06/26/2019 *Press Release*).

- Article prominently featuring the Mark and discussing the Applicant’s Services. “Especially for independent dealerships who have service drives catering to any vehicle that ends up in a bay, a new resource from the Auto Care Association could help find parts more efficiently. This week, the association announced a new data product designed to connect parts data for nearly 1.4 billion vehicles, making going global easier for automotive aftermarket businesses that aren’t already and more efficient for those operations that are. UniLink can help connect data so that subscribers can see which vehicles are similar across the world. With that information, researchers are able to determine which parts fit where and on what vehicle faster, rather than manually researching each vehicle.” (*Id.* *Article on autoremarketing.com*).
- Article featuring the Mark and discussing the Applicant’s core educational and association services. “The Auto Care Association has announced a new trade mission to Peru on March 16-17, 2020. The trip serves as a business development opportunity for companies seeking to meet with potential customers and partners and to gain firsthand market information. Meetings are customized to match each participant’s specific business objectives.” ‘The high level of engagement from the trade mission team before and during the program far surpassed our expectations,’ said Luis Perez Morales, senior manager, international sales and operations, Interstate Batteries and past trade mission participant. ‘They were able to secure in-person meetings with top-notch customers that will lead to the distribution of our products. It would have taken us multiple phone calls, trips to the country and thousands of dollars to engage with customers.’ (*Id.* *Article on aftermarketnews.com*).

In view of Applicant's extensive advertising and promotion of its Mark as a brand, Applicant's Mark is capable of distinguishing Applicant's Services. Therefore, Applicant's Mark serves as a trademark and is entitled to registration on the Principal Register.

## **II. Disclaimer of ASSOCIATION**

The Examining Attorney is requesting that the Applicant disclaim the term ASSOCIATION “because such wording appears to be generic in the context of applicant’s goods and services.” *See* Office Action.

The disclaimer for ASSOCIATION is accepted.

Having responded to the issues raised by the Examining Attorney, Applicant respectfully requests that the application be approved for publication.

# **EXHIBIT A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTOCARE ASSOCIATION, AUTOCARE ASSOCIATION & Design (color), AUTOCARE ASSOCIATION & Design (black and white)**

**DECLARATION OF BERT HOGEMAN**

The undersigned Declarant declares that, to the best of his knowledge:

1. My name is Bert Hogeman and I am the General Counsel at Auto Care Association (“Auto Care”).
2. I am over 18 years of age, and competent to execute this Declaration.
3. This Declaration is based upon my actual knowledge of the statements made herein.
4. Since at least as early as 2014, Auto Care has made substantially exclusive and continuous use of its trademark AUTOCARE ASSOCIATION™ (the “Mark”) in connection with its: i) association services that promote the interests of the motor vehicle aftermarket industry; ii) business services that develop best practices and standards for e-commerce an information technology in the aftermarket field; iii) educational conferences and training in the aftermarket industry; and iv) databases and software featuring information in the field of motor vehicle aftermarket industry (collectively the “Services”).
5. The main website for the Services offered under the Mark is available to the public at [www.autocare.org](http://www.autocare.org) (the “Auto Care Website”), where the Mark appears clearly in connection with the Services, including the top of the Auto Care Website’s homepage. A screenshot of the Auto Care Website homepage is attached as Exhibit A.

6. The Auto Care Website describes the Services offered in connection with the Mark and informs members and consumers about Auto Care's upcoming educational events, membership benefits, lobbying services, and unique database and software subscriptions in the field of automotive parts and accessories.

7. The Auto Care Website receives significant traffic and creates substantial exposure of the Mark and Services.

8. Auto Care has spent considerable time and money in advertising, marketing, and promoting the Mark in connection with the Services, and as a result Auto Care has over 2,000 members across the world.

9. In addition, Auto Care's extensive advertising and marketing of the Mark on a variety of media, including websites, press releases, videos, and articles, has resulted in the sale of over 5,000 subscriptions to the AUTOCARE ASSOCIATION™ electronic databases and software, generating nearly 100 million dollars in revenue over the past decade. Representative examples of Auto Care's advertising of the Mark are attached as Exhibit B.

10. Auto Care has spent thousands of dollars promoting and advertising the Mark in connection with the Services.

11. As a result of the widespread sales, media attention, extensive advertising, and media exposure, the Mark has achieved significant consumer recognition among consumers as a brand name that is uniquely associated with Auto Care's Services.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the

date set forth below.

By: Bert Hogeman -

Name: Bert Hogeman

Title: General Counsel, Auto Care Association

Date: 1-27-2020

# **HOGEMAN DECLARATION**

## **EXHIBIT A**





LOGIN

WHO WE ARE **WHAT WE DO** GOV'T AFFAIRS MEMBERSHIP EVENTS NEWS DIGITAL HUB

FACTBOOK

Home > **what we do**

TECHNOLOGY

PROFESSIONAL DEVELOPMENT

MARKET INTELLIGENCE

TRENDS

INTERNATIONAL

COMMUNICATIONS

CHANNEL INSIGHTS

# what we do

*Our mission is to protect and advance the interests of businesses providing aftermarket products and services for all classes of motor vehicles.*

The Auto Care Association serves members in a variety of important ways, each designed to help them maintain their position as innovative and impactful businesses. Our **government affairs** department represents the industry's complex set of interests before federal and state legislators and regulators, and advocates for policies that are favorable to our member businesses. We provide access to the most widely-used standards in North America and best practices in e-commerce and **technology** to help lower costs and increase efficiency. We develop our members' **professional skills** with a full **calendar of education, meetings and events** plus **tools and resources** for their career.

Our **market intelligence** experts assess trends that are reshaping the industry, and our **international program** assists members seeking opportunities in the lucrative global market. The association's award-winning **communications** keep members informed about critical auto care issues, association programs and initiatives, while sharing the magnitude of the aftermarket to key audiences, elevating the profile and influence of the industry. Any automotive aftermarket company throughout the supply chain pictured below can benefit from what we do.

## NEWS

**JAN 27, 2020** | Data Standards for Heavy Duty Using PIES Now Available  
[>> read now](#)

**JAN 24, 2020** | Shehryar Fatmi Joins Auto Care Association as New Director of Technology  
[>> read now](#)

**JAN 21, 2020** | Registration Open for Auto Care Association Webinar Exploring Business Opportunities in Peru  
[>> read now](#)

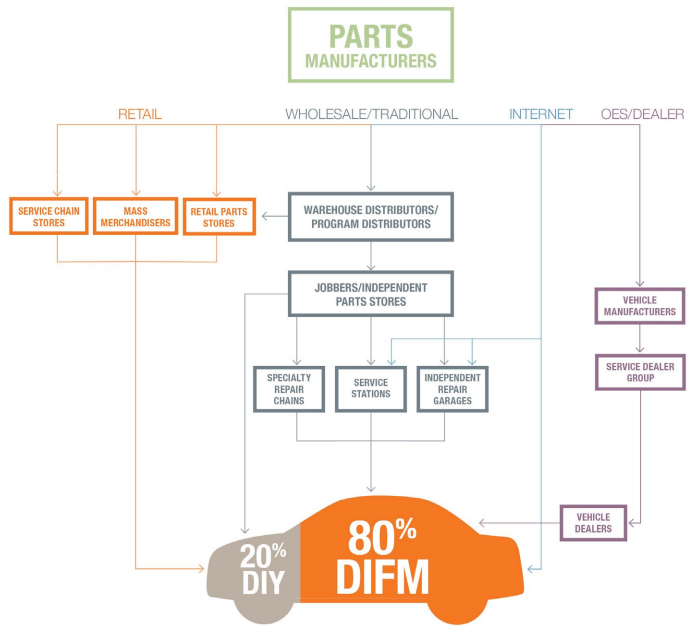
## EVENTS

**JAN 27-30** | 2020 Heavy Duty Aftermarket Week Grapevine, TX  
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**JAN 29-29** | [WEBINAR] Auto Care Business Opportunities in Peru Bethesda, MD  
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**FEB 19-20** | 2020 Women in Auto Care Leadership Conference Charlotte, NC  
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# **EXHIBIT B**

Ad Image	Ad Link	Ad Spend	Ad Year
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6399228903944130560/">https://www.linkedin.com/feed/update/urn:li:share:6399228903944130560/</a>	\$12.98	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:639922949259711552/">https://www.linkedin.com/feed/update/urn:li:share:639922949259711552/</a>	\$31.66	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6397426448059105280/">https://www.linkedin.com/feed/update/urn:li:share:6397426448059105280/</a>	\$189.63	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6399228522015006720/">https://www.linkedin.com/feed/update/urn:li:share:6399228522015006720/</a>	\$565.73	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6398305840746545152/">https://www.linkedin.com/feed/update/urn:li:share:6398305840746545152/</a>	\$22.42	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6401862597792006144/">https://www.linkedin.com/feed/update/urn:li:share:6401862597792006144/</a>	\$20.22	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6499668965885779968/">https://www.linkedin.com/feed/update/urn:li:share:6499668965885779968/</a>	\$113.56	2018
	<a href="https://www.linkedin.com/feed/update/urn:li:share:6499669407986388992/">https://www.linkedin.com/feed/update/urn:li:share:6499669407986388992/</a>	\$170.92	2018

**E-TAILING**

The U.S. auto aftermarket parts and accessories market is \$197B and expected to grow at 3-4 percent CAGR over the next three years.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499669747834056704/>

\$362.94

2018

**E-TAILING**

Performance and appearance accessories plateau at a high level of e-tailing penetration at 60 percent, while major break-fix component groups are stabilizing in the 20-40 percent range.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499670386613972992/>

\$104.37

2018

**E-TAILING**

The 2017 DIY e-tailing market, all products included, was \$12B with 13 percent CAGR for the 2014-2017 period.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499670912084766720/>

\$232.23

2018

**E-TAILING**

Delivery speed is the top factor for DIFM service professionals, driving their decision to purchase using a website/app vs. in store.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499672447082602496/>

\$240.15

2018

**E-TAILING**

The offline DIY market in 2017 was \$48B, with 1 percent CAGR for the 2014-2017 period.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499672768047521792/>

\$381.25

2018

**E-TAILING**

Fifteen top e-tailing market players averaged ~15 percent CAGR over the past five years.

digital.autocare.org/etailing2018

<https://www.linkedin.com/feed/update/urn:li:share:6499673135963480064/>

\$394.58

2018

**PURCHASING TRENDS STUDY: TOOLS AND EQUIPMENT 2018**

4.34/5.00

Rated 4.34 out of 5.00, warranty is the most influential factor in any tool buying decision.

trends

www.autocare.org/toolequip2018

<https://www.linkedin.com/feed/update/urn:li:share:6511089107010228224/>

\$2,000.00

2018

**AUTO CARE FACTBOOK 2020**

1.35 BILLION GLOBAL REGISTRATIONS

digital.autocare.org/factbook2020

<https://www.linkedin.com/feed/update/urn:li:share:6557619058819366912/>

\$759.32

2019



<https://www.linkedin.com/feed/update/urn:li:share:6556900620434059264/>

\$988.61

2019



<https://www.linkedin.com/feed/update/urn:li:share:6572540727207821312/>

\$1,642.12

2019



<https://www.linkedin.com/feed/update/urn:li:share:6557619058819366912/>

\$290.68

2019

**TOTAL: \$8,523.37**

# **EXHIBIT C**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTOCARE ASSOCIATION, AUTOCARE ASSOCIATION & Design (color), AUTOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his knowledge:

1. My name is **Bradley T. Kraft** and I am **President and CEO** of **Hopkins Manufacturing Corporation**. I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **Hopkins Manufacturing Corporation** has been a member of Auto Care since at least 2000 and enjoys the benefits of the AUTOCARE ASSOCIATION™ membership services and related benefits.

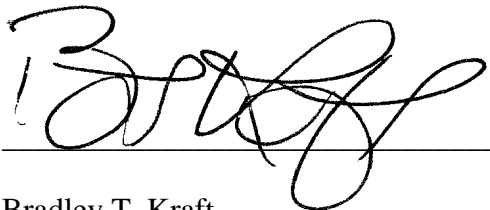


5. As a member of Auto Care, employees of **Hopkins Manufacturing Corporation** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **Hopkins Manufacturing Corporation** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Hopkins Manufacturing Corporation** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:  \_\_\_\_\_

Name: Bradley T. Kraft

Title: President and CEO  
Hopkins Manufacturing Corporation

Date: January 2, 2020

# **EXHIBIT D**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Jim Dykstra** and I am **CEO of Dytech Auto Group**. I am over 18 years of age, and competent to execute this Declaration.
2. This Declaration is based upon my actual knowledge of the statements made herein.
3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4. **Dytech Auto Group** has been a member of Auto Care since **2012** and enjoys the benefits of the **AUOCARE ASSOCIATION™** membership services and related benefits.

5. As a member of Auto Care, employees of **Dytech Auto Group** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

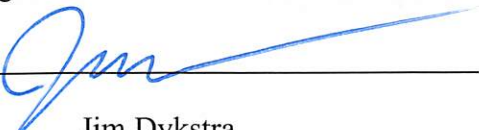
6. In addition, employees of **Dytech Auto Group** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Dytech Auto Group** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name:                     Jim Dykstra                      
Title:                     CEO                      
Date:                     01/02/2020

# **EXHIBIT E**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTCARE ASSOCIATION, AUTCARE ASSOCIATION & Design (color), AUTCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Larry Pavey** and I am **CEO** of **Federated auto Parts Distributors Inc.** I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **Federated Auto Parts** has been a member of Auto Care since **before 2015** and enjoys the benefits of the AUTCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **Federated Auto Parts** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **Federated Auto Parts** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

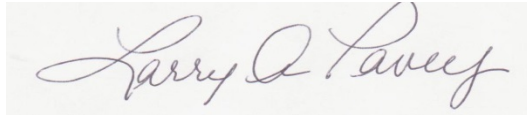
7. As a member of Auto Care, **Federated Auto Parts** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:

A rectangular box containing a handwritten signature in cursive script that reads "Larry A. Pavey".

Name: Larry A. Pavey

Title: CEO-Federated Auto Parts

Date: 01/03/2020



# **EXHIBIT F**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Michael Klein** and I am **President** of **Las Colinas Investments, LLC**. I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **Las Colinas Investments, LLC**. has been a member of Auto Care since **2015** and enjoys the benefits of the AUOCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **Las Colinas Investments, LLC**. regularly attend AUOCARE ASSOCIATION™ conferences to learn best practices and

standards for e-commerce and information technology in the motor vehicle aftermarket industry.


6. In addition, employees of **Las Colinas Investments, LLC.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Las Colinas Investments, LLC.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By: 

Name: Michael Klein

Title: President

Date: January 2, 2020

# **EXHIBIT G**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTCARE ASSOCIATION, AUTCARE ASSOCIATION & Design (color), AUTCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:


1. My name is Joseph Braun and I am the Secretary of Dorman Products, Inc. (“Dorman”). I am over 18 years of age, and competent to execute this Declaration.
2. This Declaration is based upon my actual knowledge of the statements made herein.
3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4. Dorman has been a member of Auto Care since before 2015 and enjoys the benefits of the AUTCARE ASSOCIATION™ membership services and related benefits.
5. As a member of Auto Care, employees of Dorman regularly attend AUTCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of Dorman regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, Dorman readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name: Joseph Braun  
Title: Secretary  
Date: 1/3/2020

# **EXHIBIT H**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:           **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks:                           **AUTOCARE ASSOCIATION, AUTOCARE  
ASSOCIATION & Design (color), AUTOCARE  
ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1.     My name is **Michael Boyer** and I am **President** of **TASCO, LLC**. I am over 18 years of age, and competent to execute this Declaration.
2.     This Declaration is based upon my actual knowledge of the statements made herein.
3.     Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4.     **TASCO, LLC** has been a member of Auto Care since **before 2014** and enjoys the benefits of the **AUTOCARE ASSOCIATION™** membership services and related benefits.



5. As a member of Auto Care, employees of **TASCO, LLC.** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.


6. In addition, employees of **TASCO, LLC.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **TASCO, LLC.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name: Michael Boyer

Title: President / Partner

Date: January 2, 2020

# **EXHIBIT I**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:            **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks:                            **AUTOCARE ASSOCIATION, AUTOCARE ASSOCIATION & Design (color), AUTOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1.        My name is **Charlie Crouse** and I am **President** of **TBA & Oil Warehouse Inc.** I am over 18 years of age, and competent to execute this Declaration.

2.        This Declaration is based upon my actual knowledge of the statements made herein.

3.        Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4.        **TBA & Oil Warehouse Inc.** has been a member of Auto Care since **2016** and enjoys the benefits of the AUTOCARE ASSOCIATION™ membership services and related benefits.

5.        As a member of Auto Care, employees of **TBA & Oil Warehouse Inc.** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and

standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **TBA & Oil Warehouse Inc.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **TBA & Oil Warehouse Inc.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:  \_\_\_\_\_

Name: \_\_\_\_\_ Charlie Crouse \_\_\_\_\_

Title: \_\_\_\_\_ President \_\_\_\_\_

Date: \_\_\_\_\_ 1-7-20 \_\_\_\_\_

# **EXHIBIT J**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Chase Baxley** and I am **Chief Operating Officer** of **The Parts House**. I am over 18 years of age, and competent to execute this Declaration.
2. This Declaration is based upon my actual knowledge of the statements made herein.
3. Auto Care Association ("Auto Care") is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4. **The Parts House** has been a member of Auto Care since **before 2015** and enjoys the benefits of the AUOCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **The Parts House** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

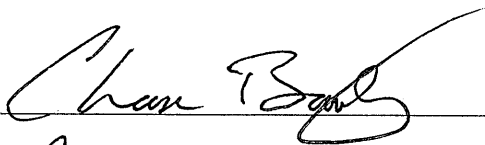
6. In addition, employees of **The Parts House** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **The Parts House** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name: Chase Baxley  
Title: COO

Date: 1/7/20



# **EXHIBIT K**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTOCARE ASSOCIATION, AUTOCARE ASSOCIATION & Design (color), AUTOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Jesse Kaplan** and I am **General Manager** of **Neptune Warehouse**. I am over 18 years of age, and competent to execute this Declaration.
2. This Declaration is based upon my actual knowledge of the statements made herein.
3. Auto Care Association ("Auto Care") is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4. **Neptune Warehouse** has been a member of Auto Care since **before 2015** and enjoys the benefits of the AUTOCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **Neptune Warehouse** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

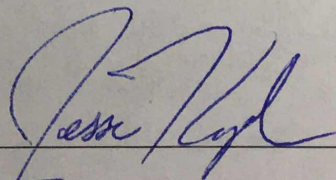
6. In addition, employees of **Neptune Warehouse** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Neptune Warehouse** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By: 

Name: Jesse Kaplan

Title: General Manager

Date: 1/7/2020

# **EXHIBIT L**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Kelly Connolly** and I am **President of Tri-States Automotive Warehouse, Inc.** I am over 18 years of age, and competent to execute this Declaration.
2. This Declaration is based upon my actual knowledge of the statements made herein.
3. To my knowledge, Auto Care Association ("Auto Care") is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.
4. **Tri-States Automotive Warehouse, Inc.** has been a member of Auto Care since **before 2015** and enjoys the benefits of the AUOCARE ASSOCIATION™ membership services and related benefits.
5. As a member of Auto Care, employees of **Tri-States Automotive Warehouse, Inc.** regularly attend AUOCARE ASSOCIATION™ conferences to learn

best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

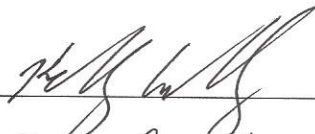
6. In addition, employees of **Tri-States Automotive Warehouse, Inc.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Tri-States Automotive Warehouse, Inc.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. I believe that companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name: Kelly Connolly  
Title: President  
Date: Jan 9, 2020

# **EXHIBIT M**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **Kyle Byrne** and I am **Vice President - Distribution of The Merrill Company/Arnold Motor Supply**. I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. ~~Auto-Care Association ("Auto-Care")~~ is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **Merrill Company/Arnold Motor Supply** has been a member of Auto Care since **2004** and enjoys the benefits of the **AUOCARE ASSOCIATION™** membership services and related benefits.



5. As a member of Auto Care, employees of Merrill Company/Arnold Motor Supply regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of Merrill Company/Arnold Motor Supply regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories.

7. As a member of Auto Care, Merrill Company/Arnold Motor Supply readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:



Name: KYLE R. BYRNE

Title: VP DISTRIBUTION

Date: 1/8/20

# **EXHIBIT N**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:           **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks:                           **AUTOCARE ASSOCIATION, AUTOCARE  
ASSOCIATION & Design (color), AUTOCARE  
ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1.       My name is **Robert Segal** and I am **Chief Executive Officer** of **Automotive Supply Associates, Inc.** I am over 18 years of age, and competent to execute this Declaration.

2.       This Declaration is based upon my actual knowledge of the statements made herein.

3.       Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4.       **Automotive Supply Associates, Inc.** has been a member of Auto Care since before 2015 and enjoys the benefits of the AUTOCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **Automotive Supply Associates, Inc.** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.


6. In addition, employees of **Automotive Supply Associates, Inc.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **Automotive Supply Associates, Inc.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:   
Name: ROBERT V. SEAL  
Title: CEO  
Date: JANUARY 8, 2020

# **EXHIBIT O**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTOCARE ASSOCIATION, AUTOCARE ASSOCIATION & Design (color), AUTOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **ARNOLDO VENTURA** and I am **PRESIDENT** of **FRONTERA RADIATORS & PARTS, INC.** I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association ("Auto Care") is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **FRONTERA RADIATORS & PARTS, INC** has been a member of Auto Care since **2015** and enjoys the benefits of the **AUTOCARE ASSOCIATION™** membership services and related benefits.



5. As a member of Auto Care, employees of **FRONTERA RADIATORS & PARTS, INC** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **FRONTERA RADIATORS & PARTS, INC** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **FRONTERA RADIATORS & PARTS, INC** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By:  \_\_\_\_\_

Name: Arnaldo Ventura

Title: President

Date: 01/20/2020

# **EXHIBIT P**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUTCARE ASSOCIATION, AUTCARE ASSOCIATION & Design (color), AUTCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is **JOHN R. WASHBISH** and I am **PRESIDENT & CEO** of **AFTERMARKET AUTO PARTS ALLIANCE, INC.** I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **AFTERMARKET AUTO PARTS ALLIANCE, INC.** has been a member of Auto Care (AWDA segment) since 2004 and enjoys the benefits of the **AUTCARE ASSOCIATION™** membership services and related benefits.

5. As a member of Auto Care, employees of **AFTERMARKET AUTO PARTS ALLIANCE, INC.** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **AFTERMARKET AUTO PARTS ALLIANCE, INC.** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **AFTERMARKET AUTO PARTS ALLIANCE, INC.** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers (professional repair technicians) in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# **EXHIBIT Q**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Auto Care Association**

Application Serial Numbers: **88/416,952; 88/416,947; 88/416,949**

Marks: **AUOCARE ASSOCIATION, AUOCARE ASSOCIATION & Design (color), AUOCARE ASSOCIATION & Design (black/white)**

**DECLARATION**

The undersigned Declarant declares that, to the best of his/her knowledge:

1. My name is Mark Finestone and I am the Executive Vice President of Merchandising and Supply Chain, of AutoZone Parts, Inc (“AutoZone”). I am over 18 years of age, and competent to execute this Declaration.

2. This Declaration is based upon my actual knowledge of the statements made herein.

3. Auto Care Association (“Auto Care”) is one of the largest and most comprehensive trade associations for the automotive aftermarket industry that offers a variety of services dedicated to promoting the interests of the motor vehicle aftermarket industry, including association services dedicated to promoting the interests of the motor vehicle aftermarket industry, business services that develop best practices and standards for e-commerce and information technology in the aftermarket field, educational conferences and training in the aftermarket industry, and database and software featuring information in the field of motor vehicle aftermarket industry.

4. **AutoZone** has been a member of Auto Care since **2014** and enjoys the benefits of the AUOCARE ASSOCIATION™ membership services and related benefits.

5. As a member of Auto Care, employees of **AutoZone** regularly attend AUTOCARE ASSOCIATION™ conferences to learn best practices and standards for e-commerce and information technology in the motor vehicle aftermarket industry.

6. In addition, employees of **AutoZone** regularly use AUTOCARE ASSOCIATION™ software and databases featuring trade information for automotive parts and accessories

7. As a member of Auto Care, **AutoZone** readily identifies the AUTOCARE ASSOCIATION™ mark as a brand name to identify Auto Care's association services, business services, educations conferences, and databases and software in the field automotive parts and accessories.

8. In my opinion, Companies in the aftermarket automotive industry associate the AUTOCARE ASSOCIATION™ brand directly with Auto Care, and not with any other trade associations or companies in the industry.

9. In my opinion, consumers in the automotive industry readily recognize the AUTOCARE ASSOCIATION™ mark as uniquely associated with Auto Care and its association and education services, databases, and software in the field of motor vehicle aftermarket industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I signed this Declaration on the date set forth below.

By: 

Name: Mark A. Forster

Title: EVP North America Supply Chain

Date: 1/2/20

# **EXHIBIT R**





News / [Auto Care Association](#)

2 MONTHS AGO

## Auto Care Data Innovation Center To Showcase New Data Solutions At AAPEX

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**Counterman Staff**, AUTHOR

[VIEW BIO](#)



For over 100 years, the Auto Care Association has been a trusted business partner in the automotive aftermarket, developing technical solutions to industry-wide challenges that help companies plan and

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giving attendees the opportunity to see its 21st-century solutions — live and in-person at the first ever

Auto Care Data Innovation Center.

The Data Innovation Center, located at booth No. L2, Sands Upper Lobby in the Sands Expo, will have Auto Care Association staff and subject matter experts present to provide attendees with live demonstrations of its newest technical solution products, including UniLink, Demand Index and the Industry Standards. Interested attendees can secure personalized demos of each product to see how these solutions can be applied to their unique business needs.



[UniLink](#) is the industry's global vehicle identifier. The new product, launched this year in collaboration with IHS Markit, helps connect data so that subscribers can see which vehicles are similar across the world – allowing researchers to determine which parts fit where and on what vehicle faster, rather than manually researching each vehicle. With UniLink, auto care industry companies can analyze and understand vehicles across the globe and more quickly determine if current or future components can be sold in new markets. [Sign up for a UniLink demo here.](#)



[Demand Index](#) gives auto care industry companies the ability to view product category performance trends detailing the monthly demand of automotive aftermarket product lines in the U.S, allowing users to see how their product categories are performing compared to the market. [Sign up for a Demand Index demo here.](#)



Auto Care Standards, including [ACES](#) (Aftermarket Catalog Exchange Standard) and [PIES](#) (Product Information Exchange Standard) are accessible through the [Auto Care Vehicle Information Portal \(VIP\)](#). These standards are widely adopted by the industry and enable companies to seamlessly exchange and manage catalog and product information for thousands of product lines. Auto Care Standards ensure quality and consistency, resulting in increased sales, reduced shipping errors and returns. [Sign up to learn more about Auto Care Standards at AAPEX here.](#)

**Tags:**

auto care association



**Do you currently offer keyless entry programming services to your customers?**

**Yes**

**No**



News / [AAPEX](#)

2 MONTHS AGO

## AAPEX 2019 To Activate Industry In Fight For Access And Control Of Vehicle Data



Print Email



**Counterman Staff,** AUTHOR

[VIEW BIO](#)

Who has control of your car data?

**NOT YOU.**

Scan to sign the petition:

Manufacturers want to monopolize the data vehicles generate. That means they could control who repairs a vehicle, putting the entire aftermarket at risk.

Demand that drivers control their vehicle data.  
Learn more at [yourcaryourdata.org](http://yourcaryourdata.org).

YOUR CAR. YOUR DATA.  
YOUR CHOICE.

AAPEX 2019 will host several events to educate and activate the automotive aftermarket industry in the fight for access to and control of vehicle data through the Your Car. Your Data. Your Choice. national consumer education campaign. AAPEX represents the \$1 trillion global automotive aftermarket industry and will take place Tuesday, Nov. 5 through Thursday, Nov. 7, at the Sands Expo

in Las Vegas.

AAPEX co-owners – the Auto Care Association and the Automotive Aftermarket Suppliers Association (AASA) – recently announced a strategic partnership to focus on the Your Car. Your Data. Your Choice. campaign, which was created to engage car owners, policymakers and other stakeholders on car data – what it is, why it matters, and its implications for consumer choice. Without control of and access to the diagnostic and repair information wirelessly transmitted from vehicles, consumers could face increased cost and inconvenience, jeopardizing the future of the automotive aftermarket and forcing consumers to pay more for car repairs.

AAPEX events include a panel discussion on vehicle data and the aftermarket’s role in protecting consumer choice. Panelists are Jim Dykstra, CEO, Dytech Auto Group; Chris Blalock, director of product management, Dorman Products; Daniel Massey, PhD, director of technology, cybersecurity and policy program, University of Colorado Boulder; and Clay Millican, driver of the Parts Plus Top Fuel Dragster. They will discuss the current vehicle data landscape within the auto industry, highlight the steps needed to ensure a level playing field and a healthy aftermarket ecosystem and express what consumers can do to demand access and control of their vehicle data. The panel discussion will be held from 1:30 p.m. – 2:30 p.m., Nov. 6, on the Let’s Tech stage, Sands Expo, Level 2, Upper Lobby.

In the Technology of Tomorrow section, Booth No. 31021 (Venetian Ballroom, Level 2), the Auto Care Association will demonstrate implementation of recently approved international standards, showing that direct, local access to vehicle data can be secure, safe and authorized by vehicle owners.

In the Sands Expo, Level 1 Lobby, Parts Plus and Your Car. Your Data. Your Choice. will present Clay Millican, six-time Top Fuel World Champion in front of the sponsored campaign wall. Millican will invite attendees to take photos with his dragster and sign the petition for access to vehicle data on Nov. 5 (2:45 p.m. – 3:45 p.m.), Nov. 6 (10 a.m. – 11 a.m.) and Nov. 7 (1 p.m. – 2 p.m.)

AAPEX is asking all attendees to sign the petition in support of access to vehicle data, either at the show (Sands Expo, Level 1 Lobby) or online at [yourcaryourdata.org](http://yourcaryourdata.org).

**Tags:** AAPEX



**Do you currently offer keyless entry programming services to your customers?**

**Yes**

**No**



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# Projected to Reach \$405B by 2020 in New Research



Auto Care Association releases annual flagship publications Auto Care Factbook 2020 and Auto Care Factbook Plus Lang Annual 2020, providing comprehensive research, analysis and trends for the automotive aftermarket

NEWS PROVIDED BY

[Auto Care Association](#)

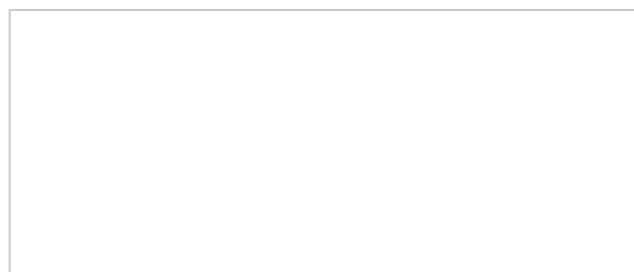
Jun 25, 2019, 10:22 ET

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BETHESDA, Md., June 25, 2019 /PRNewswire/ -- The Auto Care Association today released the newest edition of its award-winning and industry-leading online publication, the *Auto Care Factbook 2020* and the *Auto Care Factbook Plus Lang Annual 2020*. The annual research report serves as the industry's flagship publication and an essential informational resource for the growing \$405 billion United States auto care industry.

New to the publication this year are four additional areas of research, including IMR data on delayed maintenance, NPD Group data on



automotive chemicals and fluids, a global automotive aftermarket estimate provided by Hanover Research and an aftermarket distribution summary.

In the 29<sup>th</sup> edition of *Auto Care Factbook*, readers will find:

- Updated "Key Economic Indicators 2015-2019" by Northwood University;
- The latest trends on Supply, Demand and CAGRs for Technician Employment;
- An extended Industry Forecast through 2022 by IHS Markit;
- *\*New\** Aftermarket Distribution Summary;
- An updated "Global Automotive Aftermarket Review" by Jefferies;
- Updated Consumer Profiles for DIY-DIFM Demographics, Insights on Millennial Light Maintenance DIYers, Reasons Why Consumers Choose DIY and DIFM Outlets, DIY Propensity and Shop Averages and Replacement Rates by IMR;
- *\*New\** Delayed Maintenance, Market Potential and Time to Market by IMR;
- *\*New\** Automotive Chemicals and Fluids by NPD;
- Updated U.S. New and Total Vehicle Registrations by IHS Markit;
- An updated Hybrid Vehicles Summary and Vehicle Operating Costs;
- *\*New\** Global Automotive Aftermarket Estimate by Hanover Research;
- Updated "U.S. and Global Aftermarket Dynamics" by Northwood





**University;**

- Updated Global Registration Summary by IHS Markit;
- And more. [View the full table of contents here.](#)

"Despite the uncertainty felt across our industry and the markets over the past year due to tariffs and trade, this edition of the Auto Care Factbook reinforces positive growth in today's \$405 billion auto care industry," said Bill Hanvey, president and CEO, Auto Care Association. "Consumer confidence, spending and hourly wages continue to increase, and more than 41,500 industry jobs were created last year. Our association is committed to delivering resources and data to our members. The Factbook is the bedrock of that information, and we continue to [evolve our resources](#) to best serve our members' needs."

The *Auto Care Factbook* takes a deep dive into these topics and many more, providing all of the information needed to keep thriving in the dynamic aftermarket - which is projected to be a \$448 billion industry in 2022.

The digital publication is hosted on the Auto Care Digital Hub, allowing readers to access the book from a variety of devices, locate data easily, share the publication with colleagues and even download charts, tables and graphs associated with the data. In addition to the *Auto Care Factbook 2020*, the Auto Care Digital Hub hosts a wide variety of market research and industry publications, all of which can be instantly accessed from any desktop or mobile device.

Along with the *Auto Care Factbook*, the Lang Annual section provides a supplemental, comprehensive overview of the U.S. light vehicle aftermarket and presents information and analysis available from no other source.

All Auto Care Association contacts at member companies receive a

complimentary digital copy of the *Auto Care Factbook 2020* report as a member benefit. The non-member price for the publication is \$1,950. The *Auto Care Factbook Plus Lang Annual* can be purchased for \$995 for members and \$2,995 for non-members.

To access the *Auto Care Factbook 2020* or the *Auto Care Factbook Plus Lang Annual 2020* publications, visit [digital.autocare.org/factbook2020](http://digital.autocare.org/factbook2020). For questions, contact Auto Care Association Member Services at [publications@autocare.org](mailto:publications@autocare.org).

### About the Auto Care Association

Based in Bethesda, Md., the Auto Care Association has nearly 3,000 member companies that represent some 150,000 independent automotive businesses that manufacture, distribute and sell motor vehicle parts, accessories, tools, equipment, materials and supplies, and perform vehicle service and repair. For more information, please visit [www.autocare.org](http://www.autocare.org).

SOURCE Auto Care Association

### Related Links

<http://www.autocare.org>

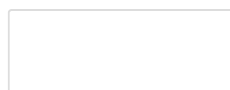
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# Auto Care Industry Projected to Reach \$405B by 2020 in New Research

NEWS PROVIDED BY  
[Auto Care Association](#)  
Jun 25, 2019, 10:22 ET

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# Emerging Vehicle Technologies and Aftermarket Opportunities to be Presented at AAPEX 2019



Auto Care Association and partners offering industry education and solutions regarding ADAS, CAV, V2X, Embedded Systems and SVI

NEWS PROVIDED BY  
[Auto Care Association](#)  
Oct 16, 2019, 08:55 ET

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LAS VEGAS, Oct. 16, 2019 /PRNewswire/ -- Attendees at this year's AAPEX (Automotive Aftermarket Products Expo), taking place Nov. 5-7 in Las Vegas, will have the opportunity to see how the auto care industry is staying competitive in the age of advanced vehicle technologies. The aftermarket will soon be maintaining the cars of tomorrow and the Auto Care Association's Emerging Technologies Booth at AAPEX will present the latest solutions for standardization of the maintenance and repair of automated systems—ensuring safe and dependable vehicle operation long after the warranty expires.



The Emerging Technologies Booth will feature three informational kiosks highlighting vehicle technology progression, what the latest technological developments mean for the consumer and what the aftermarket industry is doing about it today. The Auto Care Association, in partnership with Q-Free, Concepts & Services Consulting (CSC), Southwest Research Institute (SwRI), OnBoard Security and Coolfire Solutions, will provide a wide range of information on the technologies, including: Advanced Driver Assistance Systems (ADAS); Connected and Automated Vehicles (CAVs); V2X; Automotive Embedded Systems and the Secure Vehicle Interface (SVI) through video demonstrations; live presentations; discussions; and more. Implementations of recently approved international standards that were sponsored by the association will be demonstrated, showing that direct, local access to vehicle data can be secure, safe and authorized by vehicle owners.

"In less than five years, 90% of new cars will be wirelessly transmitting real-time driver behavior and vehicle data," said Bill Hanvey, president and CEO, Auto Care Association. "These advanced vehicle technologies will have a lasting influence on our industry, which means securing the authentication and standardization of accessing vehicle telematics will

be vital to the aftermarket's ability to maintain and repair these vehicles down the road."

"The importance of being able to control your own vehicle's data cannot be stressed enough," said Joe Register, vice president, emerging technologies, Auto Care Association. "The development of technical solutions based on SVI—standardizing the safe, secure and direct exchange of vehicle data—is ultimately what will give consumers lasting control over their data and their vehicles, allowing them to choose exactly which shop they want to have their vehicles serviced and repaired."

During the three-day AAPEX show, attendees can view live presentations given by industry experts on the association's current technology initiatives, including:

- **Advanced Driver Assistance Systems (ADAS)**
  - *How the current state of ADAS recalibration is quickly becoming a critical safety issue and an unexpected financial burden for the consumer, and how the Auto Care Association and its partners are addressing this issue.*
  
- **Vehicle data and communications**
  - *How direct, local access to vehicle data can be secure, safe and authorized by vehicle owners through implementations of recently approved international standards that were sponsored by the association.*
  
- **Embedded device software**
  - *How existing software copyright laws can be applied and how the development of standards for fair and equitable access to embedded device software is vital to the repair and maintenance of today's vehicles.*

AAPEX attendees can view these presentations Nov. 5-7 at the Auto Care Emerging Vehicle Technologies Booth #31021 located in the Technology of Tomorrow section of the Venetian Ballroom in the Venetian Hotel. There will also be a special [forum on the challenges and opportunities of ADAS](#) taking place Thursday, Nov. 7 at 9:30 a.m.-12:30 p.m. in the Bellini Ballroom, which will expound on how to generate new business today, the legal implications of improperly performed ADAS recalibration procedures and the next-generation of ADAS recalibration tools and techniques for the future.

Media can [sign up to attend an exclusive briefing](#) on all of these technologies during a press conference on Wednesday, Nov. 6, 3p.m.-3:30 p.m., taking place at the Emerging Vehicle Technologies Booth. The media briefing will also include a detailed walkthrough of the challenges, opportunities and solutions, plus time for interviews and questions with the technologists.

For more information about this year's Emerging Vehicle Technologies Booth at AAPEX, contact [emergingtech@autocare.org](mailto:emergingtech@autocare.org).

#### About the Auto Care Association

Based in Bethesda, Md., the Auto Care Association has more than 3,000 member companies that represent some 150,000 independent automotive businesses that manufacture, distribute and sell motor vehicle parts, accessories, tools, equipment, materials and supplies, and perform vehicle service and repair. For more information, please visit [www.autocare.org](http://www.autocare.org).

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# Guarantee Consumers Access and Control Over Data Generated by Their Own Cars Reaches 15,000 Signatures

New milestone shows that consumers across the country are concerned about the issue and support the Your Car. Your Data. Your Choice.™ campaign

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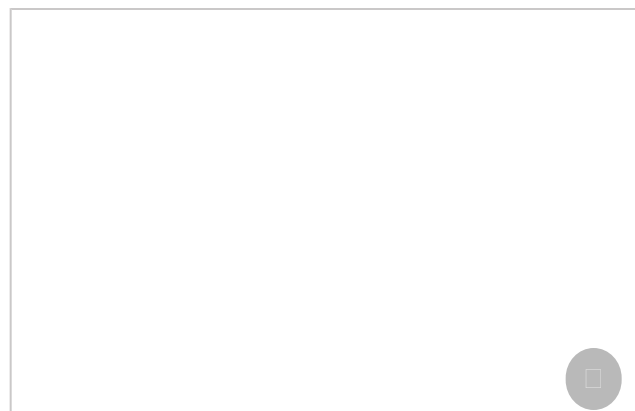
Nov 25, 2019, 14:00 ET

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BETHESDA, Md., Nov. 25, 2019 /PRNewswire/ -- A [petition](#) created by the national education and advocacy campaign *Your Car. Your Data. Your Choice.™* reached 15,000 petition signatures on Friday, Nov. 22, marking a significant milestone in the effort to ensure drivers have direct access to and control of their car data.

Newer model cars today are equipped with advanced technologies that enable real-time, wireless transmission of data related to driver behavior, GPS location and car health, including maintenance and repair information. Without





control of and direct access to the diagnostic and repair information wirelessly transmitted from cars, consumers could face greater inconvenience, increased costs and fewer options for repair and maintenance services for their car.

"Support for a driver's right to choose who controls their car data is reaching a fever pitch," said Bill Hanvey, president and CEO of the Auto Care Association. "We will continue to amplify the diverse voices of our stakeholders and place pressure on lawmakers to do what they know is right: give consumers control of their car data."

Securing 15,000 petition signatures is the latest milestone for the *Your Car. Your Data.*<sup>™</sup> campaign. In April, it brought together automotive, security and privacy experts, policymakers and consumer advocates for an engaging panel discussion on how the connected car impacts consumer choice. The following month, Hanvey **authored an op-ed published in *The New York Times*** that helped draw attention to the significant issues surrounding data collection and ownership in modern cars. And earlier this month during AAPEX 2019 – the auto care industry's largest trade show – the campaign facilitated its second panel discussion this year, focused on cybersecurity and the connected car. These combined efforts have helped build steady momentum and increase awareness of the car data access and control issue among consumers, industry employees and policymakers.

"It's great to see the campaign has engaged so many people," said Paul McCarthy, president and COO of the Automotive Aftermarket Suppliers Association. "Access to car data is vital not only for consumers, but also for the continued existence of an industry that supports 4.6 million jobs and generates \$392 billion in economic revenue."

*Your Car. Your Data.*™ has secured the support and engagement of several vocal and high-profile National Hot Rod Association (NHRA) professionals, including Clay Millican, Blake Alexander, Erica Enders and Megan Meyer, who have helped raise awareness of this issue among their fans. Millican and Alexander recently met with policymakers in Washington, D.C. to discuss the issue and its potential impact on the nation's drivers.

"I was shocked and upset when I first learned about this issue," Millican said. "The alarm bell is ringing, and we need to fix this before it's too late. To me, it's simple: if it's my car, it should be my data."

As the first professional driver to partner with the campaign, Millican is actively engaged in ensuring car owners and drivers are aware of the access and control issue and how it impacts their daily routines. Millican [penned an op-ed for \*Automotive News\*](#) on why drivers should have direct access to and control of their car data and participated in the previously mentioned panel discussion at AAPEX. His hard work created momentum and is a key factor in the campaign securing 15,000 signatures.

For more information about the campaign, visit [yourcaryourdata.org](http://yourcaryourdata.org).

**About** *Your Car. Your Data. Your Choice.*™:

*Your Car. Your Data. Your Choice.*™ is an Auto Care Association and Automotive Aftermarket Suppliers Association education and advocacy initiative created to generate public awareness around car data – what it is, why consumers should know about it and its unintended implications

for consumer choice.

SOURCE Your Car. Your Data. Your Choice.™

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<https://yourcaryourdata.org>

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# Petition Calling on Congress to Guarantee Consumers Access and Control Over Data Generated by Their Own Cars Reaches 15,000 Signatures

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Nov 25, 2019, 14:00 ET

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# REACH \$297 BILLION IN 2018, Exceeding Forecasted Growth by Nearly \$1 Billion



Joint Channel Forecast Model Predicts Sales to Total \$338 Billion through 2022

NEWS PROVIDED BY

[Auto Care Association](#)

Jun 26, 2019, 08:59 ET

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BETHESDA, Md. and RESEARCH TRIANGLE PARK, N.C., June 26, 2019 /PRNewswire/ -- The U.S. automotive aftermarket reached total sales of \$297 billion in 2018, exceeding the projected growth rate by nearly \$1 billion, according to the 2019 Joint Channel Forecast Model produced by the Automotive Aftermarket Suppliers Association (AASA) and the Auto Care Association.

The 2019 Joint Channel Forecast Model predicts that the total aftermarket sales will grow from \$297 billion in 2018 to \$338 billion through 2022, a 3.3 percent compound annual growth rate (CAGR) from 2018.

"In our report last year, we anticipated that the market would increase

during 2018. But as this report shows, strong economic growth in our country spurred more aftermarket spending than anticipated," said Paul McCarthy, president and chief operating officer, AASA, MEMA's light vehicle aftermarket division. "This year's report shows continued positives ahead for aftermarket growth, such as increases in vehicles in operation (VIO) and an aging vehicle parc. However, it also indicates challenges, too, such as shifts in the distribution model as consumers' expectations for service and repair change. We believe the aftermarket will meet the challenges and opportunities ahead as it always has, through leadership, vision and entrepreneurial spirit."

"More vehicles on the road with an average age of nearly 12 years old -- and the 12-year-and-older category now representing 44% of total light vehicles and growing at 4% annually -- equals good business for the aftermarket," said Bill Hanvey, president and CEO, Auto Care Association. "Coupling that with steady miles driven, growth in e-tailing and high consumer confidence reinforces the positive outlook for the industry. Emerging technologies such as ADAS, electrification and automation will present more opportunities for this growth to continue through 2022 and beyond."

The market sizing and forecast is conducted on behalf of AASA and the Auto Care Association by IHS Markit, the world renowned economic and market information firm. The forecast is based on the U.S. Census Bureau's Economic Census, IMR and IHS vehicle data (formerly R.L. Polk data), and IHS Markit's proprietary economic analysis and forecasting models.

The Joint Channel Forecast Model will be available soon at the AASA website, [www.aftermarketsuppliers.org](http://www.aftermarketsuppliers.org), and in the Auto Care Association's Auto Care Factbook 2020, available today at [www.autocare.org](http://www.autocare.org).

## About AASA

AASA ([www.aftermarketsuppliers.org](http://www.aftermarketsuppliers.org)) exclusively serves manufacturers of aftermarket components, tools and equipment, and related products, an important part of the automotive parts manufacturing industry which supports 871,000 American jobs. AASA is a recognized industry change agent – promoting a collaborative industry environment, providing a forum to address issues and serving as a valued resource for members. AASA is the light vehicle aftermarket division of the Motor & Equipment Manufacturers Association (MEMA). "AASA, The Voice for the Automotive Aftermarket Supplier Industry"

## About the Auto Care Association

The Auto Care Association is a Bethesda, Md.-based association whose more than 3,000 member companies represent approximately 150,000 independent businesses that manufacture, distribute and sell motor vehicle parts, accessories, tools, equipment, materials, supplies and perform vehicle service and repair. Visit [www.autocare.org](http://www.autocare.org).

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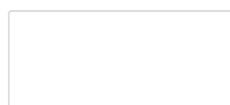
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## New tool set to provide parts data on 1.4 billion vehicles



Friday, May. 03, 2019, 12:01 PM



By Auto Remarketing Staff

**BETHESDA, Md.** - Especially for independent dealerships who have service drives catering to any vehicle that ends up in a bay, a new resource from the Auto Care Association could help find parts more efficiently.

This week, the association announced a new data product designed to connect parts data for nearly 1.4 billion vehicles, making going global easier for automotive aftermarket businesses that aren't already and more efficient for those operations that are.

UniLink can help connect data so that subscribers can see which vehicles are similar across the world. With that information, researchers are able to determine which parts fit where and on what vehicle faster, rather than manually researching each vehicle. Now, auto care industry companies can analyze and understand vehicles across the

globe and more quickly determine if current or future components can be sold in new markets.

Association officials explained this global vehicle identification solution can provide benefits including:

- Significantly reducing research time by showing which vehicles are similar across the world
- Optimization of supply chains so companies can easily and quickly identify all the country-specific vehicles that are likely to be compatible with a given product, enabling them to see where two parts are being used when only one would be necessary
- Allowing organizations to more effectively allocate resources to areas that make, sell and stock the right parts, resulting in significant cost savings
- Highlighting the potential to sell more parts in more markets with better product management data

This solution is the result of a unique collaboration between two leading organizations, the Auto Care Association and IHS Markit. Global vehicle production and sales insight from IHS Markit helped to link the aftermarket to

details from the 1.4 billion global vehicle population like never before, ultimately enabling better business decisions.

UniLink will be available for purchase later this year, according to the Auto Care Association.

*To learn more about UniLink and sign up for updates, visit [autocare.org/unilink](https://autocare.org/unilink) or send a message to [goglobal@autocare.org](mailto:goglobal@autocare.org).*

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# Meet With Potential Business Partners On 2020 Auto Care Association Trade Mission To Peru

Published on aftermarketNews on December 12, 2019 02:25 PM



By [aftermarketNews Staff](#)



The Auto Care Association has announced a new [trade mission to Peru](#) on March 16-17, 2020. The trip serves as a business development opportunity for companies seeking to meet with potential customers and partners and to gain firsthand market information. Meetings are customized to match each participant's specific business objectives.

Trade mission packages include:

- prearranged private business-to-business meetings;
- hotel accommodations;
- local transportation;
- meals;
- interpreters; and
- market overview briefings.

The trade mission is open to all companies in the automotive and heavy-duty aftermarket industry, with qualifying companies eligible to receive an offset of the trade mission package cost. Auto Care Association members will receive a reduced rate.

“The high level of engagement from the trade mission team before and during the program far surpassed our expectations,” said Luis Perez Morales, senior manager, international sales and operations, Interstate Batteries and past trade mission participant. “They were able to secure in-person meetings with top-notch customers that will lead to the distribution of our products. It would have taken us multiple phone calls, trips to the country and thousands of dollars to engage with customers.”

The association has hosted eight successful [trade missions](#) in the past four years to key markets in Latin America.

## Why Peru?

Peru is one of the fastest-growing economies in Latin America, with an average annual growth rate of 5 percent per year between 2005 and 2017.

The average age of private transport vehicles in Peru is 15.5 years and 22.5 years for public transport vehicles.

Peru's stability has made it historically the leader in the region for international business and tourism.

The U.S. Free trade agreement with Peru has eliminated tariffs on many goods, provides an accelerated customs clearance process for U.S. imports and strengthens the protection on intellectual property rights.

For pricing details and to register, visit [www.autocare.org/trade-missions](http://www.autocare.org/trade-missions).

For additional event information, contact Carolina Arregoces at [carolina.arregoces@autocare.org](mailto:carolina.arregoces@autocare.org).



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