



BULKY DOCUMENTS

(Exceeds 100 pages)

Filed: 4/28/2011

Title: REQUEST FOR RECONSIDERATION AFTER
FINAL ACTION.

Part 1 of 1

77199918

Request for Reconsideration after Final Action

The table below presents the data as entered.

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| SERIAL NUMBER | 77199918 |
| LAW OFFICE ASSIGNED | LAW OFFICE 106 |
| MARK SECTION (no change) | |
| EVIDENCE SECTION | |
| EVIDENCE FILE NAME(S) | |
| ORIGINAL PDF FILE | <u>evi 38106150164-171747660 . 110428 Request for Reconsideration - CHI 13271-364 .pdf</u> |
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| DESCRIPTION OF EVIDENCE FILE | Arguments and exhibits in favor of approval. |
| GOODS AND/OR SERVICES SECTION (current) | |
| INTERNATIONAL CLASS | 036 |
| DESCRIPTION | |
| Investment services, namely, providing futures, options and swaps contracts | |
| FILING BASIS | Section 1(b) |
| GOODS AND/OR SERVICES SECTION (proposed) | |
| INTERNATIONAL CLASS | 036 |
| TRACKED TEXT DESCRIPTION | |
| Investment services, namely, providing futures, options and swaps contracts; Investment services, | |

namely, providing futures, options and swaps contracts related to hurricanes for trading on an exchange

FINAL DESCRIPTION

Investment services, namely, providing futures, options and swaps contracts related to hurricanes for trading on an exchange

FILING BASIS Section 1(b)

SIGNATURE SECTION

RESPONSE SIGNATURE /jmb/

SIGNATORY'S NAME Jay M. Burgett

SIGNATORY'S POSITION Attorney of record, Illinois bar member

DATE SIGNED 04/28/2011

AUTHORIZED SIGNATORY YES

CONCURRENT APPEAL NOTICE FILED YES

FILING INFORMATION SECTION

SUBMIT DATE Thu Apr 28 17:27:00 EDT 2011

TEAS STAMP USPTO/RFR-38.106.150.164-20110428172700264913-77199918-48070d036b12f367117e3c165782aef9-N/A-N/A-20110428171747660545

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **77199918** has been amended as follows:

EVIDENCE

Evidence in the nature of Arguments and exhibits in favor of approval. has been attached.

Original PDF file:

evi 38106150164-171747660 . 110428 Request for Reconsideration - CHI 13271-364 .pdf

Converted PDF file(s) (152 pages)

Evidence-1

Evidence-2

Evidence-3
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Evidence-151
Evidence-152

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 036 for Investment services, namely, providing futures, options and swaps contracts

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Investment services, namely, providing futures, options and swaps contracts;~~
Investment services, namely, providing futures, options and swaps contracts related to hurricanes for trading on an exchange

Class 036 for Investment services, namely, providing futures, options and swaps contracts related to hurricanes for trading on an exchange

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /jmb/ Date: 04/28/2011

Signatory's Name: Jay M. Burgett

Signatory's Position: Attorney of record, Illinois bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77199918

Internet Transmission Date: Thu Apr 28 17:27:00 EDT 2011

TEAS Stamp: USPTO/RFR-38.106.150.164-201104281727002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: CHICAGO MERCANTILE EXCHANGE INC. Serial No.: 77/199,918 Filed: June 7, 2007 Mark: CHI | Examining Attorney: Linda A. Powell Law Office 106 |
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**APPLICANT'S REQUEST FOR RECONSIDERATION IN SUPPORT OF
REGISTRATION FOR THE MARK CHI**

Dear Ms. Powell:

Applicant, Chicago Mercantile Exchange Inc., by its attorneys, hereby submits this Request for Reconsideration in response to the Office Action dated October 29, 2010. Applicant filed its application to register the mark CHI (the "Mark") in connection with "Investment services, namely, facilitating futures, options and swaps contracts," as amended. The Examining Attorney refused registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d), on the basis of a likelihood of confusion with the mark:

Chi Capital 智匯

shown in U.S. Registration No. 3,756,238 (the "Cited Mark"). The Cited Mark is owned by Chi Capital Holdings Limited ("Registrant") and covers "Insurance underwriting services for all types of insurance; Funds investment; Financial analysis and consultation; Financing services;

Financial management; Financial evaluation for insurance purposes; Financial information provided by electronic means; Capital investment consultation; Banking.”

Upon clarification and amendment of Applicant’s services, as well as a review of the evidence submitted by the Examining Attorney, Applicant respectfully submits that there is no likelihood of confusion with the Cited Mark. Accordingly, Applicant respectfully requests that the Examining Attorney withdraw her refusal to register and approve the Mark for publication in the *Official Gazette*. In support of its Request, Applicant states as follows.

I. INTRODUCTION

On October 8, 2010, Applicant submitted a substantive office action response disputing the Examining Attorney’s refusal to register. Specifically, Applicant made the following arguments: (1) Applicant’s Mark differs from the Cited Mark in sight, sound and meaning, (2) Applicant’s services differ materially from those offered under the Cited Mark, (3) Applicant’s services are used by sophisticated consumers, and (4) Applicant’s services and Mark are distributed and used in different channels of trade and in such a way that confusion is not likely. Accordingly, Applicant urged the Examining Attorney to conclude that there was no likelihood of confusion.

On October 29, 2010, the Examining Attorney issued a Final Refusal to Register under Section 2(d) of the Trademark Act based on the Cited Mark and evidence submitted therewith. In response, Applicant submits this Request for Reconsideration to clarify the record and provides additional evidence and arguments in support of the fact that there is no likelihood of confusion. Applicant also submits a Notice of Appeal corresponding with this request.

II. APPLICANT'S SERVICES

To aid in the Examining Attorney's reconsideration of this matter, Applicant first provides additional information regarding the scope of Applicant's services. It is Applicant's hope that more detail on Applicant's services will demonstrate that they are distinctly different from the services listed in the Cited Mark. Moreover, Applicant amends and clarifies its recitation of services, which further demonstrates its services are different from those listed in the Cited Mark. Finally, Applicant submits an Amendment to Allege Use under Trademark Act Section 1(c), 15 U.S.C. §1051(c), to even further clarify its services.

1. Applicant's Services are Different from Registrant's Services.

Applicant is a leading financial and commodity derivative exchange. Applicant's Mark CHI is an acronym for "CME HURRICANE INDEX." Applicant's services are investment services, namely, providing futures, options and swaps contracts. Applicant's services offered under the Mark are part of Applicant's Alternative Investments Products, which include its weather products. *See* Exhibit A, Declaration of Matthew J. Kelly ("Kelly Dec.") ¶3. Applicant's weather products consist of financial tools that provide means for customers to transfer risk associated with adverse weather events. *Id.* In this case, the adverse weather events are hurricanes.

Applicant's services are based on its proprietary hurricane index, which provides a numerical measure of the destructive potential of a hurricane. Kelly Dec. ¶4. The hurricane index calculates the potential for damage by reference to each storm's maximum wind velocity and size (radius). *Id.* The hurricane index uses publicly available data from the National Hurricane Center and the National Weather Service. *Id.* The higher the index number the more potentially damaging the hurricane.

Applicant's services and its proprietary hurricane index stemmed from the increasing devastation caused by hurricanes. Applicant's services provide its customers a way to transfer risk to the capital markets and increase the overall capacity to recover from the damage. Applicant's target customers include hedge funds, insurers and reinsurers, energy companies, utility companies, hotel corporations and other commercial enterprises that might be affected by hurricanes. Kelly Dec. ¶5. Applicant's customers are highly sophisticated investors and organizations that are seeking highly specialized investment products to hedge losses and mitigate exposure caused by hurricanes. *Id.*

The Examining Attorney alleged that Applicant's and Registrant's services both include "investment services" such that customers, upon seeing the parties' marks, are likely to believe that the services emanate from a common source. However, merely because the services can broadly be described as "investment services" does not mean they are similar from a likelihood of confusion standpoint. *See In re Quadram Corporation*, 228 U.S.P.Q. 863, 865 (T.T.A.B. 1985) ("as a result of the veritable explosion of technology in the computer field over the last several years and the almost limitless number of specialized products and specialized uses in this industry we think that a per se rule relating to source confusion vis-à-vis computer hardware and software is simply too rigid."). Customers are just as likely to recognize differences among specialized products and services in the investment industry, particularly in the instant situation, where there are highly sophisticated customers seeking highly specialized services.

Applicant's services are not only different, but they are unrelated to those offered by the Registrant. On this basis alone, the Examining Attorney should conclude there is no likelihood of confusion. However, Applicant's amended recitation of services further clarifies and describes the services offered under the Mark.

2. Amendment to Applicant's Recitation of Services.

The services of Registrants and Applicant differ materially and are rendered in such a manner that confusion is not likely. As a result, Applicant submits the following amendment to its identification of services to read as follows:

Investment services, namely, providing futures, options and swaps contracts related to hurricanes for trading on an exchange.

Applicant submits that this more detailed identification of services supports its contention that its Mark is not likely to cause confusion, or to cause mistake, or to deceive. *See In re DuPont de Nemours & Co.*, 476 F.2d 1357, 1360-62 (C.C.P.A. 1973).

3. Amendment to Allege Use

Applicant is submitting an Amendment to Alleged Use under Trademark Act Section 1(c), 15 U.S.C. §1051(c), which demonstrates how Applicant is using the Mark in commerce in connection with its services. Therefore, when reviewing Applicant's arguments below, Applicant respectfully requests that the Examining Attorney reconsider her position in light of the above information regarding Applicant's services, including the amended recitation of services and the Amendment to Allege Use.

III. THERE IS NO LIKELIHOOD OF CONFUSION

Applicant submits that its Mark is not likely to be confused with the Cited Mark CHI CAPITAL and Chinese Characters Design because: (1) the Examining Attorney failed to meet her burden to show there is a likelihood of confusion, (2) the services are distinguishable, (3) there are no overlapping customers or trade channels, (4) the clientele is extraordinarily sophisticated and will discriminate among the diverse services, (5) the marks differ in sight, sound and meaning, (6) the United States Patent and Trademark Office ("USPTO") records and the marketplace include the coexistence of identical marks within the investment industry, (7) the

USPTO records include the coexistence of other “CHI” marks within the investment industry, and (8) the lack of actual confusion in nearly three years of coexistence cannot be ignored. Based upon these arguments, Applicant asserts that there can be no likelihood of confusion, and the refusal to register must be withdrawn.

1. **The Examining Attorney Failed To Meet Her Burden Of Proof.**

The Examining Attorney’s evidence fails to demonstrate that there is a likelihood of confusion. The burden to show there is a likelihood of confusion falls squarely on the Examining Attorney. *See In re Pacer Technology*, 338 F.3d 1348, 1350, 67 U.S.P.Q.2d 1629, 1632 (Fed. Cir. 2003) (finding PTO required to prove *prima facie* case, i.e., a “reasonable predicate” for its position); *see also In re Mavety Media Group Ltd.*, 33 F.3d 1367, 1371, 31 U.S.P.Q.2d 1923 (Fed. Cir. 1994) (“The PTO has the burden of proving that a trademark falls within a prohibition of §1052.”). Section 710.01 of the Trademark Manual of Examining Procedure (“TMEP”) requires that an examining attorney “must always support his or her action with relevant evidence.” TMEP §710.01. Similarly, Section 706.01 confirms that the Examining Attorney must establish a *prima facie* case for the refusal or requirement. TMEP §706.01.

To succeed, the Examining Attorney must provide “substantial evidence” in support of her *prima facie* case for a likelihood of confusion under Section 2(d), and this requires “more than a scintilla of evidence.” *See In re Pacer Technology*, 338 F.3d at 1352. “The burden is on the examining attorney to prove that there in fact is an overlap or similarity in the purchasers and trade channels.” *In re Band-It-IDEX, Inc.*, Serial No. 77363240, 2009 WL 4081687, *5 (T.T.A.B. Oct. 20, 2009) (reversing the refusal to register because the evidence supplied by the examining attorney was of limited probative value) (Attached at Exhibit B). The Federal Circuit

is “not concerned with the mere theoretical possibilities of confusion, deception, or mistake or with *de minimis* situations but with the practicalities of the commercial world, with which trademark laws deal.” *Electronic Design & Sales Inc. v. Electronic Data Sys. Corp.*, 954 F.2d 713, 21 U.S.P.Q.2d 1388, 1391 (Fed. Cir. 1992).

In this case, the entirety of the Examining Attorney’s evidence consists of definitions, articles and printouts from websites seeking to define and relate certain terms. In particular, the Examining Attorney’s evidence purports to demonstrate that the term “funds” found in Registrant’s services encompasses Applicant’s specific investment services, namely, futures, options and swaps contracts. However, the mere fact that Registrant’s “funds” may or may not encompass Applicant’s services does not mean that customers will view the respective services as related. *See In re JB Oxford Holdings, Inc.*, Serial No. 74599446, 1998 WL 514544, *4 (T.T.A.B. Aug. 13, 1998) (examining attorney’s evidence consisting solely of dictionary definitions to show that applicant and registrant both act as “securities brokers” was insufficient to demonstrate a likelihood of confusion) (Attached at Exhibit B); *see also In re Nutritional Source, Inc.*, Serial No. 75294991, 1999 WL 1278654, *2 (T.T.A.B. Dec. 28, 1999) (examining attorney’s evidence showing that the respective goods may broadly be considered “food items for human consumption” was insufficient to demonstrate that consumers will view the goods are related) (Attached at Exhibit B).

Applicant submits that given the unlimited scope of information on the internet, any terms can be related with enough searching. However, simply relating terms does not meet the Examining Attorney’s burden to persuasively demonstrate that consumer confusion is likely, not merely a theoretical possibility. *See In re Medical Central Online, Inc.*, Serial No. 76138824, 2003 WL 22477870, *4 (T.T.A.B. Oct. 22, 2003) (finding the evidence of record devoid to

support the examining attorney's contention that the goods and services would be viewed as likely to emanate from the same source) (Attached at Exhibit B). The mere fact that Registrant's "funds" may or may not encompass Applicant's services does not mean that customers are likely assume that the services emanate from or are associated with a common source. See *In re JB Oxford Holdings, Inc.*, 1998 WL 514544, *4 ("The mere fact . . . that a term may be found which encompasses the respective services does not mean that customers therefore will view such services as related in the sense that they will assume that the services emanate from or are associated with a common source."); See also *In re Nutritional Source, Inc.*, 1999 WL 1278654, *2 (T.T.A.B. Dec. 28, 1999) (same).

Applicant acknowledges that the securities broker services in *JB Oxford Holdings* are not identical to the present case, as pointed out by the Examining Attorney. However, the principles in *JB Oxford Holdings* and the other cases cited above are applicable in this case. The Examining Attorney failed to offer any evidence that customers are likely to view Applicant's and Registrant's services as emanating from the same source. See *In re Automated Securities Clearance, Ltd.*, Serial No. 75762919, 2002 WL 1225264, *3 (T.T.A.B. Jun. 4, 2002) ("[T]he record is devoid of evidence that these differing goods and services would be sold through similar channels of trade. The mere fact that the goods and services are in the very broad field of investing does not establish similar channels of trade.") (Attached at Exhibit B).

Moreover, the Examining Attorney failed to demonstrate how or why the same customers would be offered both Applicant's hurricane related investment services and Registrant's general funds investment services. The Examining Attorney also failed to offer any evidence or third party registrations to show that the respective services are commonly offered by third parties under the same mark. In fact, Applicant's and Registrant's customers are two entirely different

groups of people that will not be exposed to both parties' marks and therefore cannot be confused. However, in the unlikely event the same customers were exposed to both parties' marks, and no evidence has been submitted to support this, the sophistication of the customers would make confusion highly unlikely.

Because the Examining Attorney's evidence fails to address these crucial aspects of the likelihood of confusion analysis, Applicant submits that the evidence does not support the conclusion and the refusal should be reversed.

2. Applicant's Services Are Distinguishable From Registrant's Services.

Applicant's services are readily distinguishable from and not related to Registrant's services. If the goods or services in question are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then confusion is not likely. *Local Trademarks, Inc. v. Handy Boys, Inc.*, 16 U.S.P.Q.2d 1156, 1158 (T.T.A.B. 1990); *Quartz Radiation Corp. v. Comm/Scope Co.*, 1 U.S.P.Q.2d 1668, 1669 (T.T.A.B. 1986); *See* TMEP §1207.01(a)(i). This is so even if the marks are identical, which in this case they are not. *See Id.*

In *Borg-Warner Chemicals, Inc. v. Helena Chemical Co.*, the Board held that:

The Board in the past has found no likelihood of confusion even with respect to identical marks applied to goods and/or services used in a common industry where such goods and/or services are clearly different from each other and there is insufficient evidence to establish a reasonable basis for assuming that the respective goods as identified by the marks, would be encountered by the same purchasers. 225 U.S.P.Q. 222, 224 (T.T.A.B. 1983).

As explained above, Applicant's investment services are related to hurricanes and are based on Applicant's proprietary hurricane index. The services are traded on Applicant's exchange, as specified in the amended services description. Applicant's services are not mainstream investment tools, but rather are highly specialized alternative

investment products based on hurricanes. Moreover, Applicant's services are not marketed or sold to the general public, but instead are marketed to institutional customers seeking to hedge losses caused by hurricanes.

In contrast, Registrant's services include funds investment, financial analysis and consultation, financing services and financial management. The specimen that Registrant submitted with its Statement of Use provides information as to the nature of Registrant's services. *See* Specimen for Reg. No. 3,756,238 at Exhibit C. Registrant provides financial planning advice to others in terms of cash flow management, education planning, retirement planning, investment planning, etc. The customers seeking these services are separate from those seeking Applicant's services. Registrant does not provide any products traded directly on an exchange and Registrant's services description does not entitle it to such a broad scope. Clearly, the services are distinguishable.

Moreover, Applicant disagrees with the Examining Attorney's contention that the Registrant's services identification uses "broad wording" and therefore "it is presumed that the registration encompasses all services of the type described, including those in applicant's more specific identification...." As amended, Applicant's investment services related to hurricanes and traded on Applicant's exchange are not encompassed by Registrant's funds investment services. Such a broad interpretation would essentially create a per se rule that all investment services are related. The TMEP states that "there can be no rule that certain goods or services are per se related, such that there must be a likelihood of confusion from the use of similar marks in relation thereto." TMEP §1207.01(a)(iv). Moreover, Applicant demonstrated that such a rule does not exist by the coexistence of the marks shown in the tables below.

As amended, Applicant's services are clearly distinguishable from, and unrelated to, Registrant's services, and the refusal to register must be withdrawn.

3. There Are No Overlapping Customers Or Trade Channels.

Applicant's customers, channels of trade and markets clearly differ from those of Registrant. If the parties' respective goods or services are offered to different classes of purchasers through different trade channels, this factor weighs heavily against a likelihood of confusion as it is not likely that there would be any opportunity for confusion to occur. *See Electronic Design & Sales, Inc. v. Electronic Data Systems Corp.*, 954 F.2d 713, 717-18 (Fed. Cir. 1992) (finding no likelihood of confusion between E.D.S computer services and EDS power supplies and battery chargers where goods and services sold in separate channels of trade to different persons, even though there was some overlap in markets); *see also In re Automated Securities Clearance, Ltd.*, 2002 WL 1225264, *3 (finding no likelihood of confusion between specialized trading software marketed to securities trading organizations and investment services marketed to the general public).

In this case, Applicant's hurricane related investment services traded on an exchange and Registrant's general fund investment services are not sold through the same distribution channels to the same customers. Applicant's services are marketed and sold to hedge funds, insurers and reinsurers, energy companies, utility companies, hotel corporations and other commercial enterprises seeking to hedge losses caused by hurricanes. Kelly Dec. ¶5. Obviously, Applicant's services are not purchased on a whim. Applicant's customers are highly sophisticated financial institutions and organizations that are seeking a highly specialized service. Applicant's discerning clients are not likely to confuse Applicant's highly specialized services with Registrant's funds investment services offered to the general public.

Moreover, each party's customers will never be exposed to the other party's mark because Applicant and Registrant sell different services to different sets of customers. Applicant's hurricane related services are sold to sophisticated investors that may be impacted by the hurricane season. In contrast, Registrant's general fund investment services are sold to the general public and individual investors. Applicant's highly sophisticated institutions are not likely to seek general financial and investment advice from Registrant. Likewise, Registrant's customers are not likely to access Applicant's exchange and execute high dollar trades utilizing Applicant's CHI services. Moreover, even assuming Applicant's customers encountered Registrant's services under the Cited Mark, confusion as to the source is not likely given their high level of sophistication.

Accordingly, the different customers and channels of trade weigh heavily against a likelihood of confusion, and the refusal to register must be withdrawn.

4. Customers Are Extraordinarily Sophisticated And Will Discriminate.

In making a likelihood of confusion determination, one must consider the conditions under which, and buyers to whom, sales are made, *i.e.*, "impulse" versus careful, sophisticated purchasing. *In re E.I. Du Pont de Nemours & Co.*, 177 USPQ at 567 (CCPA 1973). Circumstances suggesting care in purchasing may tend to minimize likelihood of confusion. TMEP § 1207.01(d)(vii). The Federal Circuit has recognized that "sophistication is important and often dispositive because '[s]ophisticated end-users may be expected to exercise greater care.'" *Electronic Design & Sales, Inc. v. Electronic Data Sys. Corp.*, 954 F.2d 713 (Fed. Cir. 1992) (citation omitted).

In the investment services industry, important financial affairs are not entered into by whimsical decisions. Instead, they involve thoughtful decision-making processes. *See e.g., In re*

Automated Securities Clearance, Ltd., 2002 WL 1225264, *3 (“Any person deciding to invest his or her money and seeking the services of an investment management company is not likely to do so on impulse or without careful consideration.”); *Checkpoint Systems, Inc. v. Check Point Software Technologies, Inc.*, 269 F.3d 270, 286 (3d. Cir. 2001) (investors held unlikely to be confused by the parties’ similar CHECKPOINT names and stock symbols because the products were different and the investors were sophisticated and careful); and *Omicron Capital, LLC v. Omicron Capital, LLC*, 433 F.Supp.2d 382, 394 (S.D.N.Y. 2006) (finding no likelihood of confusion between hedge fund and broker using the same name where the parties competed in an entirely different market and their customers were sophisticated and discerning investors unlikely to be confused).

In this case, Applicant’s customers take great care and caution prior to investing in Applicant’s services. These customers are seeking to hedge losses caused by hurricanes, which requires investments of large sums of money. These cautious, careful and sophisticated investors are not likely to be confused about the origin of Registrant’s financial advising services focusing on retirement planning for individuals and Applicant’s highly advanced investment services. In fact, it is not likely that Registrant’s customers will even be exposed to Applicant’s services or Mark and vice-versa. However, even in the unlikely event that the same customers were to encounter both marks, the services are sufficiently dissimilar to preclude any confusion among such sophisticated customers.

Based on the foregoing, customers in the relevant markets are sophisticated and exercise caution before investing in the services, which weighs against finding a likelihood of confusion. This factor should not be discounted and the refusal to register should be reversed.

5. Applicant's Mark Differs From The Cited Mark.

Applicant's Mark CHI and Registrant's Cited Mark CHI CAPITAL and Chinese Characters Design are different and not confusingly similar. When comparing marks to determine whether confusion exists, the marks must be compared in their entireties. *In re National Data Corp.*, 224 USPQ 749, 750 (Fed. Cir. 1985). It is well settled that it is improper to dissect a mark. *General Biscuits Belgie v. Tukas Turgutlu Konservecilik Anomin Sirketi*, Serial No. 76187523, 2006 WL 2927855, *4 (T.T.A.B. Sept. 27, 2006) (Attached at Exhibit B). The Federal Circuit has held, in several instances, that when marks contain additional or different elements, these differences alter the sight, sound and meaning. *See e.g., Keebler Co. v. Murray Bakery Prods.*, 9 U.S.P.Q.2d 1736, 1739-40 (Fed. Cir. 1989) (finding no likelihood of confusion between the marks PECAN SHORTIES and PECAN SANDIES both in connection with cookies); *In re Hearst Corp.*, 25 U.S.P.Q.2d 1238, 1239 (Fed. Cir. 1992) (finding no likelihood of confusion between the marks VARGA GIRL and VARGAS both in connection with calendars and stating "marks tend to be perceived in their entireties, and all components thereof must be given appropriate weight."); *Conde Nast Publ'ns, Inc. v. Miss Quality, Inc.*, 184 U.S.P.Q. 422, 424 (C.C.P.A. 1975) (holding no likelihood of confusion between the marks COUNTRY VOGUES for women's clothing and VOGUE for women's fashion magazine). In this case, considered in their entireties, the marks are different in appearance, sound, connotation and commercial impression, such that confusion is not likely.

Applicant's Mark is visually different from the Cited Mark. The Cited Mark includes a stylized component, the additional word "CAPITAL" and a prominent Chinese Characters Design. These additional elements cause the marks to differ in overall appearance. In making her refusal, the Examining Attorney states that "[i]t is the dominant wording, CHI, that gives

these marks the same overall commercial impression.” Applicant disagrees. The Examining Attorney’s conclusion improperly dissects the Cited Mark and completely ignores the Cited Mark’s additional elements. The addition of the stylization and the Chinese Characters Design diminish any dominance that the term “CHI” has in the Cited Mark and directs the customers’ attention to the mark as a whole, which is visually different from Applicant’s Mark.

Moreover, the Chinese Characters Design appears larger than the remaining portion of the Cited Mark and clearly will not be ignored by customers. In fact, the Chinese Characters Design is the dominant element and has a strong impact on customers’ perception of the Cited Mark. It is not likely that customers will dissect the Cited Mark into components and compare the first part “Chi” with Applicant’s Mark. *See General Biscuits Belgie v. Tukas Turguthu Konservcilik Anomin Sirketi*, 2006 WL 2927855, *4 (finding no likelihood of confusion between the marks TUKAS and TUC & Design and stating “[w]hile the marks have the letters ‘TU’ in common, it is not likely that prospective purchasers will dissect applicant’s mark into two components and compare the first part with opposer’s mark.”).

In addition, contrary to the Examining Attorney’s conclusion, the marks do not create the same overall commercial impression. The Examining Attorney admitted that the word “Chi” is “recognized in the English language and found in the English language dictionaries.” The Examining Attorney also devoted a large paragraph of her refusal and several exhibits to argue that customers are not likely to translate the Chinese Characters Design. Regardless of whether this is or is not true, the Chinese Characters Design impacts the commercial impression created by the Cited Mark, which cannot be ignored. Registrant’s Cited Mark, as a whole, creates an overall commercial impression that its services relate to or originate from China or Asia. Applicant’s Mark lacks any such commercial impression. Applicant’s Mark CHI is an acronym

for “CME HURRICANE INDEX.” If the same customers were to encounter both marks, which is unlikely, these customers would not believe the marks are similar visually, aurally, in connotation or commercial impression.

In light of the noticeable differences in the marks, the likelihood of confusion refusal should be withdrawn.

6. The USPTO Records And The Marketplace Include The Coexistence Of Identical Marks Within The Investment Industry.

The USPTO records support the lack of a likelihood of confusion between Applicant’s Mark and Registrant’s Cited Mark. The USPTO has allowed the coexistence of a number of identical marks in the “investment services” field. These marks peacefully coexist on the USPTO Principal Register and in the marketplace. The below table identifies only a sample of identical marks that share “investment” services” found on the USPTO register:

| Mark | Select Services | Ser. / Reg. No. | Status |
|--------------------------|---|-----------------|------------|
| A&M | Financial Consulting Services | 2810398 | Registered |
| A&M CAPITAL PARTNERS | Advice Relating To Investments, Advisory Services Relating To Investment, Brokerage Services For Capital Investments, Capital Investment Consultation, Capital Investment Services, Financial And Investment Services | 77832591 | Allowed |
| SENATOR INVESTMENT GROUP | Investment Management Services; Management Of Hedge Funds And Private Equity Funds | 3712711 | Registered |
| SENATOR | Financial Affairs, Namely, Credit And Financial Consultation, Financial Advisory And Consultancy Services, Financial Exchange, Financial Services, Namely, Providing For The Exchange Of Foreign Currency, Commodities, Financial Derivatives | 3730315 | Registered |
| ANCHOR STONE | Financial Services, Namely, Private Equity Investing, Leveraged Buy-Outs, Management Buy-Outs, Private Equity Fund Investments For Others, Portfolio Company Management Services, Private Equity Fund Advisory Services And Private Equity Fund Management Services | 3320859 | Registered |
| ANCOR | Financial Services, Namely, Private Equity Investment Fund Management Services | 3537650 | Registered |
| ANCHOR POINT CAPITAL | Hedge Fund Investment Services; Investment Advisory Services Relating To Hedge Fund Strategies And Alternative Asset Classes | 3365901 | Registered |
| ANCHOR | Investment Management Services, Investment Advice And | 2978557 | Registered |

| Mark | Select Services | Ser. / Reg. No. | Status |
|---------------------------|--|-----------------|------------|
| INVESTMENT MANAGEMENT | Consultation Services, Investment Of Funds For Others | | |
| ANCHORBANK SSB | Investment Consultation | 2393713 | Registered |
| INSIGHT VENTURE PARTNERS | Private Equity Investment Services And Management Of Private Investment Funds | 2691566 | Registered |
| INSIGHT WEALTH MANAGEMENT | Advice Relating To Investments; Capital Investment Consultation; Commodity Investment Advice; Equity Capital Investment; Financial Investment In The Field Of Wealth Management | 3264529 | Registered |
| INSIGHTONE | Financial Services, Namely, The Issuance Of Securities, Investment Banking, Securities Trading, And Research And Analysis Of Financial Information, And Provision Of Financial Information | 2921639 | Registered |
| INSIGHT VENTURE PARTNERS | Private Equity Investment Services And Management Of Private Investment Funds | 2691566 | Registered |

Copies of the current USPTO Trademark Applications and Registrations Retrieval (“TARR”) printouts are attached at Exhibit D. These marks also coexist in the marketplace, as demonstrated by the select website printouts attached at Exhibit E. As in the present case, the mere fact that the services of the parties both include “investment services” does not mandate that the marks are confusingly similar. The USPTO’s own practices show this conclusion is not warranted. In this case, as demonstrated on the facts herein, the marks are not confusingly similar and the refusal to register should be withdrawn.

7. The USPTO Records Include The Coexistence Of Other CHI Marks Within The Investment Industry.

To support her refusal, the Examining Attorney argued that both Applicant’s Mark and the Cited Mark cover “investment services.” The Examining Attorney also argued that both marks share the dominant term “CHI,” which gives the marks the same overall commercial impression. As a result, the Examining Attorney concluded there was a likelihood of confusion. However, the USPTO has allowed the coexistence of a number of marks in the “investment

services” field that include the identical “CHI” dominant term. Examples are shown in the table below:

| Mark | Select Services | Ser. / Reg. No. | Status |
|--------------|---|-----------------|---------------------|
| CHI ALI | Real estate acquisition and investment services | 3,313,159 | Registered |
| CHI-CONTROLS | Securities brokerage financial risk management services; securities trading financial risk management services; securities trade execution financial risk management services; providing information via an on-line electronic network in the fields of securities brokerage financial risk management, securities trading financial risk management, and securities trade execution financial risk management services; providing financial risk management services for electronic securities trading via an on-line electronic network | 77943595 | Allowed |
| CHI-DARK | Securities brokerage services; securities trade execution services; electronic trading of securities; equities portfolio trading services; providing information about financial investments; providing information via an on-line electronic network in the field of securities brokerage | 77818558 | Pending - Suspended |
| CHI-FX | Financial services, namely, providing information in the field of foreign currency, securities, and other financial instruments; financial services, namely providing for the exchange of foreign currency, securities, and other financial instruments; clearance services, namely clearing and settling financial transactions involving foreign currency, securities, and other financial instruments; foreign exchange information service | 77833765 | Pending - Suspended |
| CHI-TECH | Consulting services in the fields of financial information management and financial due diligence in connection with securities trading and financial trading systems | 77709262 | Allowed |
| CHI-X | Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments | 77368277 | Allowed |
| CHI-X ATS | Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments | 77368294 | Allowed |
| CHI-X US | Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments | 77368285 | Allowed |
| CHI-X US ATS | Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments | 77368288 | Allowed |

Copies of the current USPTO TARR printouts are attached at Exhibit F. Despite covering “investment services” and including the dominant term “CHI,” not one of the above-referenced marks was refused based upon Registrant’s Cited Mark. In fact, a number of prior examining attorneys analyzed the nearly identical issue presented before the Examining Attorney and each of them concluded there was no likelihood of confusion with the Cited Mark. While

Applicant recognizes that third party cases are not binding and each case must stand on its own merits, Applicant submits that there is a strong public policy favoring consistency of decisions within the USPTO. Because there is no likelihood of confusion between the marks and in an effort to reach consistency of decisions, the Examining Attorney's refusal to register should be reversed.

8. **The Lack Of Actual Confusion In Nearly Three Years Of Coexistence Cannot Be Ignored.**

Applicant began using the Mark CHI in March 2007 and has been continuously using the Mark since that date. *See* Kelly Dec. ¶6. To the best of Applicant's knowledge, Applicant's Mark and Registrant's Cited Mark have co-existed in the marketplace for nearly three years without any instances of actual confusion. *See* Kelly Dec. ¶7. The co-existence of two marks without actual confusion strongly supports Applicant's contention that there is no likelihood of confusion. *See Aktiebolaget Electrolux v. Armatorn Int'l, Inc.*, 27 U.S.P.Q.2d 1460, 1462-63 (1st Cir. 1993) ("[A]n absence of actual confusion, or a negligible amount of it, between two products after a long period of coexistence on the market is highly probative in showing that little likelihood of confusion exists."); *see also Barre-Nat'l, Inc. v. Barr Labs, Inc.*, 21 U.S.P.Q.2d 1755, 1762 (D.N.J. 1991) (absence of actual confusion weighs heavily against a finding of likelihood of confusion).

The peaceful coexistence of Applicant's Mark and Registrant's Cited Mark is a marketplace reflection of the evidence against a likelihood of confusion. Moreover, the period of three years of co-existence has been found to be sufficient to conclude there is no likelihood of confusion. *See Level Bros. Co. v. Am. Bakeries Co.*, 693 F.2d 251, 258 (2d. Cir. 1982) (three years of sales with "one documented instance of actual confusion" warrants inference of no likelihood of confusion); *Plus Products v. Plus Discount Foods, Inc.*, 722 F.2d 999, 1006 (2nd

Cir. 1983) (“no evidence of confusion for over a three-year period, during which substantial sales occurred, is a strong indicator that the likelihood of confusion is minimal”); *A&H Sportswear, Inc. v. Victoria’s Secret Stores, Inc.*, 237 F.3d 198, 227 (3rd Cir. 2000) (discounting evidence of actual confusion where marks had been sold for more than three years); *AutoZone, Inc. v. Tandy Corp.*, 174 F.Supp.2d 718, 725 (M.D. Tenn. 2001) (three years of concurrent use without evidence of actual confusion weighs against a likelihood of confusion); *Nabisco v. Warner-Lambert Co.*, 32 F.Supp. 2d 690, 699 (S.D.N.Y. 1999) (lack of actual confusion during three year period weighs against a likelihood of confusion).

As a result, Applicant respectfully submits the lengthy coexistence of Applicant’s Mark and Registrant’s Cited Mark without actual confusion significantly lessens the likelihood of confusion between the Applicant’s Mark and the Registrant’s Cited Mark.

IV. CONCLUSION

Applicant respectfully submits that there is no likelihood of confusion between the Mark CHI and the Cited Mark CHI CAPITAL and Chinese Characters Design. The Examining Attorney failed to meet her burden to show there is a likelihood of confusion. The services in question are not related and easily distinguishable, the respective customers and trade channels are clearly distinguishable, the careful and sophisticated customers of the respective services are not likely to be confused and the marks are different and create different commercial impressions. Moreover, there are multiple examples of the coexistence of identical marks within the “investment services” industry, including marks incorporating the “CHI” name. There is also nearly three years of coexistence in the marketplace without evidence of actual confusion. As a result, because there is no likelihood of confusion, Applicant respectfully requests that the

Examining Attorney withdraw the refusal to register and approve the Mark for publication in the *Official Gazette*.

Respectfully submitted,
CHICAGO MERCANTILE EXCHANGE INC.

Dated: April 28, 2011

By: /s/ Jay M. Burgett
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Attorneys for Applicant

Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--|
| In re Application of: CHICAGO MERCANTILE EXCHANGE INC. Serial No.: 77/199,918 Filed: June 7, 2007 Mark: CHI | Examining Attorney: Linda A. Powell Law Office 106 |
|---|--|

DECLARATION OF MATTHEW J. KELLY UNDER 37 C.F.R. §2.20

1. I, Matthew J. Kelly, am Managing Director and Chief Intellectual Property Counsel for Chicago Mercantile Exchange Inc. ("CME"), applicant of the above-identified mark. I have knowledge of the facts stated herein.
2. This declaration is being provided in support of CME's pending U.S. trademark application to register the mark CHI, identified above.
3. Applicant's services offered under the CHI mark are part of its Alternative Investment Products, which include Applicant's weather products. Applicant's weather products consist of financial tools that provide means for customers to transfer risk to the capital markets associated with adverse weather events.
4. Applicant's services offered under the CHI mark are based on its proprietary hurricane index, which provides a numerical measure of the destructive potential of a hurricane. The hurricane index calculates the potential for damage by reference to each storm's maximum wind velocity and size (radius). The hurricane index uses publicly available data from the National Hurricane Center and the National Weather Service.

5. Applicant's target customers for its CHI services include hedge funds, insurers and reinsurers, energy companies, utility companies, hotel corporations and other commercial enterprises that might be affected by hurricanes. Applicant's customers are highly sophisticated investors and organizations that are seeking Applicant's highly specialized investment products to hedge losses and mitigate exposure caused by hurricanes.
6. CME first began using the mark CHI in March 2007 and has been continuously using the mark since that time.
7. To date, to the best of my knowledge, CME is not aware of aware of any actual confusion between the mark CHI and the mark CHI CAPITAL & Chinese Characters Design, shown in U.S. Registration No. 3,756,238.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements herein made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated: April 27, 2011

By:


Matthew J. Kelly
Managing Director and
Chief Intellectual Property Counsel
Chicago Mercantile Exchange Inc.

Exhibit B

2009 WL 4081687 (Trademark Tr. & App. Bd.)

THIS OPINION IS NOT A PRECEDENT OF THE TTAB

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

In re Band-It-IDEX, Inc.

Serial No. 77363240

October 20, 2009

Dennis A. Gross of The Hill Firm for Band-It-IDEX, Inc.

Caryn Glasser
Trademark Examining Attorney
Law Office 108
(Andrew Lawrence, Managing Attorney)

Before Grendel, Drost and Kuhlke
Administrative Trademark Judges
Opinion by Grendel
Administrative Trademark Judge:

Band-It-IDEX, Inc. (applicant) has filed an application^[FN1] seeking registration on the Principal Register of the mark **DUAL-LOKT** (in standard character form) for Class 6 goods identified in the application as “buckles of common metal for securing metal strapping bands.”^[FN2]

The Trademark Examining Attorney has issued a final refusal of registration based on Trademark Act Section 2(d), 15 U.S.C. § 1052(d). Specifically, she has refused registration on the ground that applicant's mark, as applied to the goods identified in the application, so resembles the mark **DUAL-LOK**, previously registered on the Principal Register (in standard character form) for Class 6 goods identified in the registration as “self-locking fasteners, namely, bolts and screws,”^[FN3] as to be likely to cause confusion, to cause mistake, or to deceive.

Applicant has appealed the final refusal. Applicant and the Trademark Examining Attorney have filed appeal briefs.

After careful consideration of all of the evidence of record^[FN4] and the arguments of counsel, we reverse the refusal to register.

Our likelihood of confusion determination under Section 2(d) is based on an analysis of all of the facts in evidence that are relevant to the factors bearing on the likelihood of confusion issue (the *du Pont* factors). See *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). See also *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 73 USPQ2d 1689 (Fed. Cir. 2005); *In re Majestic Distilling Co.*, 315 F.3d 1311, 65 USPQ2d 1201 (Fed. Cir. 2003); *In re Dixie Restaurants Inc.*, 105 F.3d 1405, 41 USPQ2d 1531

(Fed. Cir. 1997). In each case, we need consider and weigh only those factors as to which there is pertinent evidence of record. "Not all of the *DuPont* factors may be relevant or of equal weight in a given case, and 'any one of the factors may control a particular case'." *In re Majestic Distilling Co.*, 65 USPQ2d at 1204, quoting *In re Dixie Restaurants, Inc.*, 41 USPQ2d at 1533. See also *In re National Novice Hockey League, Inc.*, 222 USPQ 638 (TTAB 1984).

*2 We begin our analysis in this case with the second *du Pont* factor, under which we determine the similarity or dissimilarity of the goods as identified in the application and in the cited registration, respectively. It is not necessary that the respective goods be identical or even competitive in order to find that they are related for purposes of our likelihood of confusion analysis. That is, the issue is not whether consumers would confuse the goods themselves, but rather whether they would be confused as to the source of the goods. See *In re Rexel Inc.*, 223 USPQ 830 (TTAB 1984). The goods need only be sufficiently related that consumers would be likely to assume, upon encountering the goods under similar marks, that the goods originate from, are sponsored or authorized by, or are otherwise connected to the same source. See *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 223 USPQ 1289 (Fed. Cir. 1984); *In re Melville Corp.*, 18 USPQ2d 1386 (TTAB 1991); and *In re International Telephone & Telegraph Corp.*, 197 USPQ 910 (TTAB 1978).

Applying these principles in the present case, we find as follows.

Applicant's goods are identified in the application as "buckles of common metal for securing metal strapping bands." The goods identified in the cited registration are "self-locking fasteners, namely, bolts and screws."

Initially, we must address the identification of goods in the cited registration. The Trademark Examining Attorney contends that the wording "self-locking fasteners" in registrant's identification of goods has no significance, and that registrant's goods as identified would include all types of bolts and screws (presumably because she deems all bolts and screws to be "self-locking"). Applicant contends that "self-locking" is a term of art in the fastener industry, and that "selflocking" bolts and screws are a specific type or subcategory of bolts and screws generally. The Trademark Examining Attorney has not submitted any evidence that convinces us that we should ignore the initial words in the identification of goods because they are redundant and hold that all bolts and screws are self-locking fasteners.

To the extent that we had any doubts that the words "self-locking" are not redundant, applicant has made of record a page from registrant's catalog with the heading "Other Self-Locking Designs," which explains that registrant's DUAL-LOK bolts and screws employ "a newly developed self-locking feature... [which] incorporates a specially formed locking element pressed into an off-center through-hole prepared in the threaded section of an externally threaded fastener."

Based on this evidence, we agree with applicant's contention that "self-locking" is a term of art in the fastener industry, and that "self-locking" bolts and screws are a specific type or subcategory of bolts and screws generally. It does not appear on this record that all bolts and screws by their nature are, or are referred to as, "self-locking." For these reasons, we find that the wording "self-locking fasteners" in registrant's identification of goods is commercially significant and cannot be disregarded, that it modifies the words "bolts and screws" in the identification of goods, and that registrant's bolts and screws therefore fall into a specific subcategory of the general category of bolts and screws, that is, the subcategory of "self-locking" bolts and screws.

*3 We turn now to our comparison of the goods under the second *du Pont* factor. We agree with the Trademark Examining Attorney's contention that applicant's and registrant's goods are related to the extent that, broadly speaking, they both comprise metal fasteners. "However, to demonstrate that goods are related, it is not sufficient that a particular term may be found which may broadly describe the goods." *In re W.W. Henry Co.*, 82 USPQ2d 1213, 1215 (TTAB 2007). See also *General Electric Co. v. Graham Magnetics Inc.*, 197 USPQ 690, 694 (TTAB 1977) ("It is, however, not enough to find one term that may generically describe the goods. More must be shown: that is, a commercial or technological relationship must exist between the goods such that the use of the trademark in commercial

transactions on the goods is likely to produce opportunities for purchasers or users of the goods to be misled about their source or sponsorship.”).

In this case, although both applicant's and registrant's goods are broadly defined as metal fasteners, we find that they are specifically different types of fasteners, i.e., metal buckles on the one hand,^[FN5] and self-locking bolts and screws on the other. Additionally, applicant's buckles as identified are used for a specific purpose, i.e., “for securing metal strapping bands.”

In support of her contention that applicant's goods and the goods in the cited registration are related, the Trademark Examining Attorney has submitted five use-based third-party registrations which include, in their identifications of goods, goods which the Trademark Examining Attorney contends are similar to applicant's identified goods and also goods which the Trademark Examining Attorney contends are similar to the goods identified in the cited registration. Although such third-party registrations are not evidence that the marks shown therein are in use or that the public is familiar with them, they nonetheless have probative value to the extent that they serve to suggest that the goods listed therein are of a kind which may emanate from a single source under a single mark. See *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783 (TTAB 1993); and *In re Mucky Duck Mustard Co. Inc.*, 6 USPQ2d 1467 (TTAB 1988).

The first registration submitted by the Trademark Examining Attorney is one owned by applicant itself. It is Reg. No. 3178283, of the mark SIGNFIX for “metal brackets, signs, clips, clamps, buckles, straps, banding, non-mechanical band dispensers, nuts and bolts; all for use in sign mounting.” In according probative value to this registration, we assume that the “bolts” identified in the registration include self-locking bolts, and that the “buckles, straps, banding” in the registration are similar to the “buckles of common metal for securing metal strapping bands” identified in applicant's application, notwithstanding the different specific purpose of the goods identified in the registration, i.e., “all for use in sign mounting.”

*4 The second registration submitted by the Trademark Examining Attorney is Reg. No. 3530058, of the mark CANDO for a numerous and wide variety of metal products,^[FN6] including “buckles of common metal,” “bolts,” and “screws.” We assume that the “buckles of common metal” identified in this third-party registration encompass applicant's “buckles of common metal for securing metal strapping.” We also assume that the “bolts” and “screws” identified in this registration encompass the self-locking bolts and screws identified in the cited registration.

The third registration submitted by the Trademark Examining Attorney is Reg. No. 3481837, of the mark HOLT for a numerous and wide variety of metal goods,^[FN7] including “buckles of common metal,” “eye bolts,” and “metal eye bolts.” Again, we assume that the “buckles of common metal” in this registration encompass applicant's “buckles of common metal for securing metal strapping bands.” We also will assume, although there is no specific evidence which establishes, that “eye bolts” and “ring bolts” can include self-locking eye bolts and ring bolts.

The fourth registration submitted by the Trademark Examining Attorney is Reg. No. 2529941, of the mark SUNCOR STAINLESS for various goods^[FN8] including “eye bolts,” “ring bolts,” “ratchet buckles,” and “turnbuckles.” We note that, unlike the broadly defined metal buckles in the first three registrations which could encompass applicant's more specific buckles, this registration identifies specific types of buckles. The record does not establish that “ratchet buckles” and “turnbuckles” are types of buckles, like applicant's buckles, that would be used for the specialized purpose of “securing metal strapping bands.”^[FN9] To that extent, we find this third-party registration to be of less probative value, under *Trostel* and *Mucky Duck*, as evidence that applicant's goods and the goods in the cited registration are related.

Also of less probative value is the fifth and final third-party registration submitted by the Trademark Examining Attorney, which is Reg. No. 3329415 of the mark CYM for various goods^[FN10] including “rigging hardware, namely, ... buckles, ... turnbuckles ...”; and “metal fasteners namely bolts, nuts, screws ...” Again, the record does not establish that these “buckles” and “turnbuckles,” which are specifically identified in this registration as “rigging hard-

ware,^(FN11) are buckles which would be used for the specialized purpose of “securing metal strapping bands.”

Also of limited probative value are the printouts from the two third-party websites submitted by the Trademark Examining Attorney. One (accessed via www.zibb.com) shows that a company called Bee Fasteners lists among its products “power tools or accessories; wedge anchors; anchor bolts; structural bolts; metal buckles; concrete steel shield anchor eye bolts; diamond blades; extension cords; safety glasses; safety hard hats; saw blades; dry wall screws.” Unlike the third-party registrations discussed above, this internet evidence does not warrant a presumption that the “metal buckles” listed on this website include applicant’s “buckles of metal for securing metal strapping bands.” Nor do we assume that the specific bolts listed include self-locking bolts.

*5 The second website is www.karolbolts.com, a company which identifies itself as “Specializing in Marine and Dock Fasteners” and lists its products as “galvanized bolts, nuts & washers; galvanized dock hardware; galvanized nails & screws; auger & screw bits; S.S. bolts, nuts and washers; s.s. nails, screws & hardware; pile hoops & chain assemblies; galvanized bolts, S.S. bolts, nuts and washers; galvanized turn buckles.” As noted above, there is no evidence that “turnbuckles” are used “for securing metal strapping bands.” The turnbuckles identified on this third-party website are even farther afield in that they are specifically identified as “Marine and Dock Hardware.” We do not assume that the bolts listed include self-locking bolts.

Considering the evidence as a whole, we find that applicant’s “buckles of common metal for securing strapping bands” and the “self-locking fasteners, namely bolts and screws” identified in the cited registration are related in a general way to the extent that they both are types of metal fasteners. The limited probative evidence submitted by the Trademark Examining Attorney is not particularly compelling as evidence of a more specific commercial relationship between applicant’s goods and registrant’s goods.

We turn next to the third *du Pont* factor, under which we determine the similarity or dissimilarity of the trade channels in which and the classes of purchasers to whom the goods identified in the application and in the cited registration are or would be marketed. Because there are no trade channel limitations or restrictions in either applicant’s or registrant’s identification of goods, we presume that the respective goods are or would be marketed in all normal trade channels for such goods and to all normal classes of purchasers for such goods. *See In re Elbaum*, 211 USPQ 639 (TTAB 1981).

In this case, there is essentially no evidence which would establish what the normal trade channels and classes of purchasers for applicant’s and registrant’s goods are or would be. The Trademark Examining Attorney argues summarily that “. . . metal fasteners of various types are sold to the same class of purchasers and marketed in the same channels of trade. There is no evidence that purchasers of applicant’s buckles for securing metal strapping bands would not also be purchasing other securing devices such as bolts and screws.” However, this misstates the burden of proof in this appeal. The asserted absence of evidence showing that purchasers of applicant’s goods “would not also be purchasing” registrant’s goods is not dispositive; the burden is on the Trademark Examining Attorney to prove that there in fact is an overlap or similarity in purchasers and trade channels.

We will assume *arguendo*, however, although the evidence of record does not specifically establish, that registrant’s self-locking bolts and screws can be ordinary hardware items which are or would be marketed to ordinary retail consumers in normal retail trade channels for such goods, such as hardware stores and home-improvement stores. We also assume that these goods could be marketed to builders, mechanics, equipment manufacturers, and other professionals.

*6 Applicant’s “buckles of common metal for securing metal strapping bands” would appear to be specialized goods used for a specialized purpose. There is no evidence in the record which establishes what the normal trade channels and classes of purchasers for such goods are or would be. Certainly, there is no evidence showing that these goods would be marketed to or used by ordinary consumers. While it may be possible that there could be an overlap in purchasers and trade channels, at least as to manufacturers, builders, shippers and other professionals who need to

secure large or bulky loads, on balance, we find that the evidence does not establish that the normal trade channels and purchasers for applicant's and registrant's goods are similar.

Similarly, there is no evidence in the record which establishes the conditions under which the goods are purchased, under the fourth *du Pont* factor. It is likely that registrant's self-locking bolts and screws, at least those which we assume to be sold in retail trade channels to ordinary consumers, are inexpensive hardware items purchased with only an ordinary degree of care. However, as noted above, there is no evidence that these consumers also would be purchasers of applicant's goods. To the extent that the respective goods, especially applicant's specialized goods, would be purchased by manufacturers, shippers and other professionals, those purchasers are likely to be knowledgeable and careful purchasers.^[FN12]

We turn finally to the first *du Pont* factor, which requires us to determine the similarity or dissimilarity of the marks when viewed in their entireties in terms of appearance, sound, connotation and commercial impression. *Palm Bay Imports, Inc., supra*.

Applicant's mark is DUAL-LOKT. The cited registered mark is DUAL-LOK. Obviously, the marks are identical but for the addition of the "T" at the end of applicant's mark. In terms of appearance, the two marks look similar in that, except for the "T," they share the same letters in the same order, and they both are hyphenated. However, the "T" following the "K" in applicant's mark results in an odd "KT" letter combination at the end of the mark, which gives applicant's mark a somewhat unusual appearance which is not shared by the cited registered mark. In terms of sound, connotation and commercial impression, we find the marks to be very similar.

Balancing the relevant *du Pont* factors discussed above, we find that there is no likelihood of confusion. Primarily, we find that as applied to the goods at issue, i.e., fasteners, the overall commercial impressions of the marks are highly suggestive, even if similar. Both simply suggest that the goods have an enhanced locking capability or function. This is especially so with regard to registrant's fasteners, which are "self-locking." Given the highly suggestive nature of registrant's mark, we find that it is not entitled to a broad scope of protection that would extend much beyond the specific goods identified in the registration. Moreover, applicant's goods as identified appear to be highly specialized in their nature and application, and there is a paucity of evidence to support a finding that applicant's goods and registrant's goods are related beyond the fact that they both broadly may be described as fasteners.

*7 Based on this record, we find that the Trademark Examining Attorney has failed to establish that a likelihood of confusion exists.

Decision: The refusal to register is reversed.

FN1. Serial No. 77363240, filed on January 3, 2008. The application is based on applicant's asserted bona fide intent to use the mark in commerce. Trademark Act Section 1(b), 15 U.S.C. §1051(b).

FN2. Applicant's identification of goods in the application as filed was "metal band clamps and accessories therefor." In her first Office action, the Trademark Examining Attorney found this to be indefinite and required amendment from applicant. In its response to the first Office action, applicant amended the identification of goods to "buckles for securing metal strapping bands." In her final Office action, the Trademark Examining Attorney found this also to be indefinite because it could identify goods in two different classes of goods. She suggested that an acceptable amendment of the identification of goods would be "buckles of common metal for securing metal strapping bands," in Class 6. In its appeal brief, applicant stated that this suggested amendment to the identification of goods "is not objectionable to the applicant." We therefore deem the final requirement for an acceptable identification of goods to be satisfied, and we have entered this amendment into the application file. We shall treat it as the operative identification of goods in this appeal. Applicant and the Trademark Examining Attorney agree that this amendment of the identification of goods has no effect on the likelihood of confusion issue in this case. (Applicant's brief at 6; Trademark

Examining Attorney's brief at n.2.)

FN3. Registration No. 1394642, issued on May 27, 1986. Section 8 affidavit accepted; Section 15 affidavit acknowledged; renewed. (Hereinafter "the cited registration.")

FN4. We sustain the Trademark Examining Attorney's objection (made in her appeal brief) to applicant's assertions in footnotes 3 and 4 of its appeal brief regarding the results of applicant's review of the websites of the owners of two of the third-party registrations the Trademark Examining Attorney has submitted as evidence pertaining to the issue of the similarity or dissimilarity of applicant's and the cited registrant's goods. (See *infra*.) Applicant did not submit printouts of the websites, and even if it had the evidence would be untimely under Trademark Rule 2.142(d), 37 C.F.R. §2.142(d). We therefore have given no consideration to applicant's assertions in footnotes 3 and 4 of its brief.

FN5. The Trademark Examining Attorney has submitted dictionary evidence defining "buckle" as "a flat frame with a hinged pin, used for fastening a belt or strap" (Compact Oxford English Dictionary at www.askoxford.com), and "metal fastener: a clasp, usually consisting of a metal frame with a hinged prong, for fastening two loose ends, especially the ends of a belt, shoe, or strap. <http://encarta.msn.com>."

FN6. The goods identified in this registration are: "parts comprised primarily of metals, namely, couplings for use with household, agriculture, and mining hoses, hose fittings, alloyed iron, alloys used for casting, aluminum foil, buckles of common metal, carbon steels, casings of metal, cast iron, castings foils and powder of aluminum and its alloys, cold-finished steel bars, drain pipes, fasteners, namely, metal bars and chains, galvanized steel sheets, gate latches, hand operated garden hose reels, steel in bar form, hose hangers, irons and steels, marine anchors, metal valves not being parts of machines, metal bars for further manufacture, bolts, bottle caps, cantilevered brackets of metal, chains, clamps, drain pipes, elbows for pipes, flanges, hoses, hose clamps, hose clips for household, agriculture and mining, hose fittings, pulleys, nails, nuts, pipes, rigging chain, rivets, reinforcing materials for building purposes, welding rods, rollers for building and road construction, screws, seals, sheet metal linings, springs, tubes, tubing, tube, turnbuckles, manually operated metal valves, washers, water pipes, and welding rods, metallic moulds for casting metal, stainless steels, steel in the form of plates, sheets, rods, bars and billet forms, wire mesh, wire rope fittings of metal, namely, sockets, thread studs and buttons, zinc-coated steel sheets."

FN7. The goods identified in this registration are: Anchors; marine anchors; buckles of common metal; cable thimbles of metal; eye bolts; metal eye bolts; ferules of metal for canes and walking-sticks; metal bollards; metal cable wire; metal chains; metal closures for containers; metal expansion joints for piping and ducting; metal hardware namely, pulleys; metal hardware, namely washers; metal hinges; metal hooks; metal key rings; metal ladders; metal latches; metal marine hardware, namely, thimbles; metal nuts; metal pipe couplings and joints; metal plugs; metal poles; metal posts; metal pulleys, springs and valves; metal rivets; metal screws; metal weather vanes; metal window frames; nails; wire; wire ropes; mooring bollards of metal."

FN8. The goods identified in this registration are "stainless steel and titanium products, namely, chains, cables and wires; and steel and titanium hardware, namely eye bolts, ring bolts, wing nuts, pulleys, pulley blocks, marine anchors, cable clips, rope clips, ratchet buckles, cleats, rail fittings, hooks, snaps, hinges, shackles, turnbuckles, swivels, rope sheaves, blocks and rail fittings."

FN9. As requested by the Trademark Examining Attorney in her brief, we take judicial notice that a "turnbuckle" is "a device that usually consists of a link with screw threads at both ends, that is turned to bring the ends closer together, and that is used for tightening a rod or stay." www.merriam-webster.com. There is no evidence in the record which would establish what a "ratchet buckle" is.

FN10. The goods identified in this registration are "rigging hardware, namely, hooks, buckles, chains, pulleys, quick links, rings, shackles, swivels, cable thimbles, turnbuckles and wire rope clips, all such goods made of metal; load

binders and wire rope; metal hardware for doors and gates namely, hinges, latches and locks; metal fasteners namely bolts, nuts, screws, rivets, clamps and shelf brackets; nails.”

FN11. As requested by the Trademark Examining Attorney in her brief, we take judicial notice that “rigging” is defined as “lines and chains used aboard a ship especially in working sail and supporting masts and spars,” and “a similar network (as in theater scenery) used for support and manipulation.” www.merriam-webster.com. “Rig” is defined as “to fix a piece of equipment in place.” <http://dictionary.cambridge.org>.

FN12. The only possibly pertinent evidence in the record on this issue appears on the above-referenced page from registrant's catalog concerning registrant's self-locking fasteners, which states: “Every project is special. After discussions between Long-Lok Technical Service personnel and your engineers, a torque requirement specification will be established and a formula developed for your company's individual needs for the Dual-Lok process.” As noted above, however, we are assuming that selflocking screws and bolts also are inexpensive hardware items purchased by ordinary consumers.

2009 WL 4081687 (Trademark Tr. & App. Bd.)

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1998 WL 514544 (P.T.O.)

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT OF THE T.T.A.B.

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

IN RE JB OXFORD HOLDINGS, INC.

Serial No. 74/599,446

August 13, 1998

James R. Brueggemann of Sheppard, Mullin, Richter & Hampton LLP for JB Oxford Holdings, Inc.

Jeffrey J. Look, Trademark Examining Attorney
Law Office 108
(David Shallant, Managing Attorney).

Before Seeherman, Hanak and Hohein
Administrative Trademark Judges.
Opinion by Hohein
Administrative Trademark Judge:

JB Oxford Holdings, Inc. has filed an application to register the mark "JB OXFORD HOLDINGS" for "securities brokerage services, namely, brokerage services at reduced prices featuring low commissions, flat rate commissions, and commission-free trading".^[FN1]

Registration has been finally refused under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d), on the ground that applicant's mark, when applied to its goods, so resembles the mark "OXFORD" and design, which registered, as reproduced below,

for "investment management services; namely, investing the funds of others by purchasing stock in order to gain managing control of the acquired companies,"^[FN2] as to be likely to cause confusion, mistake or deception.

Applicant has appealed. Briefs have been filed, but an oral hearing was not requested. We reverse the refusal to register.

Turning first to consideration of the respective marks, we note that the principal source-distinguishing element in

applicant's "JB OXFORD HOLDINGS" mark is the term "OXFORD," which is identical to the dominant aspect of registrant's "OXFORD" and design mark, namely, the term "OXFORD". However, as shown by the listings made of record by the Examining Attorney from both Webster's New Geographical Dictionary (1988) at 908 and the 1994 edition of the "PHONEDISC U.S.A." data base, such term commonly has significance as, inter alia, a geographical place and as a surname. Moreover, the presence of the initials "JB" and the disclaimed descriptive word "HOLDINGS" in applicant's mark are distinguishing elements which notably are not found in registrant's mark. Thus, while the respective marks are similar in commercial impression, they nevertheless are not "highly similar," as the Examining Attorney maintains.

Turning, next, to consideration of the respective services, the Examining Attorney, relying solely upon the dictionary definitions mentioned below, argues that (*italics in original*):

Here registrant has simply indicated that it "invests the funds of others by purchasing stock in companies. While there may be an ultimate goal to acquire managing control of companies, the essence of the service is a type of brokerage service, namely, that registrant acts for the benefit of others in purchasing stock. The definition of a "broker" in the financial and securities context, is "a person who acts as an intermediary between a buyer and seller, usually charging a commission. A broker who specializes in stocks, bonds, commodities, or options acts as agent and must be registered in the exchange where the securities are traded." *Dictionary of Finance and Investment Terms*, 49 (3d Ed. 1991) ... A "security" is defined as an "instrument that signifies an ownership position in a corporation (a stock), a creditor relationship with a corporation or governmental body (a bond), or rights to ownership such as those represented by option, subscription right and subscription warrant." *Id.* at 403. *2 Applicant has identified itself as a "securities broker." By the commonly recognized definitions of the terms, applicant necessarily is a person or agent who acts as an intermediary between a buyer and a seller of "stocks, bonds or commodities" which represent ownership interests in companies. The fact that applicant performs these services for little or no commission does not mean that it is not a broker or would likely be viewed by the potential user of its services as a broker.

In consequence thereof, the Examining Attorney maintains that "[t]he likely consumers of registrant's and applicant's services will both be people who have money to invest in stocks, which could be either highly sophisticated investors or the average person with no financial background at all." The Examining Attorney, in light of the asserted commonality of purchasers, insists that registrant's services are closely related to those offered by applicant since, like applicant, registrant "acts as an intermediary or agent on behalf of others who wish to purchase stocks" and that "[s]uch an intermediary is essentially a broker." Thus, notwithstanding applicant's contentions that, unlike its services, registrant's services must necessarily include, among other things, providing professional advice regarding companies appropriate for take-overs, organizing syndicates of purchasers to achieve significant purchasing power through the combining of funds and advising such syndicates on the manner in which to invest their funds in order to gain managing control of the selected target companies, the Examining Attorney urges, in essence, that:

What is relevant is that both parties accept the funds of others and purchase "securities," such as stocks, in companies. Even if one assumes registrant gives detailed advice, an assumption not warranted by any evidence in the record, while applicant does not, this difference in the degree of advice offered to customers does not necessarily mean that the services are not related.

Applicant has also argued that the additional language "for the purpose of acquiring control in companies" is a key distinguishing factor. However, anyone who purchases enough stock in a corporation can acquire managing control of the corporation. Such a person could do that by using applicant's low or no commissions brokerage service. Therefore, ... this distinction does not mandate approving this application for publication.

We are constrained, nevertheless, to agree with applicant that its reduced price security brokerage services featuring low commissions, flat rate commissions and commission-free trading are sufficiently different from registrant's investment management services of investing the funds of others by purchasing stocks in order to gain managing control of the acquired companies that, even though respectively offered under the similar marks "JB OXFORD HOLDINGS" and "OXFORD" and design, confusion as to origin or affiliation is not, as a practical matter, likely to take place. Specifically, as persuasively argued by applicant in its brief (*italics in original*):

*3 Applicant is in the brokerage business and provides brokerage services at reduced prices featuring low commissions, flat rate commissions, and commissions-free trading. Applicant's customers are typically individuals who buy and sell securities without seeking professional advice. Applicant's customers utilize Applicant's services because they seek to pay less for brokerage fees.

In contrast, the [registrant's] services ... are "investment management services; namely investing the funds of others by purchasing stock in order to gain managing control of the acquired companies." Such services should be expected to be directed towards customers with significant purchasing power and, likely, with significant consumer sophistication. Such customers are not likely to be confused or misled by Applicant's services under the proposed mark. The registered investment management services necessarily include providing professional advice concerning companies appropriate for take-overs, organizing syndicates of purchasers to achieve significant purchasing power through combining funds, and advising the syndicates on how and when their funds should be invested to gain managing control of the targeted companies. The scope of these services is completely outside the services of Applicant's amended description.

Undoubtedly, any person seeking to invest monies--whether a highly sophisticated professional investor or an average person with a modest income--will exercise care in purchasing related services. Based on the factors of record, this weighs heavily against a likelihood of confusion. The prior registrant specifically touts its services as investing funds of others *to gain managing control of the acquired companies*. As noted above, any person seeking such services or capable of utilizing these services will presumably require considerable advice wholly unrelated to the services offered by Applicant.

These services do not in any way relate to the reduced-price brokerage services described by Applicant and, in fact, are inapposite. Applicant caters to customers wanting discount brokerage services where they can buy and sell securities without seeking or paying for professional advice. Applicant's services are advertised to retail customers through such media as television and newspapers. On the other hand, it seems highly unlikely that the prior registrant's specialized services would be marketed to the retail masses or that people interested in the prior registrant's services would look to such advertisements. Thus, the dissimilarity of the services described in the application ... and in the registration is such that the services would not normally be expected to emanate from the same providers, would not normally be sold through the same [trade] channels, and would not normally be provided to the same purchasers. A review of the factors of record leads to the conclusion that the differences in the services are such as would not be likely to generate consumer confusion.

*4 Furthermore, anyone who knows they want to take advantage of low-rate commissions in purchasing securities, will presumably use at least normal care in selecting a company to use. In so doing, it is unlikely that anyone would be misled or confused by a company that markets low-rate commission charges on brokerage services, like JB Oxford Holdings, and a company that invests funds in order to gain managing control of companies. These limitations in services are specifically described in the application and the registration. Despite the Examiner's assertions, the prior registrant does not claim that its services broadly consist of investing funds of others by simply purchasing stock. Rather, the registration specifically limits its services to investing funds of others to acquire managing control of companies.

Thus, as applicant further points out, the respective services simply are not likely to be encountered in the marketplace by the same relevant purchasers. Applicant's discount brokerage services, in particular, are typically used by ordinary purchasers who desire to buy and sell relatively insubstantial amounts of shares or other securities and do not require detailed financial advice about their contemplated transactions. Applicant's services, which are characterized principally by their low or nonexistent commissions, are therefore not likely to be used by the kinds of exceedingly sophisticated and discriminating purchasers whose wealth provides them with funds sufficient to pursue the rather extraordinary investment objective of buying a substantial amount of shares so as to acquire managing control of a company and who would thus be clients for registrant's highly specialized investment services.

The Examining Attorney, relying solely upon dictionary definitions, nevertheless argues that the respective services are closely related because, in relevant part, both applicant and registrant act as "securities brokers".^[FN3] The mere fact, however, that a term may be found which encompasses the respective services does not mean that customers therefor will view such services as related in the sense that they will assume that the services emanate from or are

associated with a common source.^{FN4} See, e.g., *General Electric Co. v. Graham Magnetic's Inc.*, 197 USPQ 690, 694 (TTAB 1977) and *Harvey Hubbell Inc. v. Tokyo Seimitsu Co., Ltd.*, 188 USPQ 517, 520 (TTAB 1975). Furthermore, there is no evidence in the record that discount brokerage firms like applicant also typically offer investment services of the type provided by registrant.

Finally, while not raised by the Examining Attorney, we realize that it is possible that the typical purchaser of applicant's discount brokerage services might assume, upon hearing or seeing registrant's mark mentioned in the financial news in connection with a corporate take-over attempt by a syndicate of investors, that there is some sort of association or connection between registrant and applicant. Such a scenario, however, strikes us as remote at best, particularly since there is nothing which indicates that registrant's mark is well known or famous. Moreover, aside from the fact that applicant's average customer would not usually be a client for registrant's services and thus, as noted previously, a commonality of purchasers is lacking, our principal reviewing court has generally cautioned that:

*5 We are not concerned with mere theoretical confusion, deception or mistake or with de minimis situations but with the practicalities of the commercial world, with which the trademark laws deal.

Electronic Design & Sales Inc. v. Electronic Data Systems Corp., 954 F.2d 713, 21 USPQ2d 1388, 1391 (Fed. Cir. 1992), citing *Witco Chemical Co. v. Whitfield Chemical Co., Inc.*, 418 F.2d 1403, 164 USPQ 43, 44-45 (CCPA 1969), *aff'g*, 153 USPQ 412 (TTAB 1967).

We accordingly conclude, on this record, that clients familiar with registrant's "OXFORD" and design mark for "investment management services; namely, investing the funds of others by purchasing stock in order to gain managing control of the acquired companies" would not be likely to believe, upon encountering applicant's similar "JB OXFORD HOLDINGS" mark for "securities brokerage services, namely, brokerage services at reduced prices featuring low commissions, flat rate commissions, and commission-free trading," that such specifically different and disparate services emanate from or are sponsored by or affiliated with the same source.

Decision: The refusal under Section 2(d) is reversed.

E. J. Seeherman

E. W. Hanak

G. D. Hohein

Administrative Trademark Judges

Trademark Trial and Appeal Board

FN1. Ser. No. 74/599,446, filed on November 16, 1994, which alleges a bona fide intention to use the mark in commerce. The term "HOLDINGS" is disclaimed.

FN2. Reg. No. 1,652,572, issued on July 30, 1991, which sets forth dates of first use of June 1, 1985; combined affidavit §§8 and 15.

FN3. Applicant, in connection with an argument that the marks herein are dissimilar, has relied upon excerpts which it made of record from the 1994 Manual of the National Association of Securities Dealers, Inc. Applicant insists that such organization (hereinafter "NASD") is "specifically charged with the responsibility of protecting customers of its member securities dealers," including those of applicant, and that:

As part of that responsibility, [NASD] ... approves the name selection by its member dealers, specifically disallowing any person or firm membership ... if that ... [person or] firm has "a name so similar to any such name as to tend to confuse or mislead." (emphasis added[.]) See NASD Manual, ¶ 1132, § 2(a), titled "Similarity of

Membership Names.” Thus, prior to admitting a person or firm to membership in the NASD, the organization evaluates whether the name of the person or firm applying for membership is likely to be confused with the name of another member.

The NASD is an organization that is expert in the standards of care exercised by purchasers of services provided by the securities industry. In applying substantially the same standard for confusion as that used by the Trademark Office--i.e., not registering any name that is so similar as to tend to confuse or mislead--the NASD has granted membership to four firms using “Oxford” in their names. These companies include:

J.B. Oxford & Company (Applicant),
Oxford Discount Brokerage,
Oxford Financial Services, Inc., and
Oxford Securities Corporation.

See NASD Manual, at 548.

To us, the true significance of the NASD manual excerpts lies in the fact that registrant's name is *not* included. Specifically, while there is nothing that indicates that a securities broker or dealer must be a member of NASD, it is fair to assume that the vast majority of those that render securities brokerage services are members of such organization and hence would be so listed in the organization's manual. Significantly, however, we observe that registrant, Oxford Investment Group, Inc., is not listed as a member of NASD. The absence of such a listing strongly suggests that, unlike applicant (who assertedly is listed, despite the unexplained discrepancy in its name), registrant is not rendering securities brokerage services of any kind. Instead, as set forth in the cited registration, registrant is offering the specifically different and unrelated investment management services of investing the funds of others (presumably through the services of one or more full-service securities brokers) by directing the purchase of stock in order to gain managing control of the acquired companies.

FN4. It is settled that the Board may properly take judicial notice of dictionary definitions. See, e.g., *Hancock v. American Steel & Wire Co. of New Jersey*, 203 F.2d 737, 97 USPQ 330, 332 (CCPA 1953) and *University of Notre Dame du Lac v. J. C. Gourmet Food Imports Co., Inc.*, 213 USPQ 594, 596 (TTAB) 1982), *aff'd*, 703 F.2d 1372, 217 USPQ 505 (Fed. Cir. 1983). In light thereof, we judicially notice that the very dictionary cited by the Examining Attorney, namely, the Dictionary of Finance & Investment Terms (3d ed. 1991), defines “discount broker,” which is essentially what applicant's services amount to, at 110 as “a brokerage house that executes orders to buy and sell services at commission rates sharply lower than those charged by a FULL SERVICE BROKER.” By contrast, even if registrant's services are deemed to include those provided by a “full-service broker,” we note that such term is defined by the same dictionary at 166 as a “broker who provides a wide range of services to clients. Unlike a DISCOUNT BROKER, who just executes trades, a full-service broker offers advice on which stocks ... to buy or sell” and thus “[a] full-service broker's commissions will be higher than those of a discount broker.” Clearly, a client seeking investment management services for the purpose of purchasing managing control of a company would not be likely to utilize the services of a discount broker like applicant.

1998 WL 514544 (P.T.O.)

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1999 WL 1278654 (Trademark Tr. & App. Bd.)

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT OF THE T.T.A.B.

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

IN RE NUTRITIONAL SOURCE, INC.

Serial No. 75/294,991

December 28, 1999

Edward D. Lanquist, Jr. of Waddy & Patterson for applicant.

Tina L. Snapp, Trademark Examining Attorney
Law Office 105
(Thomas G. Howell, Managing Attorney).

Before Cissel, Walters and Wendel
Administrative Trademark Judges.
Opinion by Walters
Administrative Trademark Judge:

Nutritional Source, Inc. has filed a trademark application to register the mark HEALTH RICH^[FN1] for the following goods:

Liquid and powdered dietary food supplements in the nature of shakes and puddings; nutritional supplements in the nature of food bars, in International Class 5;
Puddings; teas; flavored and sweetened gelatin desserts; hot chocolate; ready-to-eat cereal derived food bars; salad dressings, namely, pourable salad dressing and dry salad dressing mixes; bakery products, namely, rolls, donuts, cookies, brownies, breads, bread sticks, muffins, biscotti and crackers; dry processed cereals; granola; oatmeal; dried pasta; prepared entrees consisting primarily of pasta, namely, fettuccini alfredo, pasta and chicken, macaroni and cheese, and tomato paste; pretzels; popped popcorn with added spices and coatings; pancake mixes; dry food mixes, namely, spaghetti, curries, and taco fillings, in International Class 30;^[FN2]
Dry unprocessed cereals, in International Class 31; and
Fruit drinks, in International Class 32.

The Trademark Examining Attorney has finally refused registration under Section 2(d) of the Trademark Act, 15 U.S.C. 1052(d), on the ground that applicant's mark so resembles the mark HEALTHRICH FARMS, previously registered for "fresh and frozen ostrich meat, processed ostrich in the form of jerky, sausage, ham and ostrich sticks; and processed food containing ostrich meat in the form of soup,"^[FN3] that, if used on or in connection with applicant's goods, it would be likely to cause confusion or mistake or to deceive.

Applicant has appealed. Both applicant and the Examining Attorney have filed briefs, but an oral hearing was not

requested. We affirm the refusal to register.

Our determination under Section 2(d) is based on an analysis of all of the probative facts in evidence that are relevant to the factors bearing on the likelihood of confusion issue. *See, In re E. I. duPont de Nemours and Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). In the analysis of likelihood of confusion in this case, two key considerations are the similarities or differences between the marks and the similarities or differences between the goods. *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24, 29 (CCPA 1976).

We turn, first, to a determination of whether applicant's mark and the registered mark, when viewed in their entireties, are similar in terms of appearance, sound, connotation and commercial impression. The test is not whether the marks can be distinguished when subjected to a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that confusion as to the source of the goods offered under the respective marks is likely to result. The focus is on the recollection of the average purchaser, who normally retains a general rather than a specific impression of trademarks. *See, Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106 (TTAB 1975). Furthermore, although the marks at issue must be considered in their entireties, it is well settled that one feature of a mark may be more significant than another, and it is not improper to give more weight to this dominant feature in determining the commercial impression created by the mark. *See, In re National Data Corp.*, 753 F.2d 1056, 224 USPQ 749 (Fed. Cir. 1985).

*2 In this case, applicant's mark, HEALTH RICH, is identical to the first word of registrant's mark, HEALTHRICH FARMS. The fact that the two words forming applicant's mark are blended into a single word in registrant's mark does not materially alter the appearance, sound or connotation of the term. While registrant's mark includes the word FARMS, it is a merely descriptive (and, accordingly, disclaimed) term that does not significantly distinguish registrant's mark from applicant's mark. Consumers confronting the two marks at different times and in different contexts are likely to remember the dominant HEALTHRICH portion of registrant's mark. Thus, we find the commercial impressions of the two marks to be sufficiently similar that, if used on the same, similar or related goods, confusion would be likely.

Turning to consider the goods, the Examining Attorney contends that "[t]he goods are related generally in that they are food items for human consumption"; and that "there are numerous entities using individual marks in conjunction with both meat entrees ... and pasta entrees[,] producing sausages ... as well as pastas[,] [and] producing prepared meats and bakery products." In support of her position, the Examining Attorney submitted copies of third-party registrations. At least nine of the third-party registrations included both prepared meat entrees and/or side dishes and prepared pasta entrees and/or side dishes; one registration included both canned meat and pasta; and another registration included both sausage and pasta.

Applicant has made several arguments based upon statements about the exact nature of its goods and applicant's and registrant's channels of trade. However, both applicant's and registrant's goods are broadly identified and the application and registration contain no limitations as to channels of trade. It is a well established principle that "[t]he question of likelihood of confusion must be determined based on an analysis of the mark as applied to the goods and/or services recited in applicant's application vis-à-vis the goods and/or services recited in [the] registration, rather than what the evidence shows the goods and/or services to be." *Canadian Imperial Bank v. Wells Fargo Bank*, 811 F.2d 1490, 1 USPQ2d 1813, 1815 (Fed. Cir. 1987).

However, even if, as the Examining Attorney contends, the respective goods may broadly be considered as "food items for human consumption," the mere fact that a term may be found which encompasses the parties' products does not mean that customers will view the goods as related in the sense that they will assume that they emanate from or are associated with a common source. *See, e.g., General Electric Co. v. Graham Magnetics Inc.*, 197 USPQ 690, 694 (TTAB 1977) and *Harvey Hubbell Inc. v. Tokyo Seimitsu Co., Ltd.*, 188 USPQ 517, 520 (TTAB 1975). The record is devoid of any evidence indicating any relationship between registrant's goods and applicant's goods identified in International Classes 5, 31 and 32 such that consumers would be likely to believe that these goods emanate from the

same source. Therefore, we find no likelihood of confusion with respect to the goods identified in International Classes 5, 31 and 32 of the application.

*3 On the other hand, we find that confusion is likely with respect to the goods identified in the application in International Class 30. Applicant's goods include prepared pasta entrees, which contain, in part, chicken; and food mixes, namely spaghetti, curries and taco fillings. Registrant's ostrich meat products include processed food in the form of soup. While it is quite true that the goods are different, it is well-settled that the goods of an applicant and registrant need not be similar or even competitive in order to support a holding of likelihood of confusion, it being sufficient for the purpose if such goods are related in some manner and/or if the circumstances surrounding their marketing are such that they would be likely to be encountered by the same persons under conditions that would give rise, because of the marks used thereon, to the mistaken belief that they emanate from or are in some way associated with the same source. See, *In re Kangaroos U.S.A.*, 223 USPQ 1025, 1026-1027 (TTAB 1984), and cases cited therein. In this case, both applicant's entrees and mixes and registrant's soups are prepared meals that, based on the evidence of record, could reasonably emanate from the same source.

Therefore, we conclude that in view of the substantial similarity in the commercial impressions of applicant's mark, HEALTH RICH, and registrant's mark, HEALTHRICH FARMS, their contemporaneous use on the goods identified in International Class 30 is likely to cause confusion as to the source or sponsorship of such goods.

Finally, to the extent that we have any doubt concerning our conclusion that confusion is likely with respect to applicant's goods in International Class 30, we are obligated to resolve such doubt in favor of the registrant. *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed Cir. 1988).

Decision: The refusal under Section 2(d) of the Act is affirmed with respect to applicant's identified goods in International Class 30; and reversed with respect to applicant's identified goods in International Classes 5, 31 and 32.

R. F. Cissel

C. E. Walters

H. R. Wendel

Administrative Trademark Judges, Trademark Trial and Appeal Board

FN1. Serial No. 75/294,991, in International Class 30, filed May 20, 1997, based on an allegation of a bona fide intention to use the mark in commerce.

FN2. The Examining Attorney finally refused registration on the ground that applicant's identification of goods in International Class 30 was indefinite. Subsequent to the briefing period, but prior to this decision, applicant submitted an amendment to the identification of goods to adopt the language proposed by the Examining Attorney. Therefore, the issue pertaining to the identification of goods in International Class 30 is moot.

FN3. Registration No. 2,036,879 issued February 11, 1997, to Ostrich Producers Coop of the Mid-West, in International Class 29. The registration includes a disclaimer of FARMS apart from the mark as a whole.

1999 WL 1278654 (Trademark Tr. & App. Bd.)

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2003 WL 22477870 (Trademark Tr. & App. Bd.)

THIS OPINION IS NOT CITABLE AS PRECEDENT OF THE TTAB

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

IN RE MEDICAL CENTRAL ONLINE, INC.

Serial No. 76138824

October 22, 2003

Brian M. Mattson of Patents+TMS, P.C. for Medical Central Online, Inc.

Samuel E. Sharper, Jr., Trademark Examining Attorney
Law Office 108
(David Shallant, Managing Attorney).^[FN1]

Before Hohein, Bottorff and Rogers
Administrative Trademark Judges
Opinion by Rogers
Administrative Trademark Judge:

Medical Central Online, Inc. has applied to register PATIENT NET as a mark for services identified as "providing information and updates of bed availability in nursing homes to hospitals, doctors, and administrative personnel to assist in placement of patients in nursing homes wherein the information may be accessible via a global computer network," in International Class 42. In the application, applicant claims first use anywhere and first use of the mark in commerce as of January 1991; and registration is sought on the Principal Register under Section 2(f) of the Lanham Act, 15 U.S.C. §1052(f).^[FN2]

Registration of the mark has been refused by the examining attorney, under Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d), because of the prior registration of the mark PATIENTNET for the following goods:

Computer hardware and software for acquiring, interpreting, and distributing patient status information through local, wide area, and global computer communications networks, in International Class 9.

Patient status monitoring apparatus, namely, electronic devices for acquiring, interpreting, analyzing, storing, processing and distributing patient medical vital signs data; central monitoring apparatus for monitoring patient vital signs; physiologic monitors; individual patient vital signs monitors; and patient support devices, namely, intravenous pumps, ambulatory transmitters, and ventilators, in International Class 10.^[FN3]

The examining attorney refused registration on the theory that there is a likelihood of confusion among average purchasers or users of applicant's services and registrant's goods. When the refusal of registration was made final, applicant appealed. Applicant did not request an oral argument.

Our determination under Section 2(d) is based on an analysis of all of the probative facts in evidence that are relevant

to the factors bearing on the likelihood of confusion issue. See In re E. I. du Pont de Nemours and Co., 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). In the analysis of likelihood of confusion presented by this case, key considerations are the virtually identical nature of the marks and the question of whether the goods and services are related in such a manner that their marketing under the respective marks is likely to cause confusion of relevant purchasers or users. Federated Foods, Inc. v. Fort Howard Paper Co., 544 F.2d 1098, 1103, 192 USPQ 24, 29 (CCPA 1976) (“The fundamental inquiry mandated by § 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks.”).

*2 In regard to the look, sound and meaning of the marks, we note first that the marks look the same, but for applicant's presentation of PATIENT NET as two words while the registered mark is presented as a single compound word; neither mark is set forth in a particular typeface or font and neither mark includes a design element. Second, the marks clearly would be pronounced the same. Third, in regard to connotation, the examining attorney who examined the application acknowledged that applicant claims the marks have different connotations, but argues that applicant has failed to explain why the marks would be perceived differently.^[FN4]

In essence, the examining attorney argues that the marks have the same connotation because he views applicant's goods and registrant's services as broadly related and he concludes that each mark will be imbued with the broadly stated connotation of “healthcare monitoring goods and services.” Final Refusal, p. 2. In contrast, the applicant focuses on the specific differences in the respective identifications of goods and services and concludes that each mark will have a connotation as specific as the identification with which it is associated.

Notwithstanding this disagreement about whether the marks will be perceived as having similar broad connotations or different specific connotations, we agree with the examining attorney that the marks must be considered virtually identical for the purpose of assessing likelihood of confusion. Even if we assume applicant is correct in arguing that the marks will convey different specific meanings, because of their respective uses, the similarity in sight and the identical pronunciation of the marks would outweigh any possible difference in meaning.

In many cases involving virtually identical marks, the striking similarity of the marks is a factor that weighs heavily against an applicant. See, e.g., In re Martin's Famous Pastry Shoppe, Inc., 748 F.2d 1565, 223 USPQ 1289, 1290 (Fed. Cir. 1984). Nonetheless, because the terms “patient” and “net” are at least highly suggestive when used on or in conjunction with the involved goods and services, we place less importance on the virtually identical nature of the marks in our assessment of the likelihood of confusion.^[FN5]

We now turn to consider the relationship of the registrant's goods and applicant's services. In doing so, we are mindful that it is well settled that goods or services need not be identical or competitive to support a finding of likelihood of confusion. However, the goods or services must at least be related in some way or the circumstances of their marketing be such that they would be encountered by the same persons, even if not contemporaneously, who would, because of the marks, mistakenly conclude that the goods or services are in some way associated with the same producer, or that there is an association between the producers. In re Melville Corp., 18 USPQ2d 1386 (TTAB 1991); In re International Telephone & Telegraph Corp., 197 USPQ 910 (TTAB 1978).

*3 Applicant seeks registration of its mark only for the service of running an Internet website. Moreover, the website is limited in scope to providing information on the availability of beds, or types of rooms, in nursing homes. Finally, it is a service available only to doctors and administrative personnel of hospitals, not to any individual or family in search of a nursing home.

Registrant's goods are very specialized electronic devices for providing physiological support to patients in hospitals and for monitoring the status of medical vital signs of hospital patients, and central monitoring units for monitoring patients by collecting medical status information and analyzing it. Registrant also produces computer hardware and software for “acquiring, interpreting, and distributing” information on the status of patients. The hardware and soft-

ware products can be used in or with local or wide area networks^[FN6] and the Internet.

In an effort to show the relationship of registrant's goods and applicant's services, the examining attorney put into the record various Internet web pages that purportedly show that "[h]ealthcare software and services are often marketed together to consumers, many times under the same mark." Final Refusal, p. 3. We find this assertion too broad to be helpful to our analysis. Likewise, we find the evidence to which it refers is not probative of a relationship between registrant's goods and applicant's services.

It would not surprise us at all to find some healthcare related software and some healthcare services to be marketed under the same mark, but that does not mean that any software utilized in the healthcare field would always be viewed as related to any healthcare service simply because they are marketed under the same or similar marks. Nor are the Internet web pages helpful to our analysis, because none of the hosts of these web pages appears to be marketing hardware and software such as registrant's^[FN7] and none appears to offer any Internet-based service for doctors and other healthcare providers to find rooms or beds in nursing homes or long-term healthcare facilities.

We find that registrant's products are very specialized and clearly intended to be utilized by personnel in healthcare facilities that are directly involved in patient care. They do not appear to be related to billing, insurance coverage or other aspects of the modern interface between a patient and the healthcare system.^[FN8] The only relationship between applicant's service and registrant's products is that registrant's products can be used to facilitate access by health care personnel to patient medical status information via the Internet, and applicant's nursing home room locator service also utilizes the Internet.

To the extent that doctors or nurses directly involved in patient care, i.e., the relevant class of consumers or users of registrant's products, may also have occasion to utilize applicant's service to ascertain whether a bed in a nursing home may be available for a patient, there may be occasions for the same individual to utilize both registrant's products and applicant's service. Nonetheless, we find the products and service distinctly different, and we find the evidence of record to be devoid of support for the examining attorney's contention that such products and services would be viewed as likely to emanate from the same source. The third-party registrations and Internet web pages made of record show that there are many different computer or network-related products and services available to healthcare professionals and facilities, but we disagree with the examining attorney's apparent conclusion that any two such products or services marketed under highly suggestive marks will necessarily be viewed as related.

*4 The examining attorney bears the burden of making out a persuasive case for finding that confusion among consumers or users of products and services is not merely a theoretical possibility but is likely. In this case, the examining attorney has not carried the burden.

Decision: The refusal of registration is reversed.

FN1. Mark Rademacher, Trademark Examining Attorney, Law Office 101, examined the application and issued all office actions. Samuel Sharper briefed the appeal.

FN2. The examining attorney had also refused registration of applicant's mark under Section 2(e)(1) of the Lanham Act, 15 U.S.C. §1052(e)(1), after concluding that it is descriptive of applicant's services. While applicant initially argued against that refusal, it amended the application to proceed under Section 2(f) and has not made that refusal an issue on appeal.

FN3. Registration No. 2440343 issued April 3, 2001, and lists October 25, 1999 as the date of first use and first use of the mark in commerce for both classes of goods.

FN4. The examining attorney who briefed the appeal asserted that applicant essentially conceded similarity of the

marks in sight, sound and meaning, but we discern no concession in the file as to similarity of meaning.

FN5. As noted, applicant is pursuing registration under Section 2(f). In addition, the examining attorney has put into the record numerous third-party registrations that include disclaimers of PATIENT or phrases including that term, for goods or services relating to health care, and numerous third-party registrations that include a disclaimer of NET for products or services related to or involving use of computer networks.

FN6. We take judicial notice of the following dictionary definition: **local-area network** A computer network that spans a relatively small area. Most LANs are confined to a single building or group of buildings. However, one LAN can be connected to other LANs over any distance via telephone lines and radio waves. A system of LANs connected in this way is called a *wide-area network (WAN)*. Random House Webster's Computer & Internet Dictionary 320 (3rd ed. 1999).

FN7. The products and services almost universally appear to be what are termed "practice management" products and services, and focus on billing, scheduling, filing of claims for reimbursement by insurance plans, and management of records necessary for such processes.

FN8. In the final refusal of registration, the examining attorney notes that he reads "patient status information" broadly and appears to consider that phrase to include the aspects of a patient's status other than medical status. We find it too broad a reading of the identification in the cited registration to consider patient status to include aspects of status other than medical status.

2003 WL 22477870 (Trademark Tr. & App. Bd.)

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2002 WL 1225264 (Trademark Tr. & App. Bd.)

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT OF THE T.T.A.B.

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

IN RE AUTOMATED SECURITIES CLEARANCE, LTD.

Serial No. 75/762,919

June 4, 2002
Hearing: April 23, 2002

Glenn A. Gundersen and Erik Bertin of Dechert for Automated Securities Clearance, Ltd.

Charles G. Joyner, Jr., Trademark Examining Attorney
Law Office 112
(Janice O'Lear, Managing Attorney)

Before Cissel, Quinn and Chapman
Administrative Trademark Judges
Opinion by Chapman
Administrative Trademark Judge

Applicant has filed an application to register the mark UMA for goods ultimately amended to read "computer software for use by securities brokers and dealers and financial institutions in receiving, transmitting, executing, and managing trades involving stocks, bonds, currencies, debentures, mutual funds, futures, options, securities, and related instructional manuals" in International Class 9.^[FN1]

Registration has been refused under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d), on the ground that applicant's mark, when used on its identified goods, so resembles the registered mark UMA for "investing the funds of others and investment management services" in International Class 36^[FN2] as to be likely to cause confusion, mistake or deception.

When the refusal was made final, applicant appealed. Briefs have been filed, and an oral hearing was held before this Board on April 23, 2002.

We reverse the refusal to register. Upon consideration of the pertinent factors set forth by the Court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973), for determining whether a likelihood of confusion exists, we find that confusion is not likely.

The marks are identical. Applicant's argument that the marks create separate commercial impressions because the letters "UMA" stand for different words in applicant's and registrant's marks ("Universal Market Access" and "Union Mortgage Account," respectively) is not relevant in this appeal which deals only with the issue of the registrability of

the marks as applied for and registered.

Turning to the involved goods and services, the Board must determine the issue of likelihood of confusion on the basis of the goods and/or services as identified in the application and the registration. See *Octocom Systems Inc. v. Houston Computers Services Inc.*, 918 F.2d 937, 16 USPQ2d 1783 (Fed. Cir. 1990); and *Canadian Imperial Bank of Commerce, National Association v. Wells Fargo Bank*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987).

The Examining Attorney specifically contends that "the goods and services are closely related because it is extremely common in this industry for companies too [sic] provide both investing services for the benefit of its [sic] clients as well as investment and trade-related software" (Final Office action, p. 2); and that "inasmuch as the applicant's computer software is related to the provision of investment management services as well as investing the funds of others, the goods and services are exceedingly intertwined." (Brief, p. 5.) In support of his position, the Examining Attorney submitted photocopies of 14 third-party registrations to demonstrate that computer software which performs financial functions and financial services commonly emanate from the same source.

*2 Applicant argues that the Examining Attorney mischaracterizes applicant's goods by broadly referring to them as "investment and trade-related software" when in fact, and as identified, it is clear that applicant's computer software is used to process trades of stocks, bonds and other securities; that trade-related software and investment management software are not synonymous; and that applicant seeks registration only for software used by brokerage and trading houses in the mechanics of the trading of various securities. Applicant submitted photocopies of printouts from its website describing applicant's product, and photocopies of articles retrieved from the Nexis database about the product.

Having carefully reviewed the evidence, we conclude that the Examining Attorney has not made a prima facie showing that these goods and services are related. Nine of the third-party registrations submitted by the Examining Attorney issued on the basis of foreign registrations (Section 44 of the Trademark Act) rather than on use in commerce, and therefore are not indicative of a common source in the United States of the goods and services identified therein. See *In re Mucky Duck Mustard Co. Inc.*, 6 USPQ2d 1467, footnote 6 (TTAB 1988). The remainder of these third-party registrations (with one exception which is discussed below) do not include both securities trading software for use by securities brokers and dealers, on the one hand, and investment management services, on the other. Rather, they generally include broader categories such as "computer software for investment management" and "investment consultation" (Registration No. 2,401,026); "computer software for use in the analysis of financial and investment management information" and "investment management services" (Registration No. 2,003,089); and "computer software for use in retirement planning" and "investment management services" (Registration No. 2,316,014).

The most pertinent third-party registration submitted by the Examining Attorney does include "computer software for use in the field of securities trading..." and "...financial investment and management services..." (Registration No. 2,391,318). However, this single registration is insufficient evidence to establish either that the goods and services in the case now before this Board routinely originate from a single source or that there is a natural business expansion from investing the funds of others and investment management services to selling computer software used by securities brokers and dealers to transact various securities trades.

Applicant's identification of goods refers to financial institutions and various traded securities, but it does not necessarily follow that all investment management services are related thereto. The Examining Attorney's statement that "both the Applicant and Registrant are providing Investment management - the Applicant in the form of a computer software program and the Registrant in the form of services" (brief, p. 9) is simply unsupported in this record. To the contrary, both applicant's identification of goods and the evidence submitted by applicant regarding its goods clearly indicate that applicant's goods are not used for investment management, but rather are for carrying out trades of securities. We disagree with the Examining Attorney's contention that the registrant's identification is very broad, and "it is presumed that the Registrant's services include the specific functions provided by the Applicant's computer software program." (Brief, p. 7.) We are not convinced that "investing the funds of others and investment management ser-

vices" encompasses computer software used by securities brokers and dealers to execute trades.

***3** Regarding the channels of trade, the record is devoid of evidence that these differing goods and services would be sold through similar channels of trade. The mere fact that the goods and services are in the very broad field of investing does not establish similar channels of trade.

Applicant's goods, as is clear from the identification of goods, are marketed to securities trading organizations for use by brokers and dealers and financial institutions in executing securities trades. That is, applicant's specialized computer software is marketed to information technology professionals at financial institutions, who are a sophisticated, discerning clientele. Registrant's services of investing the funds of others and investment management services are presumably offered to those with money to invest, which includes the general public. However, the limitations in applicant's goods, as identified, are significant restrictions as to the purchasers and channels of trade. Simply put, there is no showing in this record of who would be confused by the use of the mark UMA on these divergent goods and services.

The sophistication of the purchasers of applicant's goods and the high degree of care taken in the purchasing decision relating to either applicant's goods and/or registrant's services are significant in this case. Any person deciding to invest his or her money and seeking the services of an investment management company is not likely to do so on impulse or without careful consideration. In fact, by definition, these consumers are seeking the assistance of professional investment advisors. Further, the specific purchasers of applicant's goods are information technology professionals who purchase applicant's software on behalf of large financial institutions to execute trades. Although it is settled that even sophisticated purchasers are not immune from source confusion, in the present case, we are of the opinion that the circumstances surrounding the marketing and purchase of the respective goods and services are such as to minimize or eliminate any possible likelihood of confusion.

Applicant has argued that these goods and services, as identified, are not related and are sold through differing channels of trade to different purchasers. The evidentiary record furnished by the Examining Attorney is not sufficiently probative to lead us to conclude that the contemporaneous use of the mark UMA by registrant for investing the funds of others and investment management services and applicant's UMA mark for its computer software for brokers and dealers to transact securities trades is likely to cause confusion. The dissimilarities in the goods and services, as identified, are such that they would not be expected to emanate from the same providers, would not normally travel through the same trade channels, and would not normally be provided to the same purchasers. See e.g., *General Electric Co. v. Graham Magnetic's Inc.*, 197 USPQ 690, 694 (TTAB 1977); and *Harvey Hubbell Inc. v. Tokyo Seimitsu Co., Ltd.*, 188 USPQ 517, 520 (TTAB 1975). Cf. *The Chicago Corp. v. North American Chicago Corp.*, 20 USPQ2d 1715 (TTAB 1991).

***4 Decision:** The refusal to register under Section 2(d) is reversed.

FN1. Application Serial No. 75/762,919, filed July 28, 1999. Applicant claimed dates of first use and first use in commerce of June 1997 and January 1998, respectively.

FN2. Registration No. 1,484,602, issued April 12, 1988, to The Prudential Insurance Company of America; Section 8 affidavit accepted, Section 15 affidavit acknowledged. The claimed date of first use is November 13, 1986.

2002 WL 1225264 (Trademark Tr. & App. Bd.)

END OF DOCUMENT

C

2006 WL 2927855 (Trademark Tr. & App. Bd.)

THIS DISPOSITION IS NOT CITABLE AS PRECEDENT OF THE TTAB

Trademark Trial and Appeal Board
Patent and Trademark Office (P.T.O.)

GENERAL BISCUITS BELGIE
v.
TUKAS TURGUTLU KONSERVECILIK ANOMIN SIRKETI

OPPOSITION 91154452 TO APPLICATION SERIAL 76187523

September 27, 2006

Perla M. Kuhn of Hughes Hubbard & Reed LLP for General Biscuits Belgie

Sheryl Scharmach of Nixon & Vanderhye P.C. for Tukas Turgutlu Konservecilik Anomin Sirketi

Before Quinn, Bucher and Dros
Administrative Trademark Judges
Opinion by Drost
Administrative Trademark Judge:

On December 27, 2000, Tukas Turgutlu Konservecilik Anomin Sirketi (applicant) filed an intent-to-use application (Serial No. 76187523) to register the mark in the design shown below on the Principal Register:



for the following goods:

Processed, canned, and fresh meats, poultry and game, namely, beef, bologna, frankfurters, pork, chicken, duck, turkey, lamb, and venison; seafood, namely, fish, shrimp, and shellfish; meat extracts; processed fruits and vegetables, namely, processed beans, processed peas, processed carrots, processed tomatoes, tomato paste, tomato puree, processed olives, processed pickles, processed peppers; processed jellies; jams, and marmalade; eggs; processed and fresh dairy products, namely, milk, cheese, yogurt, and sour cream; processed nuts and processed edible seeds; edible oils and fats, namely, cooking oil, lard, butter and margarine; soups; prepared entrees consisting primarily of meat, poultry, fish or vegetables in Class 29

Coffee beans, roasted and unroasted, grain or chicory based coffee substitutes; cocoa; chocolate food beverages not being dairy-based or vegetable based; tea; sauces, namely, barbeque, spaghetti and tomato, marinades; mixes,

namely, cake, pancake, waffle, cookie and brownie; flavored and sweetened gelatin and pudding; seasonings, spices, and flavoring extracts: syrup; bakery staples, namely, baking powder, baking soda, flour, food starch, honey, yeast, and granulated, brown, and powdered sugar; pizza; bread and bread products, namely, bread crumbs, biscuits, sticks, rolls, and tortillas; rice; cereals, namely, breakfast cereals, processed oats, and rolled oats; condiments, namely, ketchup, mustard, mayonnaise, salad dressing, hot sauces, salsa, and vinegar; pastas, namely, lasagna, macaroni, noodles, vermicelli, and spaghetti; ice; ice cream, ice cream bars, frozen yogurt, frozen yogurt bars; snack foods, namely, corn chips, processed popped popcorn, candy coated popcorn, puffed cornsnacks, and pretzels in Class 30.

On December 16, 2002, opposer, General Biscuits Belgie, filed an opposition to the registration of applicant's mark. Opposer alleges that it is the owner of three registrations for the term TUC.

I.

No. 2,682,105

Filed: 18 February 1999

Issued: 04 February 2003

TUC (typed or standard character drawing)

Preserved, dried and cooked fruits and vegetables, jam, jelly, soups, stewed fruits; potato-based salted snack foods, potato-based sweet snack foods; mini-cooked pork meat appetizers in Class 29

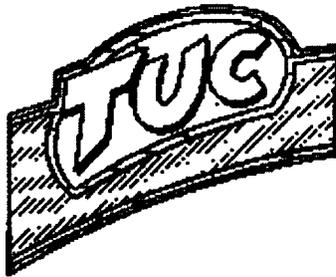
*2 Rice, puffed rice; tapioca, flours, sweet pies, salted pies, pizzas, sweet tarts, salted tarts, plain pasta, flavored pasta, filled pasta, frozen, prepared or packaged meals consisting primarily of pastry; bread, sweet biscuits, salted biscuits, plain wafers, coated wafers, filled wafers, flavored wafers, plain cakes, coated cakes, filled cakes, flavored cakes, plain pastries, coated pastries, filled pastries, flavored pastries; candy, frozen confections, confectionery chips for baking, natural salt, flavored salt, mustard, vinegar, sauces; spices in Class 30.

II.

No. 2,454,791

Filed: 06 November 1999

Issued: 29 May 2001



Preserved, dried and cooked fruits and vegetables, jam, jelly, stewed fruits; Potato-based salted snack foods, potato-based sweet snack foods, mini-cooked pork meat appetizers in Class 29

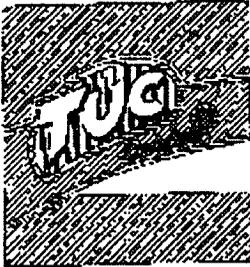
Rice, puffed rice; tapioca, flours, sweet pies, salted pies, pizzas, sweet tarts, salted tarts, plain, flavored and/or filled pasta; frozen, prepared or packaged meals partially or totally made of pastry; bread, sweet biscuits, salted biscuits, wafers, cakes, pastries, all these products being plain, coated, filled and/or flavored; candy, frozen confections, natural salt, flavored salt, mustard, vinegar, sauces; spices in Class 30.

III.

No. 2,461,121

Filed: 29 October 1999

Issued: 27 March 2001^[FN1]



Crunchy potato-based salted snack foods, crunchy potato-based sweet snack foods in Class 29
Toasts, rusks, sweet or salted biscuits, wafers, cakes, pastries, all these products being crunchy and being natural and/or coated and/or filled and/or flavored in Class 30.

These registrations all issued under the provision of Section 44 of the Trademark Act. Opposer alleged that applicant's mark TUKAS "is virtually identical to Opposer[*s] mark TUC and is likely, when applied to Applicant's goods, to cause confusion, mistake or to deceive for purposes of Section 2(d)." Notice of Opposition at 4. Applicant denied the salient allegations of the notice of opposition.

The Record

The record consists of the following items: the pleadings; the file of the involved application; the Affidavit of Opposer's Witness Olivia De Carvalho Aquino of Written Answers for Testimonial Deposition upon Written Questions with exhibits^[FN2]; and opposer's notices of reliance on status and title copies of its three registrations and applicant's answers to opposer's interrogatories.

Priority

Priority is not an issue here to the extent that opposer relies on its ownership of three federal registrations for TUC marks. See King Candy Co. v. Eunice King's Kitchen, 496 F.2d 1400, 182 USPQ 108, 110 (CCPA 1974).

Likelihood of Confusion

The central issue in this case is whether applicant's mark is likelihood to cause confusion with opposer's marks, if they were to be used on the identified goods. We analyze the facts in likelihood of confusion cases under the factors set out in In re Majestic Distilling Co., 315 F.3d 1311, 65 USPQ2d 1201, 1203 (Fed. Cir. 2003). See also Recot, Inc. v. Becton, 214 F.3d 1322, 54 USPQ2d 1894, 1896 (Fed. Cir. 2000); In re E.I. du Pont de Nemours & Co., 476 F.2d 1357, 1361, 177 USPQ 563, 567 (CCPA 1973). Opposer, as plaintiff in the opposition proceeding, bears the burden of proving, by a preponderance of the evidence, its asserted ground of likelihood of confusion. See Cerveceria Centroamericana, S.A. v. Cerveceria India Inc., 892 F.2d 1021, 13 USPQ2d 1307, 1309 (Fed. Cir. 1989). See also Cunningham v. Laser Golf Corp., 222 F.3d 943, 55 USPQ2d 1842, 1848 (Fed. Cir. 2000).

*3 Two important factors in any likelihood of confusion analysis are the relatedness of the goods or services and the similarities of the marks. We begin by comparing the goods in the application and registrations. Several items in the application are identical to items in the registrations. Both applicant and opposer include the following identical items in their respective identifications: jellies, jams, rice, pizzas, vinegar, spices, and mustard. The identifications of goods also contain the following items that are virtually identical or overlapping:

processed meats/mini-cooked pork meat appetizers;
 sauces, namely, barbeque, spaghetti and tomato/sauces;
 cake mixes/plain cakes, coated cakes, filled cakes, and flavored cakes;
 ice cream, ice cream bars, frozen yogurt, frozen yogurt bars/frozen confections;
 biscuits/sweet biscuits and salted biscuits; and

pastas, namely, lasagna, macaroni, noodles, vermicelli, and spaghetti/plain pasta, flavored pasta, and filled pasta.

When we compare the goods, we do so by considering them as they are described in the application and the registrations. Canadian Imperial Bank v. Wells Fargo Bank, 811 F.2d 1490, 1 USPQ2d 1813, 1815 (Fed. Cir. 1987). Clearly, many of the goods are identical or virtually identical. Under these circumstances, since the involved marks are used on identical goods, there is a greater likelihood that when similar marks are used, confusion would be likely. Century 21 Real Estate Corp. v. Century Life of America, 970 F.2d 874, 23 USPQ2d 1698, 1701 (Fed. Cir. 1992) (“When marks would appear on virtually identical goods or services, the degree of similarity necessary to support a conclusion of likely confusion declines”).

In addition, if the goods are identical, we can assume that purchasers and channels of trade for these goods are also identical. Genesco Inc. v. Martz, 66 USPQ2d 1260, 1268 (TTAB 2003) (“Given the in-part identical and in-part related nature of the parties’ goods, and the lack of any restrictions in the identifications thereof as to trade channels and purchasers, these clothing items could be offered and sold to the same classes of purchasers through the same channels of trade”); In re Smith and Mehaffey, 31 USPQ2d 1531, 1532 (TTAB 1994) (“Because the goods are legally identical, they must be presumed to travel in the same channels of trade, and be sold to the same class of purchasers”).

Other factors that we consider include the lack of evidence of actual confusion and the care of the purchasers. The lack of actual confusion in this case is particular inapplicable because the application is based on an intent to use and applicant has not shown that it has used its mark in the United States so there has been no opportunity for actual confusion to have occurred. Furthermore, we have no evidence, nor would we expect there to be evidence, that would demonstrate that purchasers of rice, pasta, jams, jellies, processed meats and similar items would be particularly careful.

*4 With these factors all resolved in opposer's favor, the key question becomes how similar are the marks “in their entireties as to appearance, sound, connotation, and commercial impression.” Majestic Distilling, 65 USPQ2d at 1203. It is well settled that it is improper to dissect a mark and the marks must be viewed in their entireties. In re Shell Oil Co., 992 F.2d 1204, 26 USPQ2d 1687, 1688 (Fed. Cir. 1993).

Applicant's mark is the word TUKAS shown in the design shown below:



We note that there is a slight mark under the letter “S.” Opposer has three registrations for the word TUC. One displays the mark without any design or stylization so that mark can be considered to be displayed in the same style or type as applicant's mark. Cunningham v. Laser Golf Corp., 222 F.3d 943, 55 USPQ2d 1842, 1847 (Fed. Cir. 2000) (“Registrations with typed drawings are not limited to any particular rendition of the mark and, in particular, are not limited to the mark as it is used in commerce”). Regarding the design elements in marks, there is nothing specific in applicant's design that would suggest an association with the designs in opposer's marks so if the marks are similar it would be because of the words and not the designs in the marks.

We first look at the appearance of the marks. Opposer's marks all include the word TUC, while applicant's mark is for the work TUKAS in a design form with a slight mark under the letter "S." Opposer argues that "TUC and TUK are properly considered the dominant portions of the parties' respective marks because both federal courts and the Board alike have consistently found the first word, prefix, or syllable of a mark to be the dominant part of the mark." Brief at 12. Although the marks are obviously similar because they both begin with the letters "TU," they are different because opposer's mark ends with the letter "C" while applicant's mark ends with the letters "KAS." While the marks have the letters "TU" in common, it is not likely that prospective purchasers will dissect applicant's mark into two components and compare the first part with opposer's marks. Rather, it is likely that they will view the marks as TUC and TUKAS. The difference with the last letters in these marks is noticeable and the marks are not very similar in appearance.

Next, we look at the pronunciation of the marks. Inasmuch as neither TUC nor TUKAS is a common English word, there is no correct pronunciation of the terms. Centraz Industries Inc. v. Spartan Chemical Co., 77 USPQ2d 1698, 1701 (TTAB 2006). However, the marks are capable of being pronounced, but here, if they were pronounced there would be differences because applicant's mark is a two-syllable word while opposer's mark is a one-syllable word and the ending of the marks, "C" and "KAS," would produce obviously different sounds. Again, there are significant differences between the marks.

*5 The third question is whether the marks are similar in meaning. Inasmuch as the terms are not ordinary words, they would have no established meaning and, therefore, there is no question of either mark having any descriptive or suggestive significance.^[FN3]

The final question is the commercial impressions that the marks create. Here, we find that there are substantial differences between the marks. Opposer's TUC mark creates the impression of being a misspelling of the English word "Tuck" or perhaps an acronym. Applicant's mark makes no similar commercial impression. The mark, with the symbol under the letter "S," creates the impression of a word from a non-Western European language. Furthermore, the word "tukas" would likely suggest a connection with the American slang word "tokus." See The Random House Dictionary of the English Language (unabridged) (2d ed. 1987) (Tokus (tŏ' KH<<Symbol>>s, T<<Symbol>>K' <<Symbol>>s) n. *Slang*. The buttocks. Also, tochis, tuchis). See also Richard A. Spears, Slang American Style, (NTC Publishing Group 1997) ("tokus and tukkis; tuchus n. the buttocks; the rump (Yiddish) *She fell right on her to-kus!*").^[FN4]

Even to those not familiar with this definition, the commercial impression of TUC and TUKAS would not be similar inasmuch as the word TUC looks like an acronym or a misspelling of an English word while TUKAS looks like an unusual non-English word.

When we compare the marks in their entirety, we conclude that they are not similar. The simple fact the marks begin with the same two letters and that the marks have no English meanings does not show that they are similar. There are significant differences in their appearance and pronunciation and their commercial impressions would be very different. See, e.g., The Falk Corp. v. Toro Manufacturing Corp., 493 F.2d 1372, 181 USPQ 462, 467 (CCPA 1974) (Differences between TORO and TORUS contributed to a finding of no likelihood of confusion); Lever Brothers Co. v. The Barcolene Co., 463 F.2d 1107, 174 USPQ 392, 393 (CCPA 1992) ("While appellant points out some similarities between the word ALL as it is used by both parties, inspection of the two marks [ALL and design and ALL CLEAR! and design] also shows some obvious differences. Considering appellee's mark *in its entirety*, we are convinced that there is no likelihood of confusion"); Colgate-Palmolive Co. v. Carter-Wallace Inc., 432 F.2d 1400, 167 USPQ 529, 530 (CCPA 1970) ("The difference in appearance and sound of the marks in issue [PEAK and PEAK PERIOD] is too obvious to render detailed discussion necessary. In their entirety they neither look nor sound alike"); and In re General Electric Co., 304 F.2d 688, 134 USPQ 190 (CCPA 1962) (VULCAN and VULKENE not similar).

*6 We conclude that the differences in the TUC marks and the TUKAS mark overwhelm their similarities. The differences in appearance, sound, and commercial impression lead us to conclude that the fact that both marks start with the same two letters and have a "C" or "K" as the third letter would not likely lead to confusion. The "statute refers to

likelihood, not the mere possibility, of confusion.” Bongrain International (American) Corp. v. Delice de France, Inc., 811 F.2d 1479, 1 USPQ2d 1775, 1779 (Fed. Cir. 1987). Opposer has not met its burden of showing that there is a likelihood of confusion in this case. Kellogg Co. v. Pack'em Enterprises Inc., 951 F.2d 330, 21 USPQ 1142, 1143-44 (Fed. Cir. 1991) (FROOTEE ICE and elephant design is so different from FROOT LOOPS that even if goods were closely related and opposer's mark were famous there was no likelihood of confusion).

Decision: The opposition is dismissed.

FN1. The registration identifies the mark as TUC CRACKERS.

FN2. The parties stipulated that “they may present evidence from a witness residing in a foreign country by submitting it in the form of questions and answers.” Stipulation filed September 10, 2004.

FN3. Opposer's witness also stated that she knew “of no other food products that bear a trademark beginning with ‘TUC’ or ‘TUK’ in the United States.” Aquino affidavit at 22.

FN4. We take judicial notice of these definitions. University of Notre Dame du Lac v. J.C. Gourmet Food Imports Co., 213 USPQ 594,596 (TTAB 1982), aff'd, 703 F.2d 1372, 217 USPQ 505 (Fed. Cir.1983).

2006 WL 2927855 (Trademark Tr. & App. Bd.)

END OF DOCUMENT

Exhibit C

Mr. Charles M. Macner
1540 Lincoln Street
Suite 520
Denver, CO 80203, USA
Phone: 303.477.0900 extension 12
Fax: 303.568.2969

Financial Planning Tips for a Lifetime

100 DEGREES OF FINANCIAL LITERACY

Childhood Through College
Career
Retirement
Life Crisis

Lifelong Financial Tips

Whenever you are at the store, here are tips that help you get on your financial goals and help you stay there.

Get specific on "I" your goals. There's an old saying: "If you don't know where you're going, any road will lead you there." When it comes to your money, you need to have specific goals. They can be as simple as "I'd like \$500 a month for a direct payment on a new home (I'd like to have \$20,000)" or "I'd like to invest, and start in one year with \$100 a month investment."

Focus on needs, not wants. While this can be somewhat of a hard sell — as long as you don't owe your credit card for items every week with immediate priority, understanding the difference between needs and wants, and focusing on needs to help you get the most out of your money.

Keep it simple. When we get too complex in our thinking, we're often not taking care of our money. Instead, focus on the basics and use simple strategies to do it. Try to be one or two steps ahead of the market. Focus on what's most important to you. If you're not sure, ask for help. You'll find financial security for your own, simple. You'll find it and then you'll be able to help others.

Know your needs today. Understand your own personal priorities and needs. The things that will make you spend more or save less. For example, if you know your needs today, try to have money set aside automatically for saving or investing.

Be realistic. If you've never saved a penny in your life, you're not going to magically put aside thousands of dollars a month. So start small. It's all about consistency. It's better to build up, than give up.

Be prepared. Life is all about change. Good things or bad can affect your financial planning. Be flexible. Plan for the unexpected. Use the money you have to invest in a job benefit, a 401(k) plan, or a long-term investment. Be prepared to deal with the unexpected.

Know when you need advice and how to get it. Get help when you need it. A banker for a mortgage, a lawyer for your will, a financial planner for more complex financial planning needs.

Consult a Financial Adviser When . . .

- Getting married
- Purchasing or selling a home
- Getting divorced
- Having a baby or adopting a child
- Buying or selling a family business
- Developing an estate plan
- Coping with the death of a spouse
- Retiring or contemplating retirement

Financial Planning Tips for Specific Life Stages

Find the life stages that are currently most important to you or your family and begin to implement the tips. It won't take long to see results, but having your financial picture and outlook in your financial future.

Childhood Through College

Getting on a good financial footing is critical "to" — spend for my age.

- If all this is the right time to start with education, identify a firm before that week, so talk them a bit about planning ahead. Also, see if you can get to completion step.

Exhibit D

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:28:08 ET

Serial Number: 76507416 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2810398

Mark (words only): A&M

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2009-03-11

Filing Date: 2003-04-02

Transformed into a National Application: No

Registration Date: 2004-02-03

Register: Principal

Law Office Assigned: LAW OFFICE 102

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

Current Location: 830 -Post Registration

Date In Location: 2009-03-11

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

1. Alvarez & Marsal Holdings, LLC

Address:

Alvarez & Marsal Holdings, LLC
6th Floor 600 Lexington Avenue
New York, NY 10022
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Business management services; business supervision services; business consulting services

Latest Status Info

Basis: 1(a)

First Use Date: 2000-00-00

First Use in Commerce Date: 2000-00-00

International Class: 036

Class Status: Active

Creditor consulting services; financial consulting services; bankruptcy trustee services, bankruptcy examiner services

Basis: 1(a)

First Use Date: 2000-00-00

First Use in Commerce Date: 2000-00-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-12-29 - Assignment Of Ownership Not Updated Automatically

2009-03-11 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-03-06 - Assigned To Paralegal

2009-03-04 - TEAS Section 8 & 15 Received

2005-08-29 - TEAS Change Of Correspondence Received

2004-02-03 - Registered - Principal Register

2003-11-11 - Published for opposition

2003-10-22 - Notice of publication

2003-09-09 - Approved for Pub - Principal Register (Initial exam)

2003-08-28 - Examiner's amendment mailed

2003-08-28 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Karl M. Zielaznicki,

Latest Status Info

Correspondent

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Serial Number: 77832591 Assignment Information Trademark Document Retrieval

Registration Number: 3948621

Mark

A&M CAPITAL PARTNERS

(words only): A&M CAPITAL PARTNERS

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2011-04-19

Filing Date: 2009-09-22

Transformed into a National Application: No

Registration Date: 2011-04-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-03-17

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

1. Alvarez & Marsal Holdings, LLC

Address:

Alvarez & Marsal Holdings, LLC
600 Lexington Avenue

Latest Status Info

New York, NY 10022

United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

advice relating to investments, advisory services relating to investment, grants and financing of loans, brokerage services for capital investments, capital investment consultation, capital investment services, commodity investment advice, equity capital investment, financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others, financial investment services, namely, administering the issuance, underwriting and distribution of securities, financial services, namely, investment management, investment consultation and investment of funds for others, including private and public equity and debt investment services, financial services, namely, administration of transactions involving funds drawn from securities, stocks, funds, equities, bonds, cash, or other types of financial investments in retirement plans using a check or negotiable order of withdrawal over a global data network, funds investment, global investment research services, hedge fund investment services, investment advice, investment advisory services, investment banking services, investment brokerage, investment management, investment management services in the field of acquiring joint ventures, investment of funds for others, investment services, namely, asset acquisition, consultation, development and management services, leveraged buy outs and investments in financially distressed or under performing companies, maintaining escrow accounts for investments, management of a capital investment fund, merchant banking and investment banking services, mutual fund investment, mutual funds and capital investment, private equity fund investment services, providing information and advice in the field of finance, financial investments, financial valuations, and the financial aspects of retirement, public equity investment management, real estate investment, real estate investment services in the nature of purchasing and selling of real estate for others, transfer agency services rendered to issuers of investment securities

Basis: 1(a)

First Use Date: 2009-09-00

First Use in Commerce Date: 2009-09-00

ADDITIONAL INFORMATION

Disclaimer: "CAPITAL PARTNERS"

Prior Registration Number(s):

2810398

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-04-19 - Registered - Principal Register

Latest Status Info

2011-03-18 - Notice Of Acceptance Of Statement Of Use E-Mailed
2011-03-17 - Law Office Registration Review Completed
2011-03-16 - Assigned To LIE
2011-02-28 - Allowed for Registration - Principal Register (SOU accepted)
2011-02-23 - Statement Of Use Processing Complete
2011-02-18 - Use Amendment Filed
2011-02-18 - TEAS Statement of Use Received
2010-12-29 - Assignment Of Ownership Not Updated Automatically
2010-06-04 - Notice Of Approval Of Extension Request E-Mailed
2010-06-03 - Extension 1 granted
2010-05-14 - Extension 1 filed
2010-06-03 - Case Assigned To Intent To Use Paralegal
2010-05-14 - TEAS Extension Received
2010-03-16 - NOA Mailed - SOU Required From Applicant
2009-12-22 - Notice Of Publication E-Mailed
2009-12-22 - Published for opposition
2009-11-16 - Law Office Publication Review Completed
2009-11-16 - Assigned To LIE
2009-10-29 - Approved For Pub - Principal Register
2009-10-29 - Examiner's Amendment Entered
2009-10-29 - Notification Of Examiners Amendment E-Mailed
2009-10-29 - Examiners amendment e-mailed
2009-10-29 - Examiners Amendment -Written
2009-10-27 - Assigned To Examiner
2009-09-26 - Notice Of Pseudo Mark Mailed
2009-09-25 - New Application Office Supplied Data Entered In Tram
2009-09-25 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Karl M. Zielaznicki, Esq.

Correspondent

KARL M. ZIELAZNICKI, ESQ.
TROUTMAN SANDERS LLP
600 PEACHTREE ST NE STE 5200
ATLANTA, GA 30308-2216
Phone Number: 212-704-6125
Fax Number: 212-704-5987

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:29:08 ET

Serial Number: 77387563 Assignment Information Trademark Document Retrieval

Registration Number: 3712711

Mark

SENATOR INVESTMENT GROUP

(words only): SENATOR INVESTMENT GROUP

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2009-11-17

Filing Date: 2008-02-04

Transformed into a National Application: No

Registration Date: 2009-11-17

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-10-15

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

1. Senator Investment Group LP

Composed Of:

Senator Management LLC - LLC organized under the laws of Delaware, Alexander Klabin - U.S. Citizen, Douglas Silverman - U.S. Citizen

Address:

Senator Investment Group LP
1330 Avenue of the Americas, 26th Floor
New York, NY 10019
United States
Legal Entity Type: Limited Partnership
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Investment management services; management of hedge funds and private equity funds

Basis: 1(a)

First Use Date: 2008-04-01

First Use in Commerce Date: 2008-04-01

ADDITIONAL INFORMATION

Disclaimer: "INVESTMENT GROUP"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2009-11-17 - Registered - Principal Register

2009-10-15 - Law Office Registration Review Completed

2009-09-23 - Allowed for Registration - Principal Register (SOU accepted)

2009-09-22 - Statement Of Use Processing Complete

2009-09-03 - Use Amendment Filed

2009-09-22 - Extension 1 granted

2009-09-03 - Extension 1 filed

2009-09-22 - Case Assigned To Intent To Use Paralegal

2009-09-03 - TEAS Extension Received

2009-09-03 - TEAS Statement of Use Received

Latest Status Info

2009-03-24 - NOA Mailed - SOU Required From Applicant
2008-12-30 - Published for opposition
2008-12-10 - Notice of publication
2008-11-25 - Law Office Publication Review Completed
2008-11-24 - Approved For Pub - Principal Register
2008-11-24 - Teas/Email Correspondence Entered
2008-11-24 - Communication received from applicant
2008-11-24 - Assigned To LIE
2008-11-13 - TEAS Response to Office Action Received
2008-05-14 - Notification Of Non-Final Action E-Mailed
2008-05-14 - Non-final action e-mailed
2008-05-14 - Non-Final Action Written
2008-05-13 - Assigned To Examiner
2008-02-25 - TEAS Change Of Correspondence Received
2008-02-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Richard A. Schafer

Correspondent

Richard A. Schafer
Akin Gump Strauss Hauer & Feld LLP
44th Floor
1111 Louisiana St.
Houston TX 77002
Phone Number: 713.220.5800
Fax Number: 713.236.0822

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:29:26 ET

Serial Number: 76693865 Assignment Information Trademark Document Retrieval

Registration Number: 3730315

Mark

SENATOR

(words only): SENATOR

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2009-12-29

Filing Date: 2008-10-27

Transformed into a National Application: No

Registration Date: 2009-12-29

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-12-29

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

1. Deutsche Lufthansa AG

Address:

Deutsche Lufthansa AG
Von-Gablenz-Strasse 2-6
50679 Cologne
Fed Rep Germany

Legal Entity Type: Corporation

State or Country of Incorporation: Fed Rep Germany

GOODS AND/OR SERVICES

International Class: 035

Class Status: Active

Providing customer loyalty and customer club marketing programs for commercial, promotional, and/or advertising purposes; advertising; procurement of newspaper subscriptions for third parties; advertising by means of a customer loyalty program for the use of airplanes, hotels, rental cars and credit cards; administrative order processing; consulting services, namely, providing of economic experts' opinions; procurement of contacts for telecommunications services for others; consumer loyalty services for commercial, promotional, or advertising purposes, namely, administration of a bonus program featuring issuance and exchange of vouchers or bonus miles, particularly for the use of airplanes, hotels, rental cars and credit cards

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 036

Class Status: Active

Financial affairs, namely, credit and financial consultation, financial advisory and consultancy services, financial exchange, financial services, namely, providing for the exchange of foreign currency, commodities, financial derivatives, interest rate products, and equities via the internet and intranet systems; financial services, namely, providing information in the fields of foreign currency, commodities, financial derivatives, interest rate products, and equities via the internet and intranet systems, providing financial information; issuing of credit cards; monetary affairs, namely, money exchange transactions; credit counseling; charge card and credit card services, namely, procurement of credit; safekeeping of valuables, namely, safe deposit box services; real estate and house management; insurance administration, namely, procurement of insurance

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 038

Class Status: Active

Telecommunications services, namely, local and long distance transmission of voice, data, graphics by means of telephone and satellite transmissions; transmission of podcasts, transmission of webcasts, local and long distance transmission of voice, data, graphics and video by means of broadband optical or wireless networks, wireless telephone services

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 039

Class Status: Active

Transport of passengers by airplanes; packaging and storage of goods; travel arrangement, namely, reservation and booking of seats for travel, coordinating travel arrangements for individuals and for groups, providing an on-line searchable computer database featuring information on travel, providing information, news and commentary in the field of travel, providing links to websites of others featuring travel, providing reviews of travel service providers, travel courier and travel guide services; services of an airline company, namely, airline check-in services, airline transportation services, travel booking agencies; arranging and organization of travel of all kinds, namely, travel booking agencies, arranging travel tours, coordinating travel arrangements for individuals and for groups, providing an on-line searchable computer database featuring information on travel, providing information, news and commentary in the field of travel, providing links to websites of others featuring travel, providing reviews of travel service providers, travel courier and travel guide services; procurement of transportation services of all kinds, namely, travel booking

Latest Status Info

agencies; rental of airplanes and automobiles; providing reservations for rental cars; attendance to travelers, namely, escorting of travelers, organization of travel and boat trips; tour guide services

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 041

Class Status: Active

Education services, namely, providing educational seminars and courses in the field of travel; providing of training in the field of travel; entertainment services, namely, providing an on-line computer game, conducting live, televised and movie appearances by a professional entertainer, movie screening; sporting activities, namely, golf tournaments, tennis tournaments

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 043

Class Status: Active

Services for provision of food and drink and temporary accommodations in connection with air travel; making hotel reservations or room reservations for others

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 045

Class Status: Active

Personal and social services rendered by others to meet the needs of individuals, namely, concierge services for others comprising making requested personal arrangements and reservations for airplane passengers

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Registration Number: 30736560

Foreign Registration Date: 2007-07-13

Country: Fed Rep Germany

Foreign Expiration Date: 2017-06-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2009-12-29 - Registered - Principal Register

2009-10-13 - Published for opposition

Latest Status Info

2009-09-23 - Notice of publication
2009-09-08 - Law Office Publication Review Completed
2009-09-05 - Assigned To LIE
2009-08-31 - Approved for Pub - Principal Register (Initial exam)
2009-08-01 - Amendment From Applicant Entered
2009-08-01 - Communication received from applicant
2009-07-29 - PAPER RECEIVED
2009-01-30 - Non-final action mailed
2009-01-29 - Non-Final Action Written
2009-01-28 - Assigned To Examiner
2009-01-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
2009-01-07 - Assigned To LIE
2008-12-22 - PAPER RECEIVED
2008-11-11 - Application Filing Receipt Mailed
2008-11-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David R. Schaffer

Correspondent

DAVID R. SCHAFFER
MILES & STOCKBRIDGE
1751 PINNACLE DRIVE, SUITE 500
MCLEAN, VA 22102-3833
Phone Number: (703) 903-9000
Fax Number: (703) 610-8686

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-04-28 13:29:44 ET

Serial Number: 78778834 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3320859

Mark

ANCHOR STONE

(words only): ANCHOR STONE

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-10-23

Filing Date: 2005-12-21

Transformed into a National Application: No

Registration Date: 2007-10-23

Register: Principal

Law Office Assigned: LAW OFFICE 102

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-16

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

1. Anchor Stone Partners, LLC

Address:

Anchor Stone Partners, LLC
6960 Abbott Terrace

Latest Status Info

West Bloomfield, MI 48323
United States
Legal Entity Type: Limited Liability Company
State or Country Where Organized: Michigan
Phone Number: 248-672-2000
Fax Number: 248-363-9404

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Financial services, namely, private equity investing, leveraged buy-outs, management buy-outs, private equity fund investments for others, portfolio company management services, private equity fund advisory services and private equity fund management services

Basis: 1(a)

First Use Date: 2005-05-02

First Use in Commerce Date: 2005-05-03

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2007-10-23 - Registered - Principal Register

2007-09-16 - Law Office Registration Review Completed

2007-09-16 - Assigned To LIE

2007-08-08 - Allowed for Registration - Principal Register (SOU accepted)

2007-08-06 - Statement Of Use Processing Complete

2007-06-05 - Use Amendment Filed

2007-06-05 - TEAS Statement of Use Received

2006-12-05 - NOA Mailed - SOU Required From Applicant

2006-09-12 - Published for opposition

2006-08-23 - Notice of publication

Latest Status Info

2006-07-21 - Law Office Publication Review Completed
2006-07-14 - Assigned To LIE
2006-07-11 - Teas/Email Correspondence Entered
2006-06-28 - Communication received from applicant
2006-07-07 - Approved For Pub - Principal Register
2006-07-07 - Examiner's amendment mailed
2006-07-06 - Examiner's Amendment Entered
2006-07-06 - Examiners Amendment - Written
2006-06-28 - TEAS Response to Office Action Received
2006-06-19 - Non-final action mailed
2006-06-19 - Non-Final Action Written
2006-06-19 - Assigned To Examiner
2005-12-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mitchell M. Musial, II

Correspondent

MITCHELL M MUSIAL II
MITCHELL M. MUSIAL II, PLLC
6960 ABBOTT TERRACE
WEST BLOOMFIELD, MI 48323-1300
Phone Number: 248-672-2000
Fax Number: 248-363-9404

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:30:01 ET

Serial Number: 77069873 Assignment Information Trademark Document Retrieval

Registration Number: 3537650

Mark

ANCOR

(words only): ANCOR

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-11-25

Filing Date: 2006-12-21

Transformed into a National Application: No

Registration Date: 2008-11-25

Register: Principal

Law Office Assigned: LAW OFFICE 101

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-10-22

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

1. Ancor Holdings, LP

Composed Of:

Ancor Partners, Inc., a Nevada corporation

Address:

Latest Status Info

Ancor Holdings, LP
Suite 1600 100 Throckmorton
Fort Worth, TX 76102
United States
Legal Entity Type: Limited Partnership
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 036
Class Status: Active
Financial services, namely, private equity investment fund management services
Basis: 1(a)
First Use Date: 1994-01-00
First Use in Commerce Date: 1994-01-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-11-25 - Registered - Principal Register
2008-10-22 - Law Office Registration Review Completed
2008-10-10 - Allowed for Registration - Principal Register (SOU accepted)
2008-10-10 - Statement Of Use Processing Complete
2008-10-08 - Use Amendment Filed
2008-10-10 - Case Assigned To Intent To Use Paralegal
2008-10-08 - TEAS Statement of Use Received
2008-10-08 - Attorney Revoked And/Or Appointed
2008-10-08 - TEAS Revoke/Appoint Attorney Received
2008-04-15 - Extension 1 granted
2008-04-15 - Extension 1 filed

Latest Status Info

2008-04-15 - TEAS Extension Received
2008-04-15 - TEAS Change Of Correspondence Received
2007-10-16 - NOA Mailed - SOU Required From Applicant
2007-07-24 - Published for opposition
2007-07-04 - Notice of publication
2007-05-04 - Law Office Publication Review Completed
2007-05-04 - Assigned To LIE
2007-04-16 - Approved For Pub - Principal Register
2007-04-16 - Assigned To Examiner
2006-12-27 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Edward T. White

Correspondent

Edward T. White
Hunton & Williams LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond VA 23219-4074
Phone Number: 804-788-8523
Fax Number: 804-344-7999

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:30:18 ET

Serial Number: 78965263 Assignment Information Trademark Document Retrieval

Registration Number: 3365901

Mark



(words only): ANCHOR POINT CAPITAL

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-01-08

Filing Date: 2006-08-31

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2008-01-08

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-01-08

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

I. Crowe, Timothy J.

Address:

Crowe, Timothy J.
Suite 425 255 Alhambra Circle
Coral Gables, FL 33134
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 305.448.0445

Fax Number: 305.448.0446

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Hedge fund investment services; Investment advisory services relating to hedge fund strategies and alternative asset classes

Basis: 1(a)

First Use Date: 2005-11-01

First Use in Commerce Date: 2005-11-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) blue, white, and grey is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of a blue circle with an embedded white abstract side view of an anchor and grey letters to the right of the blue circle.

Disclaimer: "CAPITAL"

Description of Mark: The mark consists of An inverted anchor detail in a blue circle

Design Search Code(s):

18.11.05 - Anchors

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0013222

International Registration Number: 0982738

International Registration Date: 2008-07-22

Original Filing Date with USPTO: 2008-07-22

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2008-11-27

International Registration Renewal Date: 2018-07-22

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

11-27-2008 - 16:23:49 - Application For IR Registered By IB

09-26-2008 - 05:53:52 - Irregularity Notice Received From IB

07-22-2008 - 21:01:04 - IR Certified And Sent To IB

Latest Status Info

07-22-2008 - 16:14:11 - Manually Certified
07-22-2008 - 10:01:52 - New Application For IR Received

PROSECUTION HISTORY

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

2008-01-08 - Registered - Principal Register
2007-10-12 - Extension Of Time To Oppose Process - Terminated
2007-09-17 - Changes/Corrections After Pub Approval Entered
2007-09-17 - Assigned To Petition Staff
2007-07-30 - FAX RECEIVED
2007-06-11 - Extension Of Time To Oppose Received
2007-05-29 - Published for opposition
2007-05-09 - Notice of publication
2007-03-28 - Law Office Publication Review Completed
2007-03-22 - Approved For Pub - Principal Register
2007-03-21 - Teas/Email Correspondence Entered
2007-03-21 - Communication received from applicant
2007-03-21 - Assigned To LIE
2007-02-14 - TEAS Response to Office Action Received
2007-01-25 - Non-final action e-mailed
2007-01-25 - Non-Final Action Written
2007-01-25 - Assigned To Examiner
2006-09-08 - Notice Of Design Search Code Mailed
2006-09-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent
TIMOTHY J CROWE
255 ALHAMBRA CIR STE 425
CORAL GABLES, FL 33134-7409

Latest Status Info

Phone Number: 305.448.0445

Fax Number: 305.448.0446

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-04-28 13:30:34 ET

Serial Number: 78218023 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2978557

Mark



(words only): ANCHOR INVESTMENT MANAGEMENT

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2011-02-11

Filing Date: 2003-02-24

Transformed into a National Application: No

Registration Date: 2005-07-26

Register: Principal

Law Office Assigned: LAW OFFICE 102

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

Current Location: L20 -TMEG Law Office 102

Date In Location: 2011-02-11

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

1. Anchor Bancorp, Inc.

Address:

Anchor Bancorp, Inc.
1055 Wayzata Boulevard East
Wayzata, MN 55391
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Investment management services, investment advice and consultation services, retirement planning services, estate planning services, investment of funds for others, and trust services, namely, investment and trust company services

Basis: 1(a)

First Use Date: 2004-03-31

First Use in Commerce Date: 2004-03-31

ADDITIONAL INFORMATION

Disclaimer: INVESTMENT MANAGEMENT

Design Search Code(s):

18.11.05 - Anchors

26.09.02 - Plain single line squares; Squares, plain single line

26.09.21 - Squares that are completely or partially shaded

26.09.25 - Squares with curved sides

Prior Registration Number(s):

2010136

2080723

2080725

2407886

2428123

2428127

2441307

2470268

2528133

2528134

2528188

2553385

2576454

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-11 - Section 8 (6-year) accepted & Section 15 acknowledged

2011-02-11 - Case Assigned To Post Registration Paralegal

Latest Status Info

2011-01-31 - TEAS Section 8 & 15 Received
2005-07-26 - Registered - Principal Register
2005-05-27 - Law Office Registration Review Completed
2005-05-17 - Assigned To LIE
2005-05-12 - Allowed for Registration - Principal Register (SOU accepted)
2005-04-21 - Statement Of Use Processing Complete
2005-04-21 - Use Amendment Filed
2005-04-21 - TEAS Statement of Use Received
2004-11-30 - NOA Mailed - SOU Required From Applicant
2004-09-07 - Published for opposition
2004-08-18 - Notice of publication
2004-06-23 - Approved For Pub - Principal Register
2004-06-01 - Communication received from applicant
2004-06-01 - PAPER RECEIVED
2004-02-18 - Final refusal e-mailed
2003-12-22 - Communication received from applicant
2003-12-29 - PAPER RECEIVED
2003-06-26 - Non-final action e-mailed
2003-06-26 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOEL D. LEVITON

Correspondent

JOEL D. LEVITON

Fish & Richardson P.C.

P.O. Box 1022

MINNEAPOLIS MN 55440-1022

Phone Number: 612-335-5070

Fax Number: 877-769-7945

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:30:48 ET

Serial Number: 75869396 Assignment Information Trademark Document Retrieval

Registration Number: 2393713

Mark



(words only): ANCHORBANK SSB

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-09-28

Filing Date: 1999-12-10

Transformed into a National Application: No

Registration Date: 2000-10-10

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: (NOT AVAILABLE)

Date In Location: 2010-09-28

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

1. Anchor BanCorp Wisconsin Inc.

Address:

Anchor BanCorp Wisconsin Inc.
25 West Main Street
Madison, WI 53703

United States
Legal Entity Type: Corporation
State or Country of Incorporation: Wisconsin

GOODS AND/OR SERVICES

International Class: 036
Class Status: Active
BANKING SERVICES, INVESTMENT CONSULTATION, RETIREMENT PLAN INVESTMENT CONSULTATION, LOAN FINANCING, PROVIDING BANKING INFORMATION BY TELEPHONE, PROVIDING BANKING SERVICES AND FINANCIAL INFORMATION VIA A GLOBAL COMMUNICATIONS NETWORK
Basis: 1(a)
First Use Date: 1992-07-15
First Use in Commerce Date: 1992-07-15

Used Anywhere in Another Form: First used in another form anywhere January 6, 1919

Used in Commerce in Another Form: First used in another form in commerce July 9, 1956

ADDITIONAL INFORMATION

Design Search Code(s):
18.07.04 - Brigs (boats); Clippers (boats); Schooners (boats); Ships with two and three masts, including brigs, clippers and schooners
18.11.05 - Anchors

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-09-28 - First renewal 10 year
2010-09-28 - Section 8 (10-year) accepted/ Section 9 granted
2010-09-23 - TEAS Section 8 & 9 Received
2006-10-27 - Section 8 (6-year) accepted & Section 15 acknowledged
2006-10-18 - Assigned To Paralegal
2006-08-16 - Section 8 (6-year) and Section 15 Filed
2006-08-16 - TEAS Section 8 & 15 Received

Latest Status Info

2006-03-02 - TEAS Change Of Correspondence Received
2006-02-07 - Case File In TICRS
2003-09-30 - TEAS Change Of Correspondence Received
2002-11-01 - Section 7 correction issued
2001-09-07 - Section 7 correction issued
2000-12-12 - Section 7 amendment filed
2000-10-10 - Registered - Principal Register
2000-07-18 - Published for opposition
2000-06-16 - Notice of publication
2000-05-11 - Approved for Pub - Principal Register (Initial exam)
2000-04-26 - Assigned To Examiner
2000-04-26 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

PAUL W. KRUSE

Correspondent

PAUL W. KRUSE
BONE MCALLESTER NORTON PLLC
511 UNION STREET
SUITE 1600
NASHVILLE TN 37219
Phone Number: 615-238-6304
Fax Number: 615-687-6993

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This page was generated by the TARR system on 2011-04-28 13:31:04 ET

Serial Number: 76264885 Assignment Information Trademark Document Retrieval

Registration Number: 2691566

Mark (words only): INSIGHT VENTURE PARTNERS

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2009-02-14

Filing Date: 2001-05-31

Transformed into a National Application: No

Registration Date: 2003-02-25

Register: Principal

Law Office Assigned: LAW OFFICE 105

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

Current Location: 830 -Post Registration

Date In Location: 2009-02-14

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

1. Insight Holdings Group, LLC

Address:

Insight Holdings Group, LLC
680 Fifth Avenue 8th Floor
New York, NY 10019
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

PRIVATE EQUITY INVESTMENT SERVICES AND MANAGEMENT OF PRIVATE INVESTMENT FUNDS

Basis: 1(a)

First Use Date: 1996-01-00

First Use in Commerce Date: 1996-01-00

ADDITIONAL INFORMATION

Disclaimer: "VENTURE PARTNERS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2009-02-14 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-01-23 - Assigned To Paralegal

2009-01-16 - TEAS Section 8 & 15 Received

2008-04-14 - Case File In TICRS

2003-02-25 - Registered - Principal Register

2002-12-18 - Allowed for Registration - Principal Register (SOU accepted)

2002-12-18 - Assigned To Examiner

2002-12-12 - Statement Of Use Processing Complete

2002-10-23 - Use Amendment Filed

2002-10-23 - PAPER RECEIVED

2002-05-21 - NOA Mailed - SOU Required From Applicant

2002-02-26 - Published for opposition

2002-02-06 - Notice of publication

2001-09-03 - Approved For Pub - Principal Register

2001-08-15 - Examiner's amendment mailed

2001-08-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bruce Goldner

Correspondent

Bruce Goldner

SKADDEN ARPS SLATE MEAGHER & FLOM

Four Times Square

NEW YORK NY 10036-6518

Phone Number: (212) 735-2972

Fax Number: (917) 777-2972

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Serial Number: 78818925 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3264529

Mark

Insight Wealth Management

(words only): INSIGHT WEALTH MANAGEMENT

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-07-17

Filing Date: 2006-02-20

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2007-07-17

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-07-17

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

1. Insight Wealth Management, Inc.

Address:

Insight Wealth Management, Inc.
Suite 101 7250 Heritage Village Plaza
Gainesville, VA 20155
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Virginia

Phone Number: (703) 753-6082

Fax Number: (703) 753-7218

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Advice relating to investments; Capital investment consultation; Commodity investment advice; Equity capital investment; Financial investment in the field of wealth management; Financial services in the nature of an investment security; Financial services, namely, a total portfolio offering for high net worth clients consisting of both separate accounts and mutual funds for equity and fixed income investments; Fund investment consultation; Funds investment; Investment advice; Investment advisory services; Investment clubs; Investment consultation; Investment management; Investment of funds for others; Investment services, namely asset acquisition, consultation, development and management services; Leveraged buy outs and investments in financially distressed or underperforming companies; Maintaining escrow accounts for investments; Management of a capital investment fund; Mutual fund investment; Real estate investment

Basis: 1(a)

First Use Date: 2002-12-31

First Use in Commerce Date: 2003-09-12

ADDITIONAL INFORMATION

Disclaimer: "WEALTH MANAGEMENT"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2007-07-17 - Registered - Principal Register

2007-05-01 - Published for opposition

2007-04-11 - Notice of publication

2007-03-07 - Law Office Publication Review Completed

2007-03-07 - Assigned To LIE

Latest Status Info

2007-02-06 - Approved for Pub - Principal Register (Initial exam)

2007-02-02 - Teas/Email Correspondence Entered

2007-02-01 - Communication received from applicant

2007-02-01 - TEAS Response to Office Action Received

2006-08-10 - Non-final action e-mailed

2006-08-10 - Non-Final Action Written

2006-08-09 - Assigned To Examiner

2006-02-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

INSIGHT WEALTH MANAGEMENT, INC.

7250 HERITAGE VILLAGE PLZ STE 101

GAINESVILLE, VA 20155-3058

Phone Number: (703) 753-6082

Fax Number: (703) 753-7218

Thank you for your request. Here are the latest results from the TARR web server.

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Serial Number: 78246593 Assignment Information Trademark Document Retrieval

Registration Number: 2921639

Mark (words only): INSIGHTONE

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2005-01-25

Filing Date: 2003-05-07

Transformed into a National Application: No

Registration Date: 2005-01-25

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-12-13

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

1. UBS FINANCIAL SERVICES INC.

Address:

UBS FINANCIAL SERVICES INC.

1200 Harbor Blvd.

Weehawken, NJ 07087

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Financial services, namely, the issuance of securities, investment banking, securities trading, and research and analysis of financial information, and provision of financial information

Basis: 1(a)

First Use Date: 1999-09-14

First Use in Commerce Date: 1999-09-14

ADDITIONAL INFORMATION

Prior Registration Number(s):

245111

2451110

2676924

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2007-01-18 - TEAS Change Of Correspondence Received

2007-01-09 - TEAS Change Of Correspondence Received

2005-01-25 - Registered - Principal Register

2004-11-18 - Law Office Registration Review Completed

2004-11-16 - Assigned To LIE

2004-11-01 - Allowed for Registration - Principal Register (SOU accepted)

2004-10-29 - Statement Of Use Processing Complete

2004-10-18 - Use Amendment Filed

2004-10-18 - TEAS Statement of Use Received

2004-06-29 - NOA Mailed - SOU Required From Applicant

2004-04-06 - Published for opposition

2004-03-17 - Notice of publication

2003-11-04 - Approved For Pub - Principal Register

2003-10-28 - Examiner's amendment mailed

2003-10-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Leslie Gladstone Restaino

Correspondent

Monica B. Richman

Thelen Reid Brown Raysman & Steiner LLP

875 Third Avenue

New York NY 10022

Phone Number: 212 603 2000

Fax Number: 212 603 2001

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:31:58 ET

Serial Number: 76264885 Assignment Information Trademark Document Retrieval

Registration Number: 2691566

Mark (words only): INSIGHT VENTURE PARTNERS

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2009-02-14

Filing Date: 2001-05-31

Transformed into a National Application: No

Registration Date: 2003-02-25

Register: Principal

Law Office Assigned: LAW OFFICE 105

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

Current Location: 830 -Post Registration

Date In Location: 2009-02-14

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

1. Insight Holdings Group, LLC

Address:

Insight Holdings Group, LLC
680 Fifth Avenue 8th Floor
New York, NY 10019
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

PRIVATE EQUITY INVESTMENT SERVICES AND MANAGEMENT OF PRIVATE INVESTMENT FUNDS

Basis: 1(a)

First Use Date: 1996-01-00

First Use in Commerce Date: 1996-01-00

ADDITIONAL INFORMATION

Disclaimer: "VENTURE PARTNERS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2009-02-14 - Section 8 (6-year) accepted & Section 15 acknowledged
2009-01-23 - Assigned To Paralegal
2009-01-16 - TEAS Section 8 & 15 Received
2008-04-14 - Case File In TICRS
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2002-05-21 - NOA Mailed - SOU Required From Applicant
2002-02-26 - Published for opposition
2002-02-06 - Notice of publication
2001-09-03 - Approved For Pub - Principal Register
2001-08-15 - Examiner's amendment mailed
2001-08-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bruce Goldner

Correspondent

Bruce Goldner

SKADDEN ARPS SLATE MEAGHER & FLOM

Four Times Square

NEW YORK NY 10036-6518

Phone Number: (212) 735-2972

Fax Number: (917) 777-2972

Exhibit E



HEADLINES:

[Alvarez & Marsal Expands Business Consulting Group](#)
4/21/2011

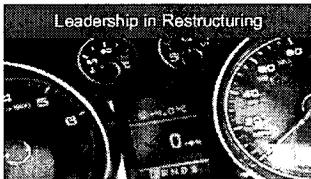
[Alvarez & Marsal Expands Business Consulting Group](#)
CBS MoneyWatch.com
4/21/2011

[Alvarez & Marsal Expands Global Real Estate Advisory Services Group](#)
4/20/2011

[Alvarez & Marsal Expands Global Real Estate Advisory Services Group](#)
San Francisco Chronicle
4/20/2011

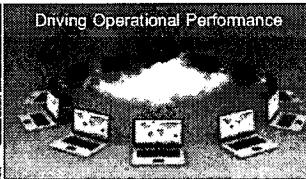
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ACTION MATTERS



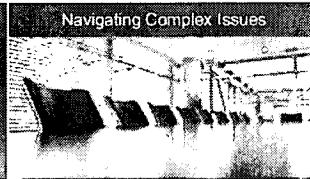
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A&M Capital™ invests in Corporate Private Equity (turnaround buyouts) and A&M CapRE™ invests in Real Estate Private Equity.

ALVAREZ & MARSAL CAPITAL PARTNERS

Our business invests in controlling interests in middle-market companies with identifiable opportunities for operational improvements, business turnarounds and / or financial recapitalizations. Our core focus combines the extensive experience of our investment team with A&M's deep operating and functional expertise to improve the performance of our portfolio companies and create significant value.

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A&M CAPITAL REAL ESTATE

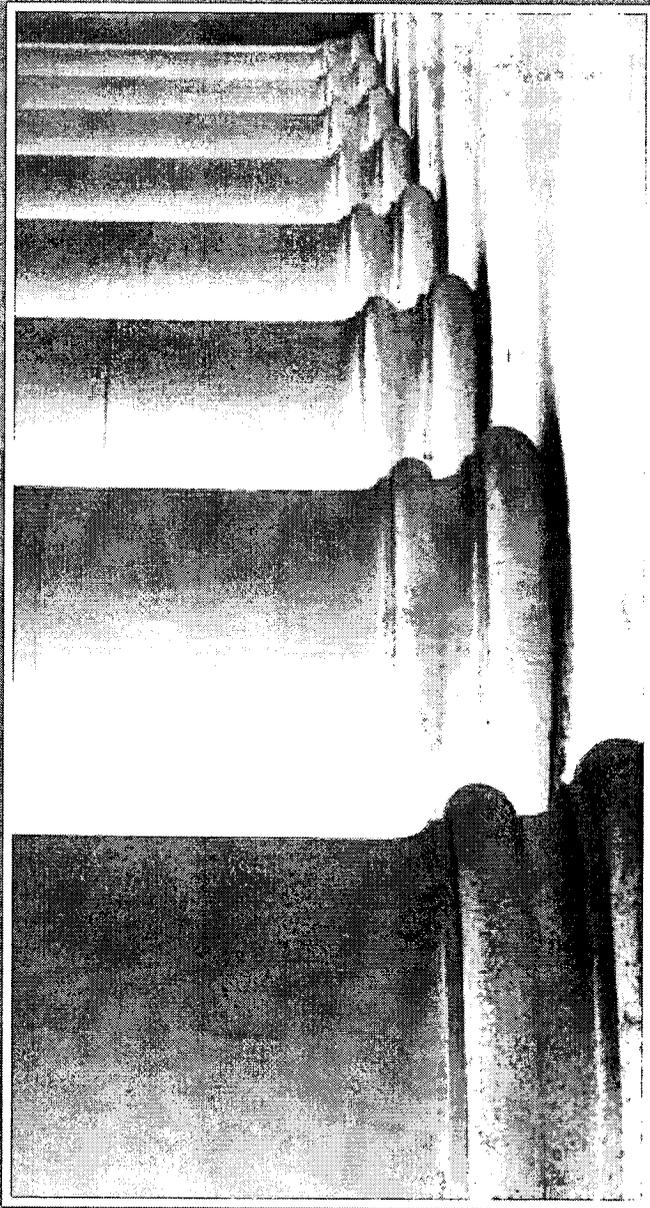
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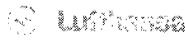
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» Enrolment

» Why enrol?

» Login

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- ✓ 1 euro spent on your card = 1 award mile
- ✓ A Senator card and credit card in one
- ✓ Up to 4,000 award miles as a Welcome Bonus
- ✓ Integrated travel insurance services
- ✓ Full control of costs with the online card account

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| | Business(2) | World |
|--|-------------------|-------------------|
| Welcome bonus (3) | 4,000 miles | 2,000 miles |
| Award miles | 1 euro = 1 miles | 1 euro = 1 miles |
| Miles valid for an unlimited period | ✓ | ✓ |
| Miles & More card and credit card in one | ✓ | ✓ |
| Credit interest (4) | 1.75% p.a. | 1.75% p.a. |
| Flexible payment option | 8.90% p.a. | 8.90% p.a. |
| Online card account | ✓ | ✓ |
| Comprehensive card safety Card control, MasterCard® SecureCode™, EMV security chip | ✓ | ✓ |
| Contact-free payment MasterCard® Paypass™ | ✓ | ✓ |
| Travel cancellation insurance (6) | ✓ | ✓ |
| Comprehensive hire-car insurance (6) | ✓ | |
| Health insurance for trips abroad (6) | ✓ | |
| 24h assistance service | ✓ | |
| Special terms and conditions with partners | ✓ | |
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(2) Optional for use in business.

(3) Only applies to the first issue of a card to new customers who have never previously had a Lufthansa Miles & More Credit Card. The Welcome Bonus is valid for a minimum contract period of 12 months for the product requested. If the product is changed or cancelled, the Welcome Bonus will be deducted.

(4) As at 15 April 2010, variable interest rate.

(5) As at 1 August 2009, variable interest rate: at least 10% of the monthly statement total and not less than €50 per

Miles & More - Benefits of the Lufthansa Senator Credit Card

month. The initial effective annual interest rate is currently 8.90% p.a. May only be used by customers who are resident in Germany
(6) Information on the scope of, and conditions for, insurance cover is available [here](#) (in German only).

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U.S. - West Bloomfield, MI - Other Business Services - Business Services, NEC - Business Services (Unclassified) - Anchor Stone Partners, LLC

Company Profile

Reports

Map

Web Results

Anchor Stone Partners, LLC

6960 Abbott
 West Bloomfield, MI 48323-1300 [map](#)

Website: Information not found

Phone: (248) 672-2000

Recycle Small Appliances Microwaves Blenders Toasters more; Easy to do - buy label, pack & mail

[NationwideRecycleByMail.com](#)

The ads are not affiliated with Anchor Stone Partners, LLC

Ads by Google

About Anchor Stone Partners, LLC

Is this your company? [Claim This Profile](#)

Anchor Stone Partners, LLC in West Bloomfield, MI is a private company categorized under Business Services (Unclassified). Register for free to see additional information such as annual revenue and employment figures.

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[www.eCycleGroup.com](#)

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[www.PrinterInkRefills.com/HP](#)

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Other Companies

Other companies that match "Anchor Stone Partners, LLC" Jobs in West Bloomfield, MI

All U.S. Business Services (Unclassified)

Other Companies in West Bloomfield, MI

- Nsp Enterprises LLC
Business Services (Unclassified) in West Bloomfield, MI
- Klein Family Lp
Business Services (Unclassified) in West Bloomfield, MI
- Diversified Limited Partnership
Business Services (Unclassified) in West Bloomfield, MI
- Mi Frame Sales Co
Business Services (Unclassified) in West Bloomfield, MI
- Jacobs & Lundgren Enterprises Inc
Business Services (Unclassified) in West Bloomfield, MI

Business Categories

- Business services, nec in West Bloomfield, MI
- Business Services
- All Other Business Support Services
- [View newly formed U.S. businesses](#)

Company Contacts

Is this your company? [Claim This Profile](#)



Mitchell M Musial II

Search for more contacts

Anchor Stone Partners, LLC Business Information

| | |
|---------------------------------|---|
| Location Type | Single Location |
| Annual Sales (Estimated) | View Details |
| Employees (Estimated) | 1 |
| SIC Code | View Details |
| NAICS Code | 561499, All Other Business Support Services |

| | |
|--------------------------------------|-----------------------|
| Products, Services and Brands | Information not found |
| State of Incorporation | Information not found |
| Years in Business | 2 |

Click on the reports tab at the top of the page to research company background, detailed company profile, credit and financial reports for Anchor Stone Partners, LLC. Reports often include a complete predictive and historical analysis with payment and financial information: information on the identity, operations, profitability and stability of Anchor Stone Partners, LLC; Details on the company's history, the business background of its management, special events and recent company news. Download Anchor Stone Partners, LLC financial and company reports.

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| | | | |
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Company Profile

Reports

Map

Web Results

Ancor Holdings Lp, Ancor Holdings, L P, Ancor

Capital Partners
201 Main Street # 1600
Fort Worth, TX 76102-3120 map

Fort Worth-Arlington, TX Metro Area

Website: Information not found

Phone: (817) 877-4458

EAP Audits & Management Dr. Warren Shepell, 30 years of EAP experience is CEO of EAP

Specialist

www.eapspecialist.com

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Manta Members Who Viewed This Company Profile

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Sign In or Register to Join Manta

Ads by Google

The ads are not affiliated with Ancor Holdings Lp

About Ancor Holdings Lp

Is this your company? [Claim This Profile](#)

Ancor Holdings Lp in Fort Worth, TX is a private company categorized under Management Services. Current estimates show this company has an annual revenue of \$1 to 2.5 million and employs a staff of approximately 1 to 4. Companies like Ancor Holdings Lp usually offer: Contract Manufacturing Outsourcing, Employee Screening And Testing, Manufacturing Outsourcing Services, Outsourcing Clothing Manufacturing and Pharmaceutical Manufacturing Outsourcing.

Business Categories

- Financing Consultants in Fort Worth, TX
- Management Services Management Consulting Services
- Investment Advice
- [View newly formed U.S. businesses](#)

Company Contacts

Is this your company? [Claim This Profile](#)

Randy Keene
Owner

J Randall Keene*
Managing Partner*

[Search for more contacts](#)

Ancor Holdings Lp Business Information

Ancor Holdings Lp also does business as Ancor Capital Partners, Ancor Holdings, L P .

Location



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Related Searches

Other companies that match "ancor holdings" Jobs in Fort Worth, TX

All U.S. Management Services

Other Companies

- Westwood Advisors Management Services in Fort Worth, TX
- Cathedral Rock Corporation Management Services in Fort Worth, TX

Type Single Location

Annual Sales (Estimated) \$1 to 2.5 million

Employees (Estimated) 1 to 4
560 **

SIC Code 628204, Financing Consultants

NAICS Code 523930, Investment Advice

Products, Services and Brands Information not found

State of Incorporation Information not found

Years in Business 16

Dmjm Aviation, Inc
Management Services in Fort Worth, TX

Medical Professional Service
Management Services in Fort Worth, TX

US Health Group Inc
Management Services in Fort Worth, TX

Related Products

Companies in this category usually offer:

| | |
|-----------------------------------|---------------------------------------|
| Manufacturing Process Outsourcing | Electronics Manufacturing Outsourcing |
| Manufacturing Outsourcing | |

Click on the reports tab at the top of the page to research company background, detailed company profile, credit and financial reports for Ancor Holdings Lp. Reports often include a complete predictive and historical analysis with payment and financial information; information on the identity, operations, profitability and stability of Ancor Holdings Lp; Details on the company's history, the business background of its management, special events and recent company news. Download Ancor Holdings Lp financial and company reports.

| | | | |
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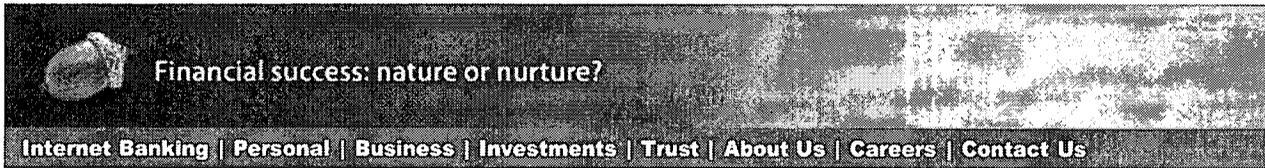


Anchor Point Capital, LLC is an investment management firm that serves institutional and high net worth clients by providing innovative products and services, principally related to hedge fund strategies and other alternative investments.

Username:

Password:

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Anchor Bank History



At Anchor Bank, nurturing client relationships is the nature of our business.

More Online Resources

- [AnchorLink Login >>](#)
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Anchor Bank History

Our Anchor Banks have been serving customers over 40 years with a unique brand of top-quality, customer-focused, community-oriented financial service institutions. A Minnesota-based company, Anchor Bancorp, Inc. has always been privately-held and family-owned. Although Anchor Bancorp has greatly expanded its locations and services since incorporating in 1981, it has remained true to its purpose of helping to create long-term financial success one relationship at a time.

Anchor Bancorp, Inc. History and Growth: 1981 to the present

The 1967 purchase of the North Shore State Bank by Winton Jones was the initial start of Anchor. Anchor Bancorp was formed in 1981 by Mr. Jones for the purpose of acquiring small and medium-sized Minnesota banks in order to expand service to customers across the greater Twin Cities metropolitan area. Our roots have always been community-based and the purchase of local banks, some chartered as early as 1894, has allowed us to keep this community focus. In 1983, Anchor Bancorp acquired the West St. Paul State Bank. The Bank of Saint Paul became the third bank in the group when it was acquired in November, 1985. Anchor Bancorp continued to expand by acquiring Heritage National Bank in 1991, and the First National Bank of Farmington was added to the organization in 1995.

From 1995 until 2006, Anchor Bancorp, Inc. operated as a combination of five independent but affiliated financial institutions: Anchor Bank, N.A.; Anchor Bank Heritage, N.A.; Anchor Bank, West St. Paul, N.A.; Anchor Bank Saint Paul; and, Anchor Bank Farmington, N.A. In December, 2006, the West St Paul and Saint Paul banks combined into Anchor Bank Saint Paul, N.A. and in 2008 the Farmington bank was merged into this charter. By 2009, the three Anchor Bank charters had grown to include 16 branches located throughout the Minneapolis and Saint Paul metropolitan area.

Single charter to serve customers better: 2009

On November 13, 2009, Anchor Bancorp made the transition from operating the three banks as independent charters - Anchor Bank, N.A., Anchor Bank Heritage, N.A., and Anchor Bank Saint Paul, N.A. - to operating the group as a single charter known as Anchor Bank, N.A. The single charter enables Anchor Bank to provide our top quality solutions, advice and service to any customer through each of our locations, creating a better experience that is right for each customer.

Anchor Trust and Anchor Investments: 1997 to the present

In addition to providing basic banking services, Anchor Bank also offers a comprehensive array of trust and investment services for its clients. Anchor Bank began providing investment management services in 1997 and trust services in 2000. By 2005 the two services were operating together as Anchor Wealth Management, but in 2009 the two entities were renamed Anchor Trust and Anchor Investments, responding to customers' desires to clearly identify the wealth-management service options being offered by each group of trust or investment professionals. Our statement: "Nature versus Nurture? At Anchor Bank nurturing

client relationships is the nature of our business” reflects the long-term perspective and relationship philosophy for our trust and investment, as well as our business banking professionals.

Additional histories of the banks that came together to form Anchor Bank, N.A.

Anchor Bank Saint Paul N.A. (West St Paul State Bank, First Bank of Minnesota West St Paul, First National Bank of West St Paul, Anchor Bank West St Paul N.A.)

Anchor Bank, West St. Paul N.A. has served its market area since May 15, 1923. From its inception until October 15, 1986, the bank operated under a charter granted by the State of Minnesota. Controlling interest in the bank was held by the Ehlers family from 1923 to 1976. At that time, the bank was sold to J. Robert Stassen and Rollin H. Crawford who, in turn, sold the controlling interest to Anchor Bancorp, Inc. in 1983. In 1984 the Bank changed its name from the West St. Paul State Bank to First Bank of Minnesota, West St. Paul. The name of the bank was changed again on October 15, 1986, to the First National Bank of West St. Paul. This name change coincided with the switch from a state chartered institution to a national charter issued by the Office of the Comptroller of the Currency. Effective September 1, 1996, approval was received to change the name of the bank from The First National Bank of West St. Paul to Anchor Bank, West St. Paul N.A. On March 1, 1997, the bank opened its second full-service branch, located in Apple Valley. On July 6, 1999, the bank opened its third full-service branch, located in St. Paul Park. On September 30, 2002, the bank opened its fourth full-service branch, located in Eagan. On February 1, 2003, Trust Services was transferred from Anchor Bank, N.A. to Anchor Bank, West St. Paul N.A. On December 1, 2006 Anchor Bank Saint Paul and Anchor Bank, West St Paul N.A. became one charter with the name Anchor Bank Saint Paul, N.A. On November 15, 2008 Anchor Bank Farmington, N.A. combined into the Anchor Bank Saint Paul, N.A. charter. On November 13, 2009 Anchor Bank Saint Paul, N.A.; Anchor Bank Heritage, N.A.; and Anchor Bank, N.A. combined into the Anchor Bank Saint Paul, N.A. charter and the name was changed to Anchor Bank, N.A.

Anchor Bank, N.A. (North Shore State Bank, First National Bank of Wayzata)

In 1963, North Shore State Bank opened its first location. In April of 1967, Winton Jones and Willard Bollenbach purchased the majority of the bank's stock. On August 1, 1968, the bank's name changed to the First National Bank of Wayzata. In 1972, Winton Jones became the sole owner of the bank. In 1981, Anchor Bancorp, Inc. purchased all of the First National Bank of Wayzata stock. In March 1982, the first full service branch opened in Plymouth. In September 1990, the second full service branch opened in Eden Prairie. In 2004, the third full service branch was opened in Blaine. Effective January 1, 1995, the name changed from First National Bank of Wayzata to Anchor Bank, N. A. On November 13, 2009 Anchor Bank, N.A. combined into the Anchor Bank Saint Paul, N.A. charter and the name was changed to Anchor Bank, N.A.

Anchor Bank Heritage, N.A. (First State Bank of North St. Paul, Heritage State Bank, Heritage National Bank)

Anchor Bank Heritage, N.A. was originally founded as the First State Bank of North St. Paul on August 10, 1910. C. W. Dixon was the majority shareholder, with 14 other shareholders. In 1975, Donald W. Herrick formed a family-owned one-bank holding company (Willard Bancshares) and bought out the majority of the minority shareholders. In 1976, the First State Bank of North St. Paul became Heritage State Bank. In 1983, the bank changed from a state chartered bank to a nationally chartered bank and its name was changed to the Heritage National Bank. The sale was completed during 1991 from Williard Bancshares to Anchor Bancorp, Inc. On February 14, 1997, the bank opened its second full service branch location in Woodbury. In August 2002, the bank was renamed Anchor Bank Heritage, N.A. In the fall of 2003, the bank opened its third full service branch in Arden Hills. On November 13, 2009 Anchor Bank Heritage, N.A. combined into the Anchor Bank

Saint Paul, N.A. charter and the name was changed to Anchor Bank, N.A.

Anchor Bank Saint Paul (Produce Exchange Bank, Exchange State Bank, The Bank of Saint Paul)

Anchor Bank Saint Paul was chartered September 4, 1915, as the Produce Exchange Bank located in downtown Saint Paul. During most of its history, the controlling stock interest was held by the Speranza family. They managed the bank for two generations. In 1980, Produce Exchange Bank was sold to the Jones family and renamed Exchange State Bank. In 1985, the Federal Reserve Board approved the bank's acquisition by Anchor Bancorp, Inc. In October 1990, Exchange State Bank was renamed The Bank of Saint Paul. In May 2000, the Bank was renamed Anchor Bank Saint Paul. In July 2005, a loan and deposit production office was opened on Snelling Avenue North. It was later changed to a full service branch on June 18, 2007. On December 1, 2006 Anchor Bank Saint Paul and Anchor Bank, West St Paul N.A. became one charter with the name Anchor Bank Saint Paul, N.A.

Anchor Bank Farmington, N.A. (Exchange Bank of Farmington, The First National Bank of Farmington)

Anchor Bank Farmington, N.A. was chartered under the laws of the State of Minnesota, February 1, 1894, as the Exchange Bank of Farmington. In April 1920, the bank was granted a national charter and was converted to The First National Bank of Farmington. In 1987, a second branch was opened in North Farmington. The sale was completed on February 15, 1995 from H.M. Johnson to Anchor Bancorp, Inc. In May 2000, the bank was renamed Anchor Bank Farmington, N.A. On November 5, 2001, the bank opened a full service branch located in Lakeville and on April 4, 2007 the Burnsville branch was opened. On November 15, 2008 Anchor Bank Farmington, N.A. combined into the Anchor Bank Saint Paul, N.A. charter.



Anchor Treasury Savings®



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From day one, the approach taken in...
insight adds significant value to our...
organization. Board meetings have always...
been constructive and strategic in nature...
Most recently, at the board level, they helped...
to bring in fresh talent who are changing...
the way we think about products and our...
business. Insight's continued support has...
opened many doors for us.

- Tarek Sherif, CEO, Mediam...
Solution



ABOUT INSIGHT VENTURE PARTNERS

Insight Venture Partners is a leading private equity and venture capital firm focused on the global software, internet and data services industries. Since our founding in 1995, we have been one of the fastest growing investors within our target markets. With over \$5 Billion raised since inception, Insight actively seeks to partner with entrepreneurs and management teams looking to take their businesses to new horizons.

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IWM President, Bob Pugh, CFA, CFP® presides at the CFA Day celebration held at the Kennedy Center, which marked the 60th anniversary of the creation of the organization that became the CFA Institute. The CFA Institute is a not-for-profit association that leads the investment profession globally by setting the highest standards of ethics, education, and professional excellence. The Institute awards the CFA designation to investment professionals who complete the rigorous process of passing three examinations, satisfying stringent requirements for professional experience and demonstrating the highest standards of ethical conduct and professional standards. Bob's colleagues in the Washington, DC investment community honored him by electing him twice to serve as President of the CFA Society of Washington, DC.

About Insight Wealth Management, Inc.

Insight Wealth Management (IWM) is an independent, fee-only investment management and financial planning firm located in Gainesville, Virginia. Bob Pugh, CFA, CFP®, the Founder and President of IWM, has over twenty years of experience as an investment advisor, economic analyst, educator, financial planner and portfolio manager. He has earned graduate degrees in financial economics and global political economy. Please enjoy our web site, and email or call with any questions you might have.

IWM is here to help you achieve your financial goals:

- Managing the investment portfolio you and your family have built
- Retirement planning for individuals and businesses
- Maintaining your standard of living in retirement

- Funding your children's education
- Coordinating your investment portfolio and wealth with your estate plan
- Advising your church's or other charitable organization's endowment
- Integrating all of your financial goals into a comprehensive plan

We invite you to contact us to schedule a free, no-obligation initial consultation and portfolio review with Insight Wealth Management.

This web site offers more information on why you should select a [CFA Charterholder](#) and [CERTIFIED FINANCIAL PLANNERTM](#) to serve your investment and wealth management, and financial planning needs.

Solid Experience and Meaningful Professional Credentials

The "Wall Street Journal" cited CFA, CFP® and CPA recently as the "highly rigorous" and more difficult to earn professional credentials in the financial services industry in an article titled, "[Is Your Advisor Pumping Up His Credentials?](#)" IWM President, Bob Pugh has earned the CFA designation, the leading global credential for investment professionals, and the CFP® certification, the standard in financial planning. We can refer you to an outstanding CPA who works with other IWM clients for tax or accounting services, and highly-respected attorneys with whom to partner in serving your estate planning needs.

Insight Wealth Management will coordinate a team of professionals to ensure that your investment and wealth management, and financial planning needs are all addressed in an effective, integrated and consistent plan.

If the cacophony of hundreds of relatively meaningless financial designations is leaving you confused, if you want to avoid making the mistake of putting your trust in just another financial sales person, and if you want to ensure that you are dealing with an advisor who has met the most rigorous standards for professional credentials and ethical conduct, then please give Insight Wealth Management a call.

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Listen to the weekly, national talk radio show, "The Insightful Investor" on the VoiceAmerica Business Channel, hosted by Insight Wealth Management President, Bob Pugh, CFA, CFP®. VoiceAmerica is the world leader in Internet talk radio. The show discusses a wide range of topics in investing, financial planning, economics and politics. At your convenience, listen to recorded past shows online, or download free MP3 and iTunes files. For more information, click on "[The Insightful Investor](#)" here or the button on our web site menu above.

Independent Partnership with an Industry-Leading Broker/Custodian

As an independent Registered Investment Advisor, Insight Wealth Management does not take custody of client assets or perform brokerage services. Our mission is to provide clients with the best independent advice and planning possible. We think this model is how the financial services industry should function always because it separates advice and planning from profiting on investment and financial recommendations made to clients.

Unfortunately for consumers, however, brokers and many advisors operate in whole or in part on a commission-based model of financial advising, which allows them to increase their compensation at the expense of clients' best interests by recommending investment choices that generate the most profit for the advisor. IWM is compensated solely on the basis of client fees that are linked in no way to the investment recommendations we provide.

IWM is a member of the Schwab Institutional network of select independent advisors. Schwab Institutional is a part of the Charles Schwab organization providing account custody and brokerage services, as well as a tremendous range of other resources, to independent advisors and their clients. With IWM and Schwab Institutional, clients receive the best of independent, locally-based investment management and financial planning, and the services of a highly-respected, low-cost brokerage firm.

IWM receives no compensation from Charles Schwab for using their services for client accounts. IWM provides independent, unbiased advice with no pressure or incentives from Schwab or anyone else to recommend investments, other than the lowest cost choices that are in our clients' best interests. IWM will use Schwab Institutional's services for all clients unless they direct otherwise. Clients using Schwab Institutional as their broker and asset custodian will also have access to the exclusive services of the [Schwab Signature Alliance](#).

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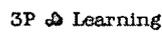
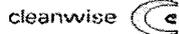
Insight Wealth Management is conveniently located in Gainesville, Virginia at Heritage Hunt, just a short drive from Manassas, The Plains, Haymarket, Marshall, Warrenton, Leesburg, Culpeper and many other locations in Prince William, Fauquier, Culpeper and Loudoun Counties.

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Providing sound investment and financial planning advice requires a detailed and thorough review of each individual's or organization's situation, needs, goals and risk tolerance. IWM's Form ADV, Part 11 is available upon request for anyone considering IWM's services.

When we teamed up with Limeira, we were in an expansion stage and running a real business doing a lot right. As market dynamics evolved however a new kind of strategy planning was required. The unique understanding brought by Onix business development group helped our challenges and enabled us to shift our marketing and focus our team in the right direction.

- Tim Wein, CEO, Paiste



ABOUT INSIGHT VENTURE PARTNERS

Insight Venture Partners is a leading private equity and venture capital firm focused on the global software, internet and data services industries. Since our founding in 1995, we have been one of the fastest growing investors within our target markets. With over \$5 Billion raised since inception, Insight actively seeks to partner with entrepreneurs and management teams looking to take their businesses to new horizons.

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Serial Number: 76645098 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3313159

Mark

CHI ALI

(words only): CHI ALI

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-10-16

Filing Date: 2005-08-17

Transformed into a National Application: No

Registration Date: 2007-10-16

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-10

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

1. Ali, Chi

Address:

Ali, Chi
P.O. Box 1934

Latest Status Info

Hallandale, FL 33008
United States
Legal Entity Type: Individual
Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 036
Class Status: Active
Real estate acquisition and investment services
Basis: 1(a)
First Use Date: 2006-07-15
First Use in Commerce Date: 2006-07-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2007-10-16 - Registered - Principal Register
2007-09-10 - Law Office Registration Review Completed
2007-09-07 - Allowed for Registration - Principal Register (SOU accepted)
2007-08-31 - Amendment From Applicant Entered
2007-08-31 - Communication received from applicant
2007-08-24 - PAPER RECEIVED
2007-06-12 - Non-final action mailed
2007-06-11 - SU - Non-Final Action - Written
2007-05-24 - Amendment From Applicant Entered
2007-05-24 - Communication received from applicant
2007-05-24 - Assigned To LIE
2007-05-09 - PAPER RECEIVED

Latest Status Info

2007-01-26 - Non-final action mailed
2007-01-26 - SU - Non-Final Action - Written
2007-01-18 - Statement Of Use Processing Complete
2006-11-07 - Use Amendment Filed
2006-11-07 - PAPER RECEIVED
2006-08-01 - NOA Mailed - SOU Required From Applicant
2006-05-09 - Published for opposition
2006-04-19 - Notice of publication
2006-03-21 - Law Office Publication Review Completed
2006-03-17 - Assigned To LIE
2006-03-14 - Examiner's amendment mailed
2006-03-13 - Approved For Pub - Principal Register
2006-03-13 - Examiner's Amendment Entered
2006-03-13 - Examiners Amendment -Written
2006-03-06 - Assigned To Examiner
2005-08-26 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Carol N. Green

Correspondent

CAROL N. GREEN

CAROL N. GREEN, P.A.

WACHOVIA FINANCIAL CENTER

200 BISCAYNE BLVD, SUITE 2680

MIAMI, FLORIDA 33131

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Serial Number: 77943595 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

CHI-CONTROLS

(words only): CHI-CONTROLS

Standard Character claim: Yes

Current Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Date of Status: 2011-03-29

Filing Date: 2010-02-24

The Notice of Allowance Date is: 2011-03-29

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 109

Attorney Assigned:
FINK GINA M

Current Location: 700 -Intent To Use Section

Date In Location: 2011-03-29

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.

Latest Status Info

1095 Avenue of the Americas
New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Securities brokerage financial risk management services; securities trading financial risk management services; securities trade execution financial risk management services; providing information via an on-line electronic network in the fields of securities brokerage financial risk management, securities trading financial risk management, and securities trade execution financial risk management services; providing financial risk management services for electronic securities trading via an on-line electronic network

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Providing temporary use of non-downloadable software for securities brokerage financial risk management, securities trading financial risk management, securities trade execution financial risk management, and financial risk management services

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-03-29 - NOA E-Mailed - SOU Required From Applicant

2011-02-01 - Notice Of Publication E-Mailed

2011-02-01 - Published for opposition

2010-12-28 - Law Office Publication Review Completed

Latest Status Info

2010-12-22 - Approved For Pub - Principal Register
2010-12-21 - Teas/Email Correspondence Entered
2010-12-21 - Communication received from applicant
2010-12-21 - Assigned To LIE
2010-11-30 - TEAS Response to Office Action Received
2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered
2010-08-02 - TEAS Change Of Owner Address Received
2010-06-03 - Notification Of Non-Final Action E-Mailed
2010-06-03 - Non-final action e-mailed
2010-06-03 - Non-Final Action Written
2010-05-28 - Assigned To Examiner
2010-03-02 - New Application Office Supplied Data Entered In Tram
2010-02-27 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE
Kenyon & Kenyon LLP
1500 K ST NW STE 700
Washington DC 20005-1257
Phone Number: 202.220.4200
Fax Number: 202.220.4201

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Serial Number: 77818558 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

CHI-DARK

(words only): CHI-DARK

Standard Character claim: Yes

Current Status: Suspension check completed. Application remains suspended.

Date of Status: 2010-12-21

Filing Date: 2009-09-02

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
CLARKE NANCY L

Current Location: L20 -TMEG Law Office 102

Date In Location: 2010-12-21

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

1. Chi-X Global Inc.

Address:
Chi-X Global Inc.
1095 Avenue of the Americas
New York, NY 10036
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Securities brokerage services; securities trade execution services; electronic trading of securities; equities portfolio trading services; providing information about financial investments; providing information via an on-line electronic network in the field of securities brokerage

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Providing temporary use of non-downloadable software for securities brokerage and securities trade execution services

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-12-21 - Report Completed Suspension Check Case Still Suspended

2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-08-02 - TEAS Change Of Owner Address Received

2010-06-18 - Report Completed Suspension Check Case Still Suspended

2010-06-18 - Assigned To LIE

2009-12-06 - Notification Of Letter Of Suspension E-Mailed

2009-12-06 - Letter of suspension e-mailed

2009-12-06 - Suspension Letter Written

Latest Status Info

2009-12-06 - Assigned To Examiner

2009-09-09 - Notice Of Pseudo Mark Mailed

2009-09-08 - New Application Office Supplied Data Entered In Tram

2009-09-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE

Kenyon & Kenyon LLP

1500 K ST NW STE 700

Washington DC 20005-1257

Phone Number: 202.220.4200

Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:33:59 ET

Serial Number: 77833765 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

CHI-FX

(words only): CHI-FX

Standard Character claim: Yes

Current Status: Suspension check completed. Application remains suspended.

Date of Status: 2010-12-21

Filing Date: 2009-09-24

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

Attorney Assigned:
CLARKE NANCY L

Current Location: L20 -TMEG Law Office 102

Date In Location: 2010-12-21

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

1. Chi-X Global Inc.

Address:
Chi-X Global Inc.
1095 Avenue of the Americas
New York, NY 10036
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Financial services, namely, providing information in the field of foreign currency, securities, and other financial instruments; financial services, namely providing for the exchange of foreign currency, securities, and other financial instruments; clearance services, namely clearing and settling financial transactions involving foreign currency, securities, and other financial instruments; foreign exchange information service

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Providing temporary use of non-downloadable software for transactions in the field of foreign currency, securities, and other financial instruments

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-12-21 - Report Completed Suspension Check Case Still Suspended

2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-08-02 - TEAS Change Of Owner Address Received

2010-06-18 - Report Completed Suspension Check Case Still Suspended

2010-06-18 - Assigned To LIE

2009-12-06 - Notification Of Letter Of Suspension E-Mailed

2009-12-06 - Letter of suspension e-mailed

Latest Status Info

2009-12-06 - Suspension Letter Written

2009-12-06 - Assigned To Examiner

2009-09-29 - New Application Office Supplied Data Entered In Tram

2009-09-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE

Kenyon & Kenyon LLP

1500 K ST NW STE 700

Washington DC 20005-1257

Phone Number: 202.220.4200

Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-04-28 13:34:18 ET

Serial Number: 77709262 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

CHI-TECH

(words only): CHI-TECH

Standard Character claim: Yes

Current Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Date of Status: 2011-02-08

Filing Date: 2009-04-08

The Notice of Allowance Date is: 2011-02-08

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:
KERTGATE AMY L

Current Location: 700 -Intent To Use Section

Date In Location: 2011-02-08

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.

Latest Status Info

1095 Avenue of the Americas
New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for electronically trading securities; computer software for use in providing an electronic trading system for the exchange of financial securities; computer software for use in managing financial data, managing customer data, conducting periodic reviews, and performing due diligence activities in the field of securities trading and trading systems

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 036

Class Status: Active

Consulting services in the fields of financial information management and financial due diligence in connection with securities trading and financial trading systems

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Consulting services in the field of developing and implementing software for securities trading; consulting services in the field of developing and implementing electronic trading systems comprised of computer hardware and computer software for use in the exchange of financial securities

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 045

Class Status: Active

Consulting services in the field of financial regulatory compliance in connection with securities trading and financial trading systems

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-08 - NOA E-Mailed - SOU Required From Applicant

2010-12-14 - Notice Of Publication E-Mailed

2010-12-14 - Published for opposition

2010-11-10 - Law Office Publication Review Completed

2010-11-10 - Assigned To LIE

2010-10-29 - Approved For Pub - Principal Register

2010-10-20 - Teas/Email Correspondence Entered

2010-10-20 - Communication received from applicant

2010-10-20 - TEAS Response to Office Action Received

2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-08-02 - TEAS Change Of Owner Address Received

2010-05-03 - Notification Of Priority Action E-Mailed

2010-05-03 - Priority Action E-Mailed

2010-05-03 - Priority Action Written

2010-03-09 - Previous Allowance Count Withdrawn

2010-03-05 - Withdrawn From Pub - Og Review Query

2010-02-22 - Law Office Publication Review Completed

2010-02-18 - Approved For Pub - Principal Register

2010-02-17 - Examiner's Amendment Entered

2010-02-17 - Notification Of Examiners Amendment E-Mailed

2010-02-17 - EXAMINERS AMENDMENT E-MAILED

2010-02-17 - Examiners Amendment - Written

2010-02-05 - Examiner's Amendment Entered

2010-02-05 - Notification Of Examiners Amendment E-Mailed

Latest Status Info

2010-02-05 - EXAMINERS AMENDMENT E-MAILED
2010-02-05 - Examiners Amendment - Written
2010-01-25 - Previous Allowance Count Withdrawn
2010-01-25 - Withdrawn From Pub - Og Review Query
2010-01-12 - Law Office Publication Review Completed
2010-01-12 - Assigned To LIE
2009-12-22 - Approved For Pub - Principal Register
2009-12-17 - Teas/Email Correspondence Entered
2009-12-17 - Communication received from applicant
2009-12-17 - TEAS Response to Office Action Received
2009-06-26 - Notification Of Non-Final Action E-Mailed
2009-06-26 - Non-final action e-mailed
2009-06-26 - Non-Final Action Written
2009-06-25 - Assigned To Examiner
2009-04-14 - New Application Office Supplied Data Entered In Tram
2009-04-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE
Kenyon & Kenyon LLP
1500 K ST NW STE 700
Washington DC 20005-1257
Phone Number: 202.220.4200
Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:34:33 ET

Serial Number: 77368277 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

CHI-X

(words only): CHI-X

Standard Character claim: Yes

Current Status: A fifth request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-02-23

Filing Date: 2008-01-10

The Notice of Allowance Date is: 2008-08-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

Attorney Assigned:
REINHART MEGHAN M

Current Location: 700 -Intent To Use Section

Date In Location: 2009-08-18

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.
1095 Avenue of the Americas

Latest Status Info

New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036
Class Status: Active
Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-24 - Notice Of Approval Of Extension Request E-Mailed
2011-02-23 - Extension 5 granted
2011-02-19 - Extension 5 filed
2011-02-22 - TEAS Extension Received
2010-08-24 - Notice Of Approval Of Extension Request E-Mailed
2010-08-23 - Extension 4 granted
2010-08-18 - Extension 4 filed
2010-08-18 - TEAS Extension Received
2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered
2010-08-02 - TEAS Change Of Owner Address Received
2010-05-03 - Assigned To Examiner

Latest Status Info

2010-02-17 - Extension 3 granted
2010-02-16 - Extension 3 filed
2010-02-16 - TEAS Extension Received
2009-08-18 - Extension 2 granted
2009-07-20 - Extension 2 filed
2009-08-18 - Case Assigned To Intent To Use Paralegal
2009-07-20 - TEAS Extension Received
2009-02-11 - Extension 1 granted
2009-02-11 - Extension 1 filed
2009-02-11 - TEAS Extension Received
2008-08-19 - NOA Mailed - SOU Required From Applicant
2008-05-27 - Published for opposition
2008-05-07 - Notice of publication
2008-04-22 - Law Office Publication Review Completed
2008-04-22 - Assigned To LIE
2008-04-18 - Approved For Pub - Principal Register
2008-04-17 - Examiner's Amendment Entered
2008-04-17 - Notification Of Examiners Amendment E-Mailed
2008-04-17 - Examiners amendment e-mailed
2008-04-17 - Examiners Amendment - Written
2008-04-15 - Assigned To Examiner
2008-01-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
William M. Merone

Correspondent
WILLIAM M. MERONE
Kenyon & Kenyon LLP

Latest Status Info

1500 K ST NW STE 700
Washington DC 20005-1257
Phone Number: 202.220.4200
Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:34:51 ET

Serial Number: 77368294 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

CHI-X ATS

(words only): CHI-X ATS

Standard Character claim: Yes

Current Status: A fifth request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-02-24

Filing Date: 2008-01-10

The Notice of Allowance Date is: 2008-08-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

Attorney Assigned:
REINHART MEGHAN M

Current Location: 700 -Intent To Use Section

Date In Location: 2009-08-18

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.
1095 Avenue of the Americas

Latest Status Info

New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036
Class Status: Active
Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments
Basis: 1(b)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "ATS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-25 - Notice Of Approval Of Extension Request E-Mailed
2011-02-24 - Extension 5 granted
2011-02-19 - Extension 5 filed
2011-02-22 - TEAS Extension Received
2010-08-24 - Notice Of Approval Of Extension Request E-Mailed
2010-08-23 - Extension 4 granted
2010-08-18 - Extension 4 filed
2010-08-18 - TEAS Extension Received
2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered
2010-08-02 - TEAS Change Of Owner Address Received
2010-05-03 - Assigned To Examiner

Latest Status Info

2010-02-17 - Extension 3 granted
2010-02-16 - Extension 3 filed
2010-02-16 - TEAS Extension Received
2009-08-18 - Extension 2 granted
2009-07-20 - Extension 2 filed
2009-08-18 - Case Assigned To Intent To Use Paralegal
2009-07-20 - TEAS Extension Received
2009-02-11 - Extension 1 granted
2009-02-11 - Extension 1 filed
2009-02-11 - TEAS Extension Received
2008-08-19 - NOA Mailed - SOU Required From Applicant
2008-05-27 - Published for opposition
2008-05-07 - Notice of publication
2008-04-22 - Law Office Publication Review Completed
2008-04-22 - Assigned To LIE
2008-04-18 - Approved For Pub - Principal Register
2008-04-17 - Examiner's Amendment Entered
2008-04-17 - Notification Of Examiners Amendment E-Mailed
2008-04-17 - Examiners amendment e-mailed
2008-04-17 - Examiners Amendment -Written
2008-04-15 - Assigned To Examiner
2008-01-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
William M. Merone

Correspondent
WILLIAM M. MERONE
Kenyon & Kenyon LLP

Latest Status Info

1500 K ST NW STE 700
Washington DC 20005-1257
Phone Number: 202.220.4200
Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:35:05 ET

Serial Number: 77368285 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

CHI-X US

(words only): CHI-X US

Standard Character claim: Yes

Current Status: A fifth request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-02-24

Filing Date: 2008-01-10

The Notice of Allowance Date is: 2008-08-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

Attorney Assigned:
REINHART MEGHAN M

Current Location: 700 -Intent To Use Section

Date In Location: 2009-08-18

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.
1095 Avenue of the Americas

Latest Status Info

New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "US"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-25 - Notice Of Approval Of Extension Request E-Mailed

2011-02-24 - Extension 5 granted

2011-02-19 - Extension 5 filed

2011-02-22 - TEAS Extension Received

2010-08-24 - Notice Of Approval Of Extension Request E-Mailed

2010-08-23 - Extension 4 granted

2010-08-18 - Extension 4 filed

2010-08-18 - TEAS Extension Received

2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-08-02 - TEAS Change Of Owner Address Received

2010-05-03 - Assigned To Examiner

Latest Status Info

2010-02-17 - Extension 3 granted
2010-02-16 - Extension 3 filed
2010-02-16 - TEAS Extension Received
2009-08-18 - Extension 2 granted
2009-07-20 - Extension 2 filed
2009-08-18 - Case Assigned To Intent To Use Paralegal
2009-07-20 - TEAS Extension Received
2009-02-11 - Extension 1 granted
2009-02-11 - Extension 1 filed
2009-02-11 - TEAS Extension Received
2008-08-19 - NOA Mailed - SOU Required From Applicant
2008-05-27 - Published for opposition
2008-05-07 - Notice of publication
2008-04-22 - Law Office Publication Review Completed
2008-04-22 - Assigned To LIE
2008-04-18 - Approved For Pub - Principal Register
2008-04-17 - Examiner's Amendment Entered
2008-04-17 - Notification Of Examiners Amendment E-Mailed
2008-04-17 - Examiners amendment e-mailed
2008-04-17 - Examiners Amendment -Written
2008-04-15 - Assigned To Examiner
2008-01-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE

Kenyon & Kenyon LLP

Latest Status Info

1500 K ST NW STE 700
Washington DC 20005-1257
Phone Number: 202.220.4200
Fax Number: 202.220.4201

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-04-28 13:35:18 ET

Serial Number: 77368288 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

CHI-X US ATS

(words only): CHI-X US ATS

Standard Character claim: Yes

Current Status: A fifth request for extension of time to file a Statement of Use has been granted.

Date of Status: 2011-02-24

Filing Date: 2008-01-10

The Notice of Allowance Date is: 2008-08-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

Attorney Assigned:
REINHART MEGHAN M

Current Location: 700 -Intent To Use Section

Date In Location: 2009-08-18

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

1. Chi-X Global, Inc.

Address:
Chi-X Global, Inc.
1095 Avenue of the Americas

Latest Status Info

New York, NY 10036
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 212.310.9500

GOODS AND/OR SERVICES

International Class: 036

Class Status: Active

Financial exchange, namely, offering licensed brokers an alternative electronic trading system for the exchange of equity investments

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "US" AND "ATS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2011-02-25 - Notice Of Approval Of Extension Request E-Mailed

2011-02-24 - Extension 5 granted

2011-02-19 - Extension 5 filed

2011-02-22 - TEAS Extension Received

2010-08-24 - Notice Of Approval Of Extension Request E-Mailed

2010-08-23 - Extension 4 granted

2010-08-18 - Extension 4 filed

2010-08-18 - TEAS Extension Received

2010-08-02 - Applicant/Correspondence Changes (Non-Responsive) Entered

2010-08-02 - TEAS Change Of Owner Address Received

° 2010-05-03 - Assigned To Examiner

Latest Status Info

2010-02-17 - Extension 3 granted
2010-02-16 - Extension 3 filed
2010-02-16 - TEAS Extension Received
2009-08-18 - Extension 2 granted
2009-07-20 - Extension 2 filed
2009-08-18 - Case Assigned To Intent To Use Paralegal
2009-07-20 - TEAS Extension Received
2009-02-11 - Extension 1 granted
2009-02-11 - Extension 1 filed
2009-02-11 - TEAS Extension Received
2008-08-19 - NOA Mailed - SOU Required From Applicant
2008-05-27 - Published for opposition
2008-05-07 - Notice of publication
2008-04-22 - Law Office Publication Review Completed
2008-04-22 - Assigned To LIE
2008-04-18 - Approved For Pub - Principal Register
2008-04-18 - Examiner's Amendment Entered
2008-04-18 - Notification Of Examiners Amendment E-Mailed
2008-04-18 - EXAMINERS AMENDMENT E-MAILED
2008-04-18 - Examiners Amendment -Written
2008-04-18 - Previous Allowance Count Withdrawn
2008-04-18 - Approved For Pub - Principal Register
2008-04-17 - Examiner's Amendment Entered
2008-04-17 - Notification Of Examiners Amendment E-Mailed
2008-04-17 - Examiners amendment e-mailed
2008-04-17 - Examiners Amendment -Written
2008-04-15 - Assigned To Examiner

2008-01-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

William M. Merone

Correspondent

WILLIAM M. MERONE

Kenyon & Kenyon LLP

1500 K ST NW STE 700

Washington DC 20005-1257

Phone Number: 202.220.4200

Fax Number: 202.220.4201
