

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86175380
LAW OFFICE ASSIGNED	LAW OFFICE 101
MARK SECTION (no change)	
ARGUMENT(S)	
Please see Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_75146153249-20150302175734981604_.OA_Response_2d_-_WE_ARE_THE_PIZZAREV-OLUTION_1_.pdf
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ORIGINAL PDF FILE	evi_75146153249-20150302175734981604_ . Exhibits_A-F_We are the PizzaRev-Olution_Part2.pdf
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	\\TICRS\EXPORT16\IMAGEOUT16\861\753\86175380\xml7\RFR0050.JPG
DESCRIPTION OF EVIDENCE FILE	Arguments regarding final refusal (one file) and Exhibits (split into two files for size purposes).
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Ryan R. Palmer/
SIGNATORY'S NAME	Ryan R. Palmer
SIGNATORY'S POSITION	Attorney of Record, Minnesota Bar Member
SIGNATORY'S PHONE NUMBER	9528855999
DATE SIGNED	03/02/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Mar 02 18:06:44 EST 2015
TEAS STAMP	USPTO/RFR-75.146.153.249- 20150302180644454722-8617 5380-5307a42827f2e577b857 8e3654f356e7baae1eb5caa68 8e3958beead88e2f9fe32-N/A -N/A-20150302175734981604

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **86175380** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see Evidence section.

EVIDENCE

Evidence in the nature of Arguments regarding final refusal (one file) and Exhibits (split into two files for size purposes), has been attached.

Original PDF file:

[evi_75146153249-20150302175734981604_.OA_Response_2d_-_WE_ARE_THE_PIZZAREV-
OLUTION_1_.pdf](#)

Converted PDF file(s) (4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Original PDF file:

[evi_75146153249-20150302175734981604_.Exhibits_A-F_We_are_the_PizzaRev-Olution_Part1.pdf](#)

Converted PDF file(s) (18 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

[Evidence-18](#)

Original PDF file:

[evi_75146153249-20150302175734981604_.Exhibits_A-F_We_are_the_PizzaRev-Olution_Part2.pdf](#)

Converted PDF file(s) (27 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

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[Evidence-21](#)

[Evidence-22](#)

[Evidence-23](#)

[Evidence-24](#)

[Evidence-25](#)

[Evidence-26](#)

[Evidence-27](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Ryan R. Palmer/ Date: 03/02/2015

Signatory's Name: Ryan R. Palmer

Signatory's Position: Attorney of Record, Minnesota Bar Member

Signatory's Phone Number: 9528855999

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: 86175380

Internet Transmission Date: Mon Mar 02 18:06:44 EST 2015

TEAS Stamp: USPTO/RFR-75.146.153.249-201503021806444

54722-86175380-5307a42827f2e577b8578e365

4f356e7baae1eb5caa688e3958beead88e2f9fe3

2-N/A-N/A-20150302175734981604

An Office Action dated August 28, 2014 (the "Office Action") for the mark WE ARE THE PIZZAREV-OLUTION for restaurant services bearing U.S. Serial No. 86175380 ("Applicant's Mark") has been received and its contents carefully noted. The Applicant respectfully requests that the Examining Attorney consider the following response relating to the Examining Attorney's final refusal to permit Applicant's Mark to proceed to publication.

The Office Action refuses registration based on potential likelihood of confusion with the mark in U.S. Registration No. 4337083 (the "Cited Mark"). The Cited Mark is for JOIN THE PIZZA REVOLUTION.

In light of the differences between the Applicant's Mark and the Cited Mark, refusal of registration due to likelihood of confusion with the Cited Mark is improper.

I. The DuPont Factors Show Applicant's Mark Should Not Be Refused Registration on the Basis of a Likelihood of Confusion.

The legal standard for evaluation of likelihood of confusion in the Federal Circuit is set out in Section 2 of the Lanham Act, 15 U.S.C. § 1052, which provides as follows:

No trademark by which the goods of the Applicant may be distinguished from the goods of others shall be refused registration on the principal register unless it:

(d) consists of or comprises a mark which so resembles a mark registered in the Patent and Trademark Office or a mark or trade name previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods of the Applicant, to cause confusion, or to cause mistake, or to deceive. . . .

The Lanham Act thus provides a positive grant of the right to register a trademark unless it is confusingly similar to a registered mark. Therefore, the burden is on the Patent and Trademark Office to show a likelihood of confusion.

Likelihood of confusion is determined by reference to the factors set out in In re DuPont de Nemours & Co., 177 U.S.P.Q. 563, 567 (CCPA 1973); TMEP § 1207.01, namely the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression. Id.

II. Comparison of the Marks

The Examining Attorney correctly states that marks must be compared in their entireties to determine confusing similarity. However, the Examining Attorney's analysis of the two marks is focused almost exclusively on the "pizza revolution" and "PizzaRev-olution" components of the marks, and the analysis fails to adequately consider the impact of the leading elements of the marks.

In comparing similar marks, the "anti-dissection rule" requires that marks be compared as a whole, rather than breaking the marks up into their component parts for comparison. J. McCarthy, 4 McCarthy on Trademarks and Unfair Competition, § 23.41 (4th ed.). The mere fact that the marks

share a common element, is not sufficient in itself to support a finding of confusing similarity. See In re Electrolyte Laboratories Inc., 929 F.2d 645, 647, 16 U.S.P.Q.2d 1239, 1240 (Fed. Cir. 1990) (K+ and design for dietary potassium supplement held not likely to be confused with K+EFF (stylized) for dietary potassium supplement).

Similarity of one element is not sufficient to find overall similarity of marks: "It has been held to be a violation of the anti-dissection rule to focus upon the 'prominent' feature of a mark and decide likely confusion solely upon that feature, ignoring all other elements of the mark. Similarly, it is improper to find that one portion of a composite mark has no trademark significance, leading to a direct comparison between only that which remains." McCarthy, § 23.41.

Importantly, "[a]t one time, the Trademark Board indicated that similarity in any one of the elements of sound, sight or meaning may be sufficient to prove a likelihood of confusion. However, the Board later clarified its position with the caveat that similarity as to one aspect of the sight, sound and meaning trilogy will not automatically result in a finding of a likelihood of confusion when the goods are identical or closely related." McCarthy, § 23.21 (citing In re Lamson Oil Co., 6 U.S.P.Q.2d 1041, n.4 (TTAB 1987)).

a. *Differences in Appearance.*

In comparing the marks as a whole as required under the anti-dissection rule, the overall impression created by the wording in the Applicant's Mark versus the Cited Mark creates an immediate and significant difference in appearance. The wording WE ARE THE, as the leading element of the Applicant's Mark, is completely dissimilar to the wording JOIN THE in the Cited Mark. Further, the fact that the Applicant's Mark contains no element that matches exactly an element in the Cited Mark (other than the word "the") further diminishes whatever similarity may exist between the marks. Other than the word "the" and the common letters p-i-z-z-a-r-e-v-o-l-u-t-i-o-n, which are presented differently in both of the marks, the marks have completely different visual impressions and share no words in common.

b. *Differences in Sound.*

As with the Examining Attorney's analysis of the appearance of the marks, the analysis regarding the sound of the Cited Mark and the Applicant's Mark focuses improperly on the PIZZA REVOLUTION and PIZZAREV-OLUTION elements of the mark.

As a threshold matter, the Applicant respectfully disagrees with the Examining Attorney's conclusion regarding the use of the hyphen in the Applicant's Mark and its impact on the pronunciation of the Applicant's Mark. The Applicant uses the hyphen to separate a coined term (PIZZAREV) from a non-existent word or commonly use fragment, prefix, or suffix (OLUTION). The Examining Attorney cites a website to show that hyphens are used to join words together rather than separate them. As shown in the Examining Attorney's evidence, indeed hyphens are used to join words or to affix a prefix to a word. The Examining Attorney's evidence does not show, however, that hyphens are used to join non-existent words or fragments to other non-existent words or fragments.

In fact, as shown in the Examining Attorney's evidence and as further described in Exhibit A, hyphens are used to separate word parts at line breaks. Such use of a hyphen is analogous to the Applicant's use of the hyphen, which as shown in the drawing and specimen serves to separate components of the coined word "pizzarevolution." The word PIZZAREV does not exist in English, except as a trademark owned by Applicant. Likewise, the word "OLUTION" does not

exist, except as a series of letters set apart from PIZZAREV in Applicant's Mark. Applicant has purposely separated the coined "word" "pizzarevolution" in an unusual way such as to associate the Applicant's Mark with the established goodwill, secondary meaning, and commercial impression attached to its existing PIZZAREV-related marks, copies of which are included as Exhibit B. Therefore, it is improper to conclude that Applicant is using the hyphen to join words when the fragments before and after the hyphen are not words recognized in the English language apart from the trademark presentation made by Applicant.

Further, the Examining Attorney's analysis does not consider the obvious difference in sound created by the leading elements of each of the marks, namely WE ARE THE (Applicant's Mark) and JOIN THE (Cited Mark). As described above, the existing analysis of record violates the anti-dissection rule.

Finally, the Examining Attorney correctly states "there is no correct pronunciation of a mark because it is impossible to predict how the public will pronounce a particular mark." As stated above, the Examining Attorney's burden is to prove confusing similarity to overcome the positive grant of trademark rights provided to Applicant by the Lanham Act. Given the latitude in pronunciation, the differences in the leading elements of the marks, and the hyphenated expression in Applicant's Mark, the Examining Attorney has failed to prove confusing similarity sufficient to overcome the established burden, even if one were to assume the Examining Attorney's conclusion as to the pronunciation of PIZZAREV-OLUTION and PIZZA REVOLUTION is correct.

c. Differences in Meaning.

The Examining Attorney states that the focus of both marks is a "pizza revolution" and thus the meanings are the same. The Applicant's Mark purposely avoids narrow interpretation of relating to a "pizza revolution" by the unique placement of the hyphen separator and the existence of its related PIZZAREV marks. A review of the Applicant's services offered in connection with the mark reveals that Applicant uses the term "rev" as a noun, a transitive verb, and an intransitive verb. Pairing it with the term "pizza," Applicant uses the versatile term "rev" as a noun to suggest two meanings: 1) "revolution," as in the orbital motion completed by a moving object, which suggests the circular shape of Applicant's pizza, and 2) a fundamental change in the creation of pizza, or more colloquially, the forcible overthrow of existing pizza recipes. See Exhibit C. As a transitive verb, Applicant uses "rev" to suggest the exciting and lively atmospheres created by its retail locations and the general experience of a consumer eating one of its unique pizzas. In this construction "pizza" is the object on which "rev" relies. Finally, Applicant uses "rev" as an intransitive verb to generally suggest accelerated activities and operations at high speed, both being core characteristics of Applicant's services. The Cited Mark, on the other hand, uses the common term "Revolution" to associate itself with change within the pizza sector of the food service industry. See Exhibit D.

d. Weakness of Cited Mark.

The owner of the Cited Mark is not alone in its use of the <common noun> REVOLUTION trademark construction, which substantially diminishes the strength of the Cited Mark. The attached Exhibit E illustrates that the restaurant market is saturated with marks using the term "revolution," and in particular marks using the <common noun> "revolution" construction, such as "pretzel revolution," "spaghetti revolution," and "sushi revolution."

In response to evidence offered by Applicant in its prior Office Action response regarding the weakness of the Cited Mark, the Examining Attorney concluded that JOIN THE TAKE 'N' BAKE REVOLUTION does not dilute the strength of the Cited Mark because the Cited Mark is for restaurant services and the other mark is for a food product. The Applicant respectfully offers that this is an inaccurate conclusion.

A review of existing trademark registrations reveals that food products sold at retail and restaurant services are frequently found to be overlapping for trademark purposes. "Our case law has recognized that the 'something more' requirement of Jacobs is met in situations where the specific food or beverage items of one entity are of the type that is likely to be sold in the other's type of restaurant." Pssghetti's, Inc. v. Howard Finkelstein, 2011 TTAB LEXIS 402 (TTAB 2011) (Unpublished). The attached Exhibit F shows more than 1800 registrations that include "pizza" products and "restaurant"-related services. In particular with regard to pizza and Italian food products, the Trademark Office has found overlap and explained its reasoning as follows: "[T]here is a sufficient relationship between opposer's restaurant services and applicant's 'combination of pizza and pasta' food product such that when a very similar mark is used on or in connection with the goods and services, a likelihood of confusion exists. Specifically, although opposer's registration for the mark PSSGHETTI'S covers general 'restaurant services,' the record shows that its restaurant, as well as its take-out food service, is focused primarily on Italian cuisine with a special emphasis on pasta dishes. This is certainly reinforced by opposer's mark under which the services are rendered, i.e., the mark is suggestive of spaghetti pasta. This is sufficient for purposes of showing the requisite 'something more' and that there is a relationship between opposer's restaurant services and applicant's 'combination of pizza and pasta' food product." Id.

The common use of the term "revolution" in association with restaurant services and food products and multiple federal trademark registrations using the term is indicative that purchasers have been conditioned to look to the other elements of the marks as a means of distinguishing the sources of these services. As a result, the Cited Mark does not enjoy a broad sphere of protection and the existing differences between the two marks must be given greater weight.

III. In Light of the Foregoing, the Marks Must Be Considered Distinct.

In summary, when the Applicant's Mark and the Cited Mark are evaluated in their entireties, it must be concluded that there is no likelihood of confusion between the Applicant's Mark and the Cited Mark. The parties' respective marks are different marks under the DuPont analysis, due to the absences of similarity of the marks in appearance, sound, and meaning. The Cited Mark is a weak mark entitled to only a narrow scope of protection, and the Applicant's Mark is sufficiently distinct to fall outside that zone of protection. Accordingly, Applicant respectfully submits that the Patent and Trademark Office has not met its burden of showing likelihood of confusion, and requests that the rejection of Applicant's application be withdrawn and requests prompt publication of the Applicant's Mark.

Applicant respectfully reserves the right to present additional arguments in the event that the foregoing is deemed unpersuasive or if the Examining Attorney requires further supplementation or amendments.

Real Grammar

Building Structural Repertoires

hyphens

Hyphens are all about words who like to snuggle. They're about closeness. When a group of words is all working together to modify something, they need to be linked so that the reader knows to consider them as a whole.

Strangely, though, they can also do the opposite. Maybe hyphens are bipolar. One minute they're about closeness, and the next they're about separation. When letters used to be flush against each other and a hyphen breaks them up, you know it's switched personalities. Instead of treating the hyphenated chunks as unified, you give more consideration to each part, as individual letters or syllables.

Professional Examples

- He was wearing a **crushed-strawberry-pink T-shirt**, drenched darker now, and he knew that Rahel had come.

~from Arundhati Roy's *The God of Small Things*

- "My rig is a **jacked-up eighty-two** Dodge four by four with **thirty-eight-inch** rubber on it, and the water was right up to the hood."

~from John Krakauer's *Into the Wild*

- The **freshman-to-be** sees photos of **well-appointed** dorm rooms; of elaborate **phys-ed** facilities; of fine dining rooms; of expertly kept sports fields; of orchestras and drama troupes; of students working alone (no overbearing **grown-ups** in range), peering with high seriousness into computers and microscopes; or of students arrayed outdoors in attractive conversational parlors. Occasionally, but only occasionally, for we usually photograph

conversational gambits. Occasionally — but only occasionally, for we usually photograph rather badly; in appearance we tend at best to be styleless — there's a professor teaching a class.

~from Mark Edmundson's "On the Uses of a Liberal Education"

- Whatever you call it, I wrote my page or two of notes in a frenzy of excitement and spent the next two or three days turning my solution over in my mind, looking for flaws and holes (also working out the actual narrative flow, which involved two supporting characters placing a bomb in a major character's closet), but that was mostly out of a sense of **this-is-too-good-to-be-true** unbelief.

~from Stephen King's *On Writing*

- Once I've done that, I should be able to correct the worst of my howlers and add some really nice **detail-work**.

~from Stephen King's *On Writing*

- As for the deck, it was just big enough to sit on **cross-legged** or to lie on in a tight, **nearly-to-term** fetal position.

~from Yann Martel's *Life of Pi*

- Your software program gives several options: you can create text that is **left-**, **right-**, fully, or **center-justified**.

~Lee Odell and Susan M. Katz's *Writing in a Visual Age*

- I almost heard it, as though it were being whispered in my ear in four distinct syllables, **pre-mo-ni-tion**. . . . With great effort, I wiped the **pre-mo-ni-tion** from my mind and lay down again.

~from Martha Beck's *Expecting Adam*

How Hyphens Work

Hyphens are the compromise between a space and no space. They are used as both connectors (vs. a space) and separators (vs. no space).

Connection

Think of nouns like three-year-old where the hyphens connect the three words to form one idea; also think of adjectives like rose-pink where the hyphen tells us the two words are working together to describe something. The connection made by the hyphens helps to clarify that the

linked words modify each other rather than acting separately.

A string of words used to modify a noun get hyphenated to act as one. Place hyphens connecting all the words except the noun itself; for example, "I've been to I-don't-know-how-many concerts."

In a series, you can leave a hyphen dangling on the end of the first item(s) to show a common connection rather than stating it more than once; for example, "My son's preschool class is full of four- and five-year-olds."

Words ending in -ly don't get hyphenated, as in the example of "fully justified" above.

In title case, only the first word in a hyphenated set gets capitalized: First-year Composition Class

Separation

Hyphens are the mark used to break a word at the end of a line (when the whole word won't fit) and finish it on the next line. It can be used this same way to break apart syllables within a word, often for the effect of forcing the reader to say the word slower. The same thing can also be done to break apart each letter of a word as though spelling it for the reader: w-o-r-d.

[BLOG AT WORDPRESS.COM.](https://realgrammar.wordpress.com/) | [THE EDITOR THEME.](#)

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Prosecution History

Date	Description	Proceeding Number
Dec. 04, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 24, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 09, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 09, 2013	PUBLISHED FOR OPPOSITION	
Jun. 19, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 04, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Jun. 04, 2013	ASSIGNED TO LIE	77312
May 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 16, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 15, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 15, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Apr. 03, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Apr. 03, 2013	LETTER OF SUSPENSION E-MAILED	6332
Apr. 03, 2013	SUSPENSION LETTER WRITTEN	78048
Apr. 02, 2013	ASSIGNED TO EXAMINER	78048
Mar. 27, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 07, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 24, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: PIZZAREV IP HOLDINGS, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4987/0716](#)

Pages: 3

Date Recorded: Mar. 22, 2013

Supporting Documents: [assignment-tm-4987-0716.pdf](#)

Assignor

Name: [PIE SQUARED PIZZA, LLC](#)

Execution Date: Mar. 13, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PIZZAREV IP HOLDINGS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 32026 PACIFIC COAST HIGHWAY
MALIBU, CALIFORNIA 90265

Correspondent

Correspondent Name: RYAN R. PALMER

Correspondent Address: 8000 NORMAN CENTER DRIVE
SUITE 1000
MINNEAPOLIS, MN 55437

Domestic Representative - Not Found

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Mark: PIZZAREV

PIZZAREV

US Serial Number: 86029560 Application Filing Date: Aug. 06, 2013
US Registration Number: 4629616 Registration Date: Oct. 28, 2014
Filed as TEAS Plus: Yes Currently TEAS Plus: Yes
Register: Principal
Mark Type: Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 28, 2014
Publication Date: Mar. 11, 2014 Notice of Allowance Date: May 06, 2014

Mark Information

Mark Literal Elements: PIZZAREV
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 4369548

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Franchise services, namely, offering business management assistance in the establishment and operation of restaurants

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2013

Use in Commerce: Sep. 01, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PizzaRev IP Holdings, LLC
Owner Address: Suite 101
2535 Townsgate Road
Westlake Village, CALIFORNIA 913615967
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

EXHIBIT B(2)

Attorney Name: Ryan R. Palmer
Attorney Primary Email trademarks@mmlawfirm.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Ryan R. Palmer
Monroe Moxness Berg PA
7760 France Avenue South, Suite 700
Minneapolis, MINNESOTA 55435-5844
UNITED STATES

Phone: 952-885-5999

Fax: 952-885-5969

Correspondent e-mail: trademark@mmlawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 28, 2014	REGISTERED-PRINCIPAL REGISTER	
Sep. 20, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 19, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 28, 2014	STATEMENT OF USE PROCESSING COMPLETE	65362
Aug. 07, 2014	USE AMENDMENT FILED	65362
Aug. 25, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Aug. 07, 2014	TEAS STATEMENT OF USE RECEIVED	
May 06, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 11, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 11, 2014	PUBLISHED FOR OPPOSITION	
Feb. 19, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 04, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Feb. 04, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Feb. 03, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Feb. 03, 2014	ASSIGNED TO LIE	70633
Jan. 26, 2014	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 04, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 20, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 20, 2013	LETTER OF SUSPENSION E-MAILED	6332
Nov. 20, 2013	SUSPENSION LETTER WRITTEN	82094
Nov. 20, 2013	ASSIGNED TO EXAMINER	82094
Aug. 13, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 09, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 19, 2014

Attorney of Record

Attorney Name: Ryan R. Palmer

Attorney Primary Email Address: trademarks@mmlawfirm.com

Attorney Email No Authorized:

CorrespondentCorrespondent Name/Address: Ryan R. Palmer
Monroe Moxness Berg PA
7760 France Avenue South, Suite 700
Minneapolis, MINNESOTA 55435-5844
UNITED STATES

Phone: 952-885-5999

Fax: 952-885-5969

Correspondent e-mail: trademark@mmlawfirm.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Dec. 04, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 16, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 11, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 10, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jun. 07, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 06, 2013	STATEMENT OF USE PROCESSING COMPLETE	66154
May 09, 2013	USE AMENDMENT FILED	66154
May 22, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 09, 2013	TEAS STATEMENT OF USE RECEIVED	
May 07, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 05, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Feb. 05, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 05, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 05, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 05, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 05, 2013	EXAMINERS AMENDMENT -WRITTEN	69812
Jan. 11, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jan. 11, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jan. 09, 2013	ASSIGNED TO LIE	68171
Jan. 07, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 07, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 07, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Aug. 17, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 17, 2012	LETTER OF SUSPENSION E-MAILED	6332
Aug. 17, 2012	SUSPENSION LETTER WRITTEN	69812
Jul. 31, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 31, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 31, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 19, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 19, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 19, 2012	NON-FINAL ACTION WRITTEN	69812
Jun. 19, 2012	ASSIGNED TO EXAMINER	69812

Mar. 20, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Mar. 15, 2012 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 10, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: PIZZAREV IP HOLDINGS, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5028/0263](#)

Pages: 2

Date Recorded: May 15, 2013

Supporting Documents: [assignment-tm-5028-0263.pdf](#)

Assignor

Name: [PIE SQUARED PIZZA, LLC](#)

Execution Date: May 10, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PIZZAREV IP HOLDINGS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2535 TOWNSGATE ROAD
SUITE 101
WESTLAKE VILLAGE, CALIFORNIA 91361-5967

Correspondent

Correspondent Name: RYAN R. PALMER

Correspondent Address: 8000 NORMAN CENTER DRIVE
SUITE 1000
MINNEAPOLIS, MN 55437

Domestic Representative - Not Found

Attorney Name: Ryan R. Palmer
Attorney Primary Email trademarks@mmlawfirm.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: RYAN R. PALMER
MONROE MOXNESS BERG PA
7760 FRANCE AVE S STE 700
MINNEAPOLIS, MINNESOTA 55435-5844
UNITED STATES

Phone: 9528855999

Fax: 9528855969

Correspondent e-mail: trademarks@mmlawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2014	REGISTERED-PRINCIPAL REGISTER	
Jun. 10, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 10, 2014	PUBLISHED FOR OPPOSITION	
May 21, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 01, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 30, 2014	ASSIGNED TO EXAMINER	82091
Feb. 06, 2014	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	88889
Feb. 06, 2014	TEAS VOLUNTARY AMENDMENT RECEIVED	
Feb. 06, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Feb. 05, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 29, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 26, 2014

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Mark: PIZZAREV CRAFT YOUR OWN

PIZZAREV CRAFT YOUR OWN

US Serial Number: 85859966
Application Filing Date: Feb. 26, 2013
US Registration Number: 4403410
Registration Date: Sep. 17, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 17, 2013
Publication Date: Jul. 02, 2013

Mark Information

Mark Literal Elements: PIZZAREV CRAFT YOUR OWN
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "CRAFT YOUR OWN"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Restaurant services
International Class(es): 043 - Primary Class
U.S Class(es): 100, 101
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 20, 2012
Use in Commerce: Apr. 20, 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: PIZZAREV IP HOLDINGS, LLC
Owner Address: 32026 PACIFIC COAST HIGHWAY
MALIBU, CALIFORNIA 90265
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Ryan R. Palmer
Attorney Primary Email Address: trademarks@mmlawfirm.com
Attorney Email Authorized: Yes

Correspondent

EXHIBIT B(5)

Correspondent Ryan R. Palmer
Name/Address: Monroe Moxness Berg PA
7760 France Avenue South, Suite 700
Minneapolis, MINNESOTA 55435-5844
UNITED STATES

Phone: 952-885-5999

Fax: 952-885-5969

Correspondent e-mail: trademark@mmlawfirm.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 04, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 02, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 02, 2013	PUBLISHED FOR OPPOSITION	
Jun. 12, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 24, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
May 24, 2013	ASSIGNED TO LIE	77976
May 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 16, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 15, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 15, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 03, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 03, 2013	NON-FINAL ACTION E-MAILED	6325
Apr. 03, 2013	NON-FINAL ACTION WRITTEN	78048
Apr. 02, 2013	ASSIGNED TO EXAMINER	78048
Mar. 27, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 05, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Mar. 04, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 01, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 17, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: PIZZAREV IP HOLDINGS, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4987/0716](#)

Pages: 3

Date Recorded: Mar. 22, 2013

Supporting Documents: [assignment-tm-4987-0716.pdf](#)

Assignor

Name: [PIE SQUARED PIZZA, LLC](#)

Execution Date: Mar. 13, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PIZZAREV IP HOLDINGS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 32026 PACIFIC COAST HIGHWAY
MALIBU, CALIFORNIA 90265

Correspondent

Correspondent Name: RYAN R. PALMER

Correspondent Address: 8000 NORMAN CENTER DRIVE
SUITE 1000
MINNEAPOLIS, MN 55437

Domestic Representative - Not Found



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WE ARE THE PIZZAREV-OLUTION!



Our Story

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Fundraisers

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PizzaRev empowers you to Craft Your Own custom personal pizza, using only the freshest ingredients and PizzaRev's delicious homemade pizza dough.

Welcome to the PizzaRev-olution - a national movement that's all about empowering you to "Craft Your Own!"

It's a deliciously simple and satisfying concept. You call all the shots - You pick out your dough, sauce, cheese and toppings and our "pizza crafters" work with you to make your own pizza right before your eyes! Let's break down the options:

- Choose your Crust: Original or gluten-free dough? Each one pressed into a thin canvas from a plump, homemade dough ball.
- Sauce it Up: Savory organic marinara, a creamy white alfredo, spicy-sweet BBQ or olive oil - or get crazy, mix 'em up.
- Top it Off: 30+ artisanal cheeses and fresh ingredients - keep it traditional with pepperoni and ground beef or get fancy with sweet fennel sausage, Kalamata olives, and fresh-picked basil and arugula. Pick as many pizza toppings as you'd like - we don't charge by the topping - when you're done crafting you'll have your own personal pizza masterpiece for one price!
- Crispy Perfection in Less than 3 Minutes: Our stone ovens fire-up your masterpiece at 900-degrees! You can watch but can't touch.

So yeah, we dared to revolutionize the world's most popular food. Why'd we do it? Well, we knew there was a better way. Who wouldn't want better pizza for less? We got our start in Los Angeles in 2012, and we haven't looked back since. Now we're ready to craft across the country!

This is the PizzaRev-olution. Let's get crafting!

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THE REV ROOM

Introducing the Sriracha Sausage Pizza



We can't get enough Sriracha! The wildly popular hot sauce holds a coveted spot on our 'Rev it Up' station - featuring a variety of favorite seasonings and hot sauces to spice up your pizza. And now, we've dedicated an entire pizza to Sriracha fans! The new Sriracha sausage pizza at PizzaRev features our signature organic red sauce, all natural-Italian cheese, Sriracha sausage, red onion and cilantro; after [...]

[Read More >](#)

Now Crafting in Sioux Falls, SD!



PizzaRev is now crafting in South Dakota! We marked our entrance into Sioux Falls with a "Pizzas for a Purpose" fundraising event at 3901 W. 49th St. More than \$4,000 was raised to benefit the Children's Miracle Network and Sanford Children's Hospital. PizzaRev - Sioux Falls is owned and operated by our franchise partners, Todd Porter and Todd Schmeier of Porter Apple - the group operates eight [...]

[Read More >](#)

PizzaRev Named "Top Restaurant to Watch" by CNBC



A big thanks to our guests for your kind tweets, Facebook posts, blogs and reviews - you helped PizzaRev land a spot on CNBC's list of "Top 10 Brands to Watch." Czar Metrics and Bellwether Food Group compiled the ranking of top restaurants after analyzing extensive social media metrics and data. We're honored to be ranked among several of today's top fast-casual restaurant brands. Check out the full [...]

[Read More >](#)

Fundraising with PizzaRev - Let's Raise some Dough!



Giving back to the communities we call home is important to us. One way we do this is through the PizzaRev fundraising program. We enjoy working with schools, charities, sports leagues and other organizations that make a positive impact on the lives of others. PizzaRev restaurants raise thousands of dollars each week for a wide variety of causes. A few examples include helping at risk [...]

[Read More >](#)

PizzaRev Hosts Two Grand Openings in Bakersfield, CA



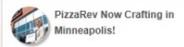
PizzaRev is fired up about Bakersfield, CA! We're feeling great vibes from the community and we've hired an amazing crew to open our two restaurants at Gosford Village and the Shops at River Walk. Giving back to the communities that we call home is important to us. Our Grand Opening celebrations will support two important organizations: Boys and Girls Clubs of Kern County and the Bakersfield [...]

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CATEGORIES

- Company News (50)
- Food (42)
- Franchising (16)
- Restaurant Openings (9)

PizzaRev Opens in La Habra, Supports Angels RBI League



To mark our second location opening in Orange County, we're hosting a "Pizzas for a Purpose" fundraising event on Thursday, January 15 in La Habra. Our new restaurant is located at 1841 W. Imperial Hwy. in La Habra, (Imperial Hwy & Beach Blvd., next to LA Fitness) and the event will take place all day. You're invited to "pay-what-you-want" for a custom-built, personal-sized pizza, with a suggested \$8 contribution to benefit the [...]

[Read More >](#)

The PizzaRes-olution: 4 Tips for a Healthier Pizza



So you've decided to jump-start the New Year by watching your diet and cutting down on calories. We're in full support! Make a PizzaRes-olution and discover a healthier pizza that fits into your diet and workout plan. In fact, there are endless ways to build a PizzaRev pizza for under 500 calories! Instead of depriving yourself of a deliciously satisfying PizzaRev experience, consider these four simple tips [...]

[Read More >](#)

An Entire Pizza Under 500 Calories?



We've made it super easy to get the skinny on what's in your PizzaRev pizza. Are you looking to build a pizza under 500 calories? Cutting out gluten in your diet? What about decreasing your sugar intake? All the information is at your fingertips via our nutrition portal. The interactive nutrition calculator and nutrition menu adjust in real time as you build your custom pizza and salad. [...]

[Read More >](#)

4 Ways to Turn a Gift Card into a Thoughtful Holiday Present



With the season of giving (and getting) around the corner, we'd like to reward you for giving the gift of PizzaRev. Purchase a * \$25 PizzaRev gift card - we'll gift you a free pizza voucher! You can make your purchase at your nearest PizzaRev location or online. Some think that a gift card is impersonal or lacks creativity. But a gift card can be just as personal [...]

[Read More >](#)

PizzaRev Celebrates National Vegan Month



November is National Vegan Month! In celebration, we've introduced a vegan sausage topping to our line of 30+ artisanal cheeses and ingredients. The soy sausage topping is full of flavor, with just enough kick to spice up your entire pizza. Whether for diet or taste preference, guests can craft their own entirely vegan pizza using PizzaRev's original dough, vegan sausage, and a choice of three [...]

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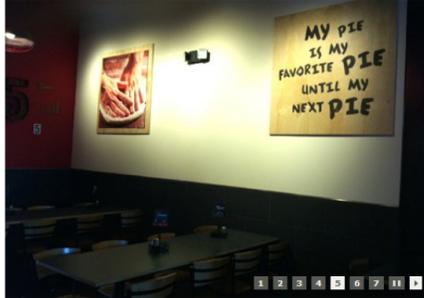
Mon	11:00AM - 09:00PM
Tue	11:00AM - 09:00PM
Wed	11:00AM - 09:00PM
Thu	11:00AM - 09:00PM
Fri	11:00AM - 10:00PM
Sat	11:00AM - 10:00PM
Sun	11:00AM - 08:00PM

FEATURES

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OVERVIEW MENU FEATURES REVIEWS DIRECTIONS



Pie Five

1915 Matthews Township Pkwy
Matthews, NC 28105
P. (704) 846-0422

<http://www.piefivepizza.com/>

Description:

Join the pizza revolution and head to the Pie Five, where your pizza experience becomes interactive thanks to one of the hottest restaurant concepts around. Situated at the Matthews Township Shopping Center, this is the place where you get to show your culinary chops without having to do all the work. Pie Five lets you choose exactly how you want your pizza with no fuss. Things really kick into gear as the talented pizza assembly artists create your pie, and then in less than 5 minutes -- from start to finish -- your pizza is ready! It is thanks to the high-speed baking techniques that your pizza emerges from the oven hot and crisp. Each pizza is crafted with the finest ingredients, starting with the crust. Choose from their three made-from-scratch options (Signature Thin, Classic Pan, and Whole Grain) before picking one of seven different sauces, which can range from Tuscan Marinara to Olive Oil to Buffalo Ranch. After that, you get to select from a list of over 21 different kinds of toppings, with assorted veggies, meats, and cheeses letting you create the perfect pizza no matter what you're craving. Pie Five also has some tasty signature pizzas for you to try, which might include a Chicken Carbonara with creamy Alfredo sauce, chicken, bacon and more, or even the succulent BBQ Pulled Pork with zesty BBQ sauce and plenty of tender pulled pork. It's all about choice at Pie Five and it's not just their pizzas that can be customized. You can also get some truly tasty salads topped with many of the same great ingredients as the pizzas. With all the flexibility you could ask for, Pie Five is always the number one choice to satisfy your appetite.

Earn benefits at Pie Five

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MEMBER RATING

4.4 out of 5

Food **4.3** out of 5
Service **4.4** out of 5
Cleanliness **4.3** out of 5
Value **4.4** out of 5

Based on 237 responses

RECENT MEMBER REVIEWS

C.L. WINT HILL, NC
02.26.2015
5.0 out of 5
"Fast, delicious custom-made pizza. YUM!"
1 of 53 Reviews [Read More >](#)

L.C. CLARKSTON, MI
02.18.2015
5.0 out of 5
"Excellent service. Good product."
2 of 53 Reviews [Read More >](#)

W.S. GREENSBORO, NC
02.08.2015
5.0 out of 5
"Cooked to order pizza comes in a huge variety of toppings and several different crusts. Salad w..."
3 of 53 Reviews [Read More >](#)

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Attorney Primary Email Kia@TuneLaw.Com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: Kia Kamran, Esq.
1900 Avenue of the Stars, 25th Floor
LOS ANGELES, CALIFORNIA 90067
UNITED STATES

Phone: 310-284-8600

Fax: 310-919-1444

Correspondent e-mail: kia@tunelaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 29, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Sep. 25, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	71378
Sep. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Sep. 25, 2013	TEAS SECTION 8 & 15 RECEIVED	
Feb. 22, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 25, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2007	PUBLISHED FOR OPPOSITION	
Jun. 20, 2007	NOTICE OF PUBLICATION	
Jun. 06, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 05, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2007	AMENDMENT FROM APPLICANT ENTERED	68171
May 14, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
May 14, 2007	ASSIGNED TO LIE	68171
Apr. 20, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 19, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 10, 2007	PRIORITY ACTION E-MAILED	6326
Feb. 10, 2007	PRIORITY ACTION WRITTEN	78428
Feb. 09, 2007	ASSIGNED TO EXAMINER	78428
Oct. 30, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 26, 2006	NOTICE OF PSEUDO MARK MAILED	
Sep. 25, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMEG LAW OFFICE 107

Date in Location: Sep. 29, 2013

Attorney of Record

Attorney Name: Michael G. Kelber Docket Number: 027455-1035
 Attorney Primary Email Address: trademarks@ngelaw.com Attorney Email Yes Authorized:

Correspondent

Correspondent Name/Address: Michael G. Kelber
 Neal, Gerber & Eisenberg LLP
 Two North LaSalle Street, Suite 1700
 Chicago, ILLINOIS 60602
 UNITED STATES
 Phone: 312-269-8000 Fax: 312-269-1747
 Correspondent e-mail: trademarks@ngelaw.com Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 07, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 07, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 08, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 13, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
Aug. 05, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 14, 2011	STATEMENT OF USE PROCESSING COMPLETE	65362
Jul. 11, 2011	USE AMENDMENT FILED	65362
Jul. 13, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jul. 11, 2011	TEAS STATEMENT OF USE RECEIVED	
Apr. 05, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 05, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 11, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Oct. 08, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2010	EXAMINER'S AMENDMENT ENTERED	73787
Oct. 07, 2010	ASSIGNED TO LIE	73787
Oct. 06, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 06, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 06, 2010	EXAMINERS AMENDMENT -WRITTEN	82107
Sep. 30, 2010	ASSIGNED TO EXAMINER	82107
Sep. 28, 2010	ASSIGNED TO EXAMINER	73355
Jun. 28, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 25, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: PUBLICATION AND ISSUE SECTION Date in Location: Aug. 11, 2011

Assignment Abstract Of Title Information**Summary**

Total Assignments: 10

Registrant: IHOP IP, LLC

Assignment 1 of 10

Conveyance: SECURITY INTEREST
Reel/Frame: [4300/0672](#) Pages: 18
Date Recorded: Oct. 20, 2010
Supporting Documents: [assignment-tm-4300-0672.pdf](#)

Assignor

Name: [DINEEQUITY, INC.](#) Execution Date: Oct. 19, 2010
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [IHOP IP, LLC](#) Execution Date: Oct. 19, 2010
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Name: [APPLEBEE'S IP LLC](#) Execution Date: Oct. 19, 2010
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: [BARCLAYS BANK PLC](#)
Legal Entity Type: PUBLIC LIMITED COMPANY State or Country Where Organized: UNITED KINGDOM
Address: 745 SEVENTH AVENUE
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Correspondent Address: FOUR TIMES SQUARE
ATTN: JOHN DEMING, ESQ.
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 2 of 10

Conveyance: RELEASE OF SECURITY INTEREST
Reel/Frame: [5374/0165](#) Pages: 14
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0165.pdf](#)

Assignor

Name: [BARCLAYS BANK PLC](#) Execution Date: Sep. 30, 2014
Legal Entity Type: PUBLIC LIMITED COMPANY State or Country Where Organized: UNITED KINGDOM

Assignee

Name: [IHOP IP, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE
Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Name: [APPLEBEE'S INTERNATIONAL, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Name: [DINEEQUITY, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 450 NORTH BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 3 of 10

Conveyance: MERGER EFFECTIVE 09/30/2014

Reel/Frame: [5374/0193](#)

Pages: 7

Date Recorded: Oct. 03, 2014

Supporting Documents: [assignment-tm-5374-0193.pdf](#)

Assignor

Name: [IHOP IP, LLC](#)

Execution Date: Sep. 30, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [INTERNATIONAL HOUSE OF PANCAKES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.

Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 4 of 10

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5374/0202](#)

Pages: 11

Date Recorded: Oct. 03, 2014

Supporting Documents: [assignment-tm-5374-0202.pdf](#)

Assignor

Name: [INTERNATIONAL HOUSE OF PANCAKES, LLC](#)

Execution Date: Sep. 30, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [IHOP SPV GUARANTOR LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.

Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 5 of 10

Conveyance: NOTICE OF GRANT OF BACK-UP SECURITY INTEREST IN TRADEMARKS

Reel/Frame: [5374/0228](#)

Pages: 11

Date Recorded: Oct. 03, 2014

Supporting Documents: [assignment-tm-5374-0228.pdf](#)

Assignor

Name: [INTERNATIONAL HOUSE OF PANCAKES, LLC](#)

Execution Date: Sep. 30, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [IHOP SPV GUARANTOR LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 6 of 10

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [5374/0250](#) Pages: 11
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0250.pdf](#)

Assignor

Name: [IHOP SPV GUARANTOR LLC](#) Execution Date: Sep. 30, 2014
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: [IHOP FUNDING LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE
Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 7 of 10

Conveyance: NOTICE OF GRANT OF BACK-UP SECURITY INTEREST IN TRADEMARKS
Reel/Frame: [5374/0261](#) Pages: 11
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0261.pdf](#)

Assignor

Name: [IHOP SPV GUARANTOR LLC](#) Execution Date: Sep. 30, 2014
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: [IHOP FUNDING LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE
Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 8 of 10

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [5374/0279](#) Pages: 11
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0279.pdf](#)

Assignor

Name: [IHOP FUNDING LLC](#) Execution Date: Sep. 30, 2014
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: [IHOP RESTAURANTS LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Organized:

Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 9 of 10

Conveyance: NOTICE OF GRANT OF BACK-UP SECURITY INTEREST IN TRADEMARKS
Reel/Frame: [5374/0297](#) **Pages:** 11
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0297.pdf](#)

Assignor

Name: [IHOP FUNDING LLC](#) **Execution Date:** Sep. 30, 2014
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Assignee

Name: [IHOP RESTAURANTS LLC](#) **State or Country Where Organized:** DELAWARE
Legal Entity Type: LIMITED LIABILITY COMPANY
Address: 450 NORTH BRAND BLVD.
7TH FLOOR
GLENDALE, CALIFORNIA 91203-4415

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 10 of 10

Conveyance: SECURITY INTEREST
Reel/Frame: [5374/0335](#) **Pages:** 11
Date Recorded: Oct. 03, 2014
Supporting Documents: [assignment-tm-5374-0335.pdf](#)

Assignor

Name: [IHOP RESTAURANTS LLC](#) **Execution Date:** Sep. 30, 2014
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Assignee

Name: [CITIBANK, N.A., AS TRUSTEE](#) **State or Country Where Organized:** UNITED STATES
Legal Entity Type: NATIONAL BANKING ASSOCIATION
Address: 388 GREENWICH STREET
14TH FLOOR
NEW YORK, NEW YORK 10013

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.
Correspondent Address: SIDLEY AUSTIN LLP
2001 ROSS AVENUE, SUITE 3600
DALLAS, TX 75201

Domestic Representative - Not Found

Correspondent MICHAEL CURRY
Name/Address: PALMARELLA CURRY & KELLY PC
1255 DRUMMERS LN
WAYNE, PENNSYLVANIA 19087-1500
UNITED STATES

Phone: 610-687-1100

Fax: 610-687-8830

Correspondent e-mail: mcurry@pkpc.net

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 16, 2012	PUBLISHED FOR OPPOSITION	
Sep. 26, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 07, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Sep. 06, 2012	ASSIGNED TO LIE	68123
Aug. 25, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 25, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 25, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 25, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 25, 2012	EXAMINERS AMENDMENT -WRITTEN	83173
Jul. 31, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 31, 2012	NON-FINAL ACTION E-MAILED	6325
Jul. 31, 2012	NON-FINAL ACTION WRITTEN	83173
Jul. 31, 2012	ASSIGNED TO EXAMINER	83173
May 17, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 15, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 01, 2013

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: RAW REVOLUTION INC.
 Owner Address: 7 Old Street
 Nancy Whiticker House
 Roseau
 DOMINICA
 Legal Entity Type: CORPORATION State or Country Where Organized: DOMINICA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Steven M. Hoffberg Docket Number: T/5750-3 (RA)
 Attorney Primary Email Address: steve@mildehoffberg.com Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Steven M. Hoffberg
 Ostrolenk Faber LLP
 1180 Avenue of the Americas
 New York, NEW YORK 10036
 UNITED STATES
 Phone: 212-596-0513 Fax: 212-382-0888
 Correspondent e-mail: shoffberg@ostrolenk.com Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 13, 2012	REGISTERED-PRINCIPAL REGISTER	
Feb. 08, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 07, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Feb. 01, 2012	ASSIGNED TO LIE	74221
Jan. 18, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 17, 2012	STATEMENT OF USE PROCESSING COMPLETE	61813
Jan. 07, 2012	USE AMENDMENT FILED	61813
Jan. 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Jul. 12, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 11, 2011	EXTENSION 4 GRANTED	61813
Jul. 07, 2011	EXTENSION 4 FILED	61813
Jul. 07, 2011	TEAS EXTENSION RECEIVED	
Jun. 15, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 11, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 10, 2011	EXTENSION 3 GRANTED	61813
Jan. 04, 2011	EXTENSION 3 FILED	61813
Jan. 04, 2011	TEAS EXTENSION RECEIVED	
Aug. 10, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 08, 2010	EXTENSION 2 GRANTED	61813
Jul. 07, 2010	EXTENSION 2 FILED	61813

Aug. 08, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jul. 07, 2010	TEAS EXTENSION RECEIVED	
Jan. 07, 2010	EXTENSION 1 GRANTED	98765
Jan. 07, 2010	EXTENSION 1 FILED	98765
Jan. 07, 2010	TEAS EXTENSION RECEIVED	
Jul. 07, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 14, 2009	PUBLISHED FOR OPPOSITION	
Mar. 25, 2009	NOTICE OF PUBLICATION	
Mar. 09, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 09, 2009	ASSIGNED TO LIE	77075
Mar. 09, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 14, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 14, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 14, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 11, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 11, 2008	NON-FINAL ACTION E-MAILED	6325
Sep. 11, 2008	NON-FINAL ACTION WRITTEN	83706
Sep. 05, 2008	ASSIGNED TO EXAMINER	83706
May 27, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None	
File Location	
Current Location: PUBLICATION AND ISSUE SECTION	Date in Location: Feb. 07, 2012

Proceedings

Summary
Number of Proceedings: 1

Type of Proceeding: Opposition						
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Proceeding Number: 91200267</td> <td style="width: 50%;">Filing Date: Jun 15, 2011</td> </tr> <tr> <td>Status: Terminated</td> <td>Status Date: Sep 26, 2011</td> </tr> <tr> <td colspan="2">Interlocutory Attorney: JENNIFER KRISP</td> </tr> </table>	Proceeding Number: 91200267	Filing Date: Jun 15, 2011	Status: Terminated	Status Date: Sep 26, 2011	Interlocutory Attorney: JENNIFER KRISP	
Proceeding Number: 91200267	Filing Date: Jun 15, 2011					
Status: Terminated	Status Date: Sep 26, 2011					
Interlocutory Attorney: JENNIFER KRISP						

Defendant
Name: M.I. Industries, Inc.
Correspondent Address: DAVID H MILLIGAN ADVENT IP PC LLO 2425 SOUTH 144TH STREET, SUITE 202 OMAHA NE , 68144 UNITED STATES
Correspondent e-mail: uspto@adventip.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
RAW REVOLUTION	Abandoned - After Inter-Partes Decision	77961824	

Plaintiff(s)
Name: Raw Revolution Inc.
Correspondent Address: STEVEN M HOFFBERG OSTROLENKO FABER LLP 1180 AVENUE OF THE AMERICAS NEW YORK NY , 10036 UNITED STATES
Correspondent e-mail: shoffberg@ostrolenk.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
RAW REVOLUTION	Section 8 and 15 - Accepted and	78670387	3502999

RAW REVOLUTION

Acknowledged

Registered

77480066

4112099

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 15, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 16, 2011	Jul 26, 2011
3	PENDING, INSTITUTED	Jun 16, 2011	
4	NOTICE OF DEFAULT	Aug 11, 2011	
5	BOARD'S DECISION: SUSTAINED	Sep 26, 2011	
6	TERMINATED	Sep 26, 2011	

Generated on: This page was generated by TSDR on 2015-02-28 09:29:27 EST

Mark: REVOLUTION BURGER VIVA LA FARMER!



US Serial Number: 86379896

Application Filing Date: Aug. 28, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Feb. 24, 2015

Publication Date: Feb. 24, 2015

Mark Information

Mark Literal Elements: REVOLUTION BURGER VIVA LA FARMER!

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a hand holding a burger above the words "REVOLUTION BURGER" and a banner with the words "VIVA LA FARMER!".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "BURGER"

Translation: The English translation of "VIVA LA" in the mark is "LONG LIVE THE".

Design Search Code(s): 02.11.07 - Arms; Fingers; Hands; Human hands, fingers, arms
08.05.01 - Hamburger sandwiches
24.09.07 - Advertising, banners; Banners
26.17.01 - Bands, straight; Bars, straight; Straight line(s), band(s) or bar(s); Lines, straight
26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
26.17.13 - Overlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines; Underlined words or letters

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Restaurant and catering services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Revolution Burger, LLC

EXHIBIT E(5)

Owner Address: 908 Cridland Rd.
Greensboro, NORTH CAROLINA 27408
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David W. Sar

Attorney Primary Email Address: dsar@brookspierce.com

Attorney Email Yes Authorized:

Correspondent

Correspondent Name/Address: DAVID W. SAR
BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, L.L.
PO BOX 26000
GREENSBORO, NORTH CAROLINA 27420-6000
UNITED STATES

Phone: 336-373-8850

Fax: 336-232-9075

Correspondent e-mail: dsar@brookspierce.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 24, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 24, 2015	PUBLISHED FOR OPPOSITION	
Feb. 04, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 16, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jan. 13, 2015	ASSIGNED TO LIE	70884
Dec. 22, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 19, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 19, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 17, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 17, 2014	NON-FINAL ACTION E-MAILED	6325
Dec. 17, 2014	NON-FINAL ACTION WRITTEN	83176
Dec. 11, 2014	ASSIGNED TO EXAMINER	83176
Sep. 11, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 10, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 01, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: CARLSEN, EMILY K

Law Office Assigned: LAW OFFICE 103

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 16, 2015

Correspondent

Correspondent Name/Address: CHERRY J. HEARN
 HEARN LAW OFFICES
 PO BOX 684788
 AUSTIN, TEXAS 78768-4788
 UNITED STATES

Phone: 512-992-9424

Fax: 512-857-1430

Correspondent e-mail: chearn@hearnlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 16, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 15, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	68691
Jun. 14, 2012	ASSIGNED TO LIE	68691
Jun. 13, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 23, 2012	STATEMENT OF USE PROCESSING COMPLETE	76985
Apr. 29, 2012	USE AMENDMENT FILED	76985
May 23, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76985
Apr. 29, 2012	TEAS STATEMENT OF USE RECEIVED	
Mar. 13, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 17, 2012	PUBLISHED FOR OPPOSITION	
Dec. 28, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 10, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Dec. 08, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 10, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	73296
Nov. 10, 2011	ASSIGNED TO LIE	73296
Oct. 27, 2011	ASSIGNED TO EXAMINER	76463
May 10, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 08, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 08, 2010	LETTER OF SUSPENSION E-MAILED	6332
Nov. 08, 2010	SUSPENSION LETTER WRITTEN	83285
Nov. 08, 2010	ASSIGNED TO EXAMINER	83285
Jul. 29, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 29, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 15, 2012

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Larry S. Spokoiny Docket Number: 493432
Attorney Primary Email Address: Larry.Spokoiny@lombinomartino.com Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Larry S. Spokoiny
Lombino Martino, P.S.
10009 59th Avenue SW
Lakewood, WASHINGTON 98499
UNITED STATES
Phone: 253-830-2820 Fax: 253-830-2696
Correspondent e-mail: Larry.Spokoiny@lombinomartino.com Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 06, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 21, 2011	PUBLISHED FOR OPPOSITION	
May 16, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
May 16, 2011	ASSIGNED TO LIE	76568
Apr. 29, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 28, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 28, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 07, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 07, 2011	NON-FINAL ACTION E-MAILED	6325
Jan. 07, 2011	NON-FINAL ACTION WRITTEN	70703
Jan. 07, 2011	ASSIGNED TO EXAMINER	70703
Oct. 04, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 02, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 06, 2011

Name/Address: COX SMITH MATTHEWS INCORPORATED
112 E PECAN ST STE 1800
SAN ANTONIO, TEXAS 78205-1521
UNITED STATES

Phone: (210) 554-5450

Fax: (210) 226-8395

Correspondent e-mail: ipdocket@coxsmith.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 13, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 10, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
Aug. 09, 2013	ASSIGNED TO LIE	69712
Jul. 29, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 09, 2013	STATEMENT OF USE PROCESSING COMPLETE	66154
Jun. 06, 2013	USE AMENDMENT FILED	66154
Jul. 01, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jun. 06, 2013	TEAS STATEMENT OF USE RECEIVED	
Feb. 12, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 18, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 18, 2012	PUBLISHED FOR OPPOSITION	
Nov. 28, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 08, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 08, 2012	ASSIGNED TO EXAMINER	76502
Jul. 25, 2012	NOTICE OF PSEUDO MARK MAILED	
Jul. 24, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 20, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 10, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Luby's Fuddruckers Restaurants, LLC

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [5418/0044](#)

Pages: 33

Date Recorded: Dec. 11, 2014

Supporting Documents: [assignment-tm-5418-0044.pdf](#)

Assignor

Name: [LUBY'S INC.](#)

Execution Date: Aug. 27, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 1000 LOUISIANA, 9TH FLOOR
HOUSTON, TEXAS 77002

Correspondent

Correspondent Name: LOCKE LORD LLP

Correspondent Address: 600 TRAVIS
SUITE 2800
HOUSTON, TX 77002-3095

Domestic Representative - Not Found



Trademarks > Trademark Electronic Search System (TESS)

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TESS HOME NEW USER STRUCTURED FREE FORM BROWSE ONLY SEARCH GO PREVIOUS LIST NEXT LIST IMAGE LIST BOTTOM HELP

Logout Please logout when you are done to release system resources allocated for you.

Start List At: [] OR Jump to record: [] 1835 Records(s) found (This page: 1 ~ 100)

Refine Search pizza[gs] and restaurant[gs] and RN > "0" Submit

Current Search: S2: pizza[gs] and restaurant[gs] and RN > "0" docs: 1835 occ: 7838

Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
2	86335529	4691934	MAKING ALL YOUR PIZZA DREAMS COME TRUE	TSDR LIVE
3	86335515	4691933	SMART SLAB	TSDR LIVE
4	86323977	4691644	PIZZA PIRATE	TSDR LIVE
5	86031108	4690670	ISPAHAN	TSDR LIVE
6	86045543	4686748	UMAMI MIA PIZZERIA	TSDR LIVE
7	86133724	4600316	DUNKIN' DONUTS	TSDR LIVE
8	86129719	4591959	DUNKIN' DONUTS	TSDR LIVE
9	86240271	4682905	CONNIE'S PIZZA TASTE THE TRADITION	TSDR LIVE
10	86136056	4679829	PIZZASMITH	TSDR LIVE
11	86200518	4676616	M MONSTROUS PIZZA	TSDR LIVE
12	86256173	4673117	AUBREE'S	TSDR LIVE
13	86256172	4673116	AUBREE'S PIZZERIA & GRILL	TSDR LIVE
14	86127397	4669862	2008 MOD PIZZA SUPER FAST	TSDR LIVE
15	86122275	4669816	M MARCHÉ IS GOOD	TSDR LIVE
16	86231982	4666523	ΠΙΤΤΑΡΕΙΑ ΠΙΤΤΑ ΚΑΙ ΠΑΣΤΑ	TSDR LIVE
30	86176659	4638726	CURRY PIZZA HOUSE	TSDR LIVE
31	86140231	4638700	CAPONE'S COAL FIRED PIZZA	TSDR LIVE
47	86186584	4557170	FACONBOY'S	TSDR LIVE
49	86085089	4559186	MENDELSON'S	TSDR LIVE
50	86069348	4561487	GOT DEGREE'S IN PIZZA	TSDR LIVE
51	86000348	4561388	PIZZA VINOTECA	TSDR LIVE
52	86072090	4533148	INFINITUS POSSIBILITIES PIE	TSDR LIVE
53	86072066	4533146	INFINITUS PIE	TSDR LIVE
54	86063153	4514633	ARTOPOLIS	TSDR LIVE
55	86063056	4514628	ARTOPOLIS	TSDR LIVE
56	86062730	4532893	CALIFORNIA PIZZA KITCHEN	TSDR LIVE
57	86062710	4532890		TSDR LIVE
58	86043173	4514007	PEGASUS PIZZA & PASTA	TSDR LIVE
59	86037499	4510265	VILLAGE BAKER	TSDR LIVE
60	86024319	4517403	TWO COUSIN'S PIZZA	TSDR LIVE
61	86013203	4532418	BE HAPPY, EAT TASTY TASTY PIZZA	TSDR LIVE
62	85833035	4692891	AVIATOR	TSDR LIVE
63	85703231	4692804	DOMINO'S	TSDR LIVE
65	85703107	4692802	DOMINO'S	TSDR LIVE
66	85693666	4309005	PIEOLGY P PIZZERIA THE STUDY OF KUSTOM PIZZA	TSDR LIVE
67	85659255	4295251	P PIEOLGY P PIZZERIA	TSDR LIVE
68	85655977	4282798	PIEOLGY	TSDR LIVE
69	85786721	4492692		TSDR LIVE
70	85948406	4682570	MAKE ANY OCCASION A COUNTRY FRENCH SOIRÉE	TSDR LIVE
71	85000543	3867669	ON DD	TSDR LIVE
72	85347672	4080230	LIVNAKED	TSDR LIVE
73	85735714	4675779	LIVE HEALTHY	TSDR LIVE
74	85158037	4390262	PIZZA SCHOOL CAFE	TSDR LIVE
75	85522068	4213232	KILLER PIZZA FROM MARS	TSDR LIVE
76	85010139	4003470	GABLE'S JUICE BAR & MUSCLE PIZZA	TSDR LIVE
77	85866175	4661734	ERIC LANLARD	TSDR LIVE
78	85866178	4658310	CAKE BOY	TSDR LIVE
79	85411885	4240345	UNCLE MARIO'S	TSDR LIVE
80	85891665	4654960	QUICK QUALITY PROGRAM Q QUICK	TSDR LIVE
81	85890428	4654959	QUICK MAGIC BOX	TSDR LIVE
82	85890377	4651251	Q QUICK QUALITY BURGER RESTAURANT	TSDR LIVE
83	85890341	4651250	QUICK QUALITY BURGER	TSDR LIVE
84	85890293	4651249	QUICK N TOAST	TSDR LIVE
85	85891824	4645871	TRADEMARK PIZZA COMPANY	TSDR LIVE
86	85871791	4428430	SMOKY SMOKY MOUNTAIN PIZZA & PASTA	TSDR LIVE
87	85871782	4425120	SMOKY	TSDR LIVE
88	85300477	4066711	SMOKY MOUNTAIN	TSDR LIVE
89	85627212	4635044		TSDR LIVE
90	85780878	4630628	SM S.M. ENTERTAINMENT	TSDR LIVE
91	85227921	4012581	AUBREE'S	TSDR LIVE
92	85227919	4012580	AUBREE'S	TSDR LIVE
93	85042930	3984039	PAPA'S PIZZA TO GO FRESH BAKED	TSDR LIVE
94	85042885	3984037	PAPA'S PIZZA TO GO	TSDR LIVE
95	85709426	4625410	CATERING BY LA MADELEINE	TSDR LIVE
96	85709424	4625409	CATERING BY LA MADELEINE	TSDR LIVE
97	85517217	4252905	MARCO'S	TSDR LIVE
98	85297340	4303520	P	TSDR LIVE
99	85297335	4303519	P PREMIÈRE MOISSON	TSDR LIVE
100	85971779	4615977	FUHGIDABOWDIT	TSDR LIVE

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