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

Proceeding	87672706
Applicant	Baidu Online Network Technology (Beijing) Co., Ltd.
Applied for Mark	APOLLO PILOT
Correspondence Address	HAILONG XIANG FLAT C 29/F TOWER 3 DISCOVERY PARK TSUEN WAN NT, 0 HONG KONG bon.tbcl@gmail.com no phone number provided
Submission	REQUEST TO SUSPEND APPEAL, REMAND TO EXAMINING ATTORNEY, AND SECOND REQUEST FOR RECONSIDERATION
Attachments	APOLLO_PILOT_-_REQUEST_TO_SUSPEND_APPEAL_REMAND_TO_EXA MINING_ATTORNEY_AND_SECOND_REQUEST_FOR_R.pdf(307046 bytes) Exhibit_A_-_Electronic_logging_devices.pdf(218342 bytes) Exhibit_B_-_Copies_of_trademark_registration_certificates.pdf(2958186 bytes) Exhib- it_C_-_Copies_of_true_and_accurate_pages_from_the_websites.pdf(3354038 bytes)
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Date	08/02/2019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Baidu Online Network Technology (Beijing) Co., Ltd.
Serial Number: 87672706
Filing Date: November 6, 2017
Mark: APOLLO PILOT

Examining Atty: Kathleen Lorenzo, Esq.
Law Office: 109
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

**REQUEST TO SUSPEND APPEAL, REMAND TO EXAMINING ATTORNEY, AND
SECOND REQUEST FOR RECONSIDERATION**

Pursuant to 37 C.F.R. § 2.142(d) and TBMP § 1207.02, Applicant respectfully requests that the Board suspend the appeal proceedings for the above-identified application and remand the application to the Examining Attorney for further consideration in light of Applicant's amendments and arguments detailed below. This request is filed for good cause and will resolve all outstanding issues for this application and thus render the pending ex parte appeal moot.

AMENDMENTS TO IDENTIFICATION OF GOODS

Applicant respectfully requests the following amendments to Applicant's identification of goods to be entered (addition bolded, and deletion stricken):

Class 9: Computer software for displaying maps and traffic information; Computerized vehicle engine analyzers, **not for use to log the number of hours a vehicle has been driven**; Downloadable software in the nature of a mobile application for displaying maps and traffic information; Navigation apparatus for vehicles; Safety and driving assistant system for ~~mobile vehicles and vessels~~ **driverless cars, not for use to log the number of hours that a vehicle has been driven**; all the aforementioned for use in connection with driverless cars.

ARGUMENTS

The Examining Attorney has issued a final refusal to register Applicant's APOLLO PILOT mark under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052 (d), on the ground that the applied-for mark is likely to cause confusion with the registered mark APOLLO ELD in Registration No. 5265059 ("Registrant's Mark"), because both parties' goods relate to vehicles and driving. Applicant respectfully submits that the Examining Attorney's concerns are misplaced and that confusion is unlikely because (1) Applicant's goods (as amended) are neither competitive nor complementary to Registrant's goods, (2) the shared term APOLLO is weak in the relevant field, and (3) Applicant's and Registrant's target consumers are sophisticated purchasers who will use care in making their purchases. As a result, the refusal to register Applicant's mark should be withdrawn.

I. Applicant's Goods As Amended Are Different From Registrant's Goods.

Registrant's goods are Electronic Logging Device (ELD) units. The cited registration reads:

Class 9: Electronic Logging Device (ELD) that records and displays driving and vehicle information, such as the time spent driving, miles driven, duration of engine operation, and vehicle diagnostic information, and downloadable software for electronic logging of driving and vehicle information, sold as a unit.

ELDs are devices attached to commercial vehicles (not regular passenger cars) that record driving hours to ensure that commercial vehicle drivers comply with safety regulations relating to their hours of service (HOS). See https://en.wikipedia.org/wiki/Electronic_logging_device (Exhibit A). Thus, the purpose of Registrant's goods is to allow state safety enforcement personnel to review the HOS and prevent professional drivers from becoming so fatigued that they endanger themselves and others.

In sharp contrast, Applicant's goods are navigation systems and engine status software for driverless passenger cars. Thus, Applicant's goods have completely different functions and purposes from those of Registrant's commercial vehicle ELD devices. They target different consumers and move in different trade channels. Applicant's and Registrant's goods accordingly will not overlap in the marketplace. Consequently, Applicant's and Registrant's goods will be encountered under sufficiently different circumstances that consumers will not be confused regarding their source. See TMEP Section 1207(a)(i); M2 Software, Inc. v. M2 Commc'ns., 78 U.S.P.Q.2d 1944, 1949 (Fed. Cir. 2006).

To the extent that the Examining Attorney believes that Applicant's original identification of goods was broad enough to cover Registrant's ELD devices, Applicant has now amended its identification of goods to remove any overlap. Specifically, Applicant has (1) added wording in its previous submission indicated that its goods all relate to driverless cars, (2) deleted the wording "mobile vehicles and vessels" to further clarify that all of its goods are not broad enough to cover commercial vehicles, and (3) limited the nature of Applicant's goods "computerized vehicle engine analyzers" and "safety and driving assistant system" to exclude any use of such goods to log the number of hours that a vehicle has been driven. Given these amendments, any justification for the refusal based on overlapping goods is now moot.

Finally, to the extent that the Examining Attorney believes that confusion must be likely because Applicant's and Registrant's products can be broadly described as motor vehicle products, this generalization is insufficient to justify the refusal. The Board's precedent explicitly states that marks are not necessarily confusingly similar merely because they could theoretically fall within the same broad category of goods:

The issue of whether or not two products are related does not revolve around the question of whether a term can be used that describes them both, or whether both can be classified under the same general category.

Electronic Data Sys. Corp. v. EDSA Micro Corp., 23 USPQ2d 1460, 1463 (TTAB 1992)

(products not related merely because both involve computer hardware). See also Information Res. Inc. v. X*Press Info. Servs., 6 USPQ2d 1034, 1038 (TTAB 1998) (same); In re Farm Fresh Catfish Co., 231 USPQ 495, 495 (TTAB 1986) (two food products are not necessarily “related” for trademark purposes); Edwards Lifesciences Corporation v. Vigilanz Corporation, 94 USPQ2d 1399 (TTAB 2010) (the relatedness of the goods inquiry “is not based on whether a general term or overarching relationship can be found to encompass them both.”) Indeed, the Board specifically rejected the notion that all “automotive” products are necessarily related. In re General Motors Corp., 23 USPQ2d 1465 (TTAB 1992) (Reversing final refusal to register an applied-for mark “GRAND PRIX” for “automobiles” in view of a prior registration of the mark “GRAND PRIX and Design” for “automobile tires.”)

II. Confusion Is Unlikely Because The Shared Term APOLLO Is Weak.

The Trademark Examiner has additionally based the rejection of this application on the fact that the subject marks share the term “APOLLO.” However, as will be discussed in detail below, the Examiner has failed to take into account the fact that the term “APOLLO” is weak in the relevant industries. Therefore, the differences between the subject marks in appearance, sound and meaning along with the nature of the parties’ goods must be given considerable weight when determining the issue of confusion.

It is axiomatic that where the shared element of two marks is weak, minor differences between the parties’ marks should be sufficient to avoid a likelihood of confusion. In re

Hamilton Bank, 222 U.S.P.Q. 174, 179 (TTAB 1984) (no likelihood of confusion between KEY and other marks comprised of the term KEY, since KEY is weak for banking services); J.

Thomas McCarthy, 4 McCarthy on Trademark and Unfair Competition § 23.48 (2006)

(explaining that: “A portion of a mark may be weak in the sense that such portion is descriptive, highly suggestive, or is in common use by other sellers in the market.”). Additions or deletions to marks may be sufficient to avoid a likelihood of confusion if: (1) the marks in their entirety convey significantly different commercial impressions; or (2) the matter common to the marks is not likely to be perceived by purchasers as distinguishing source because it is merely descriptive or diluted. See, e.g., Citigroup Inc. v. Capital City Bank Group, Inc., 637 F.3d 1344, 1356, 98 U.S.P.Q. 2d 1253, 1261 (Fed. Cir. 2011) (affirming TTAB’s holding that contemporaneous use of the applicant’s CAPITAL CITY BANK marks for banking and financial services and the opposer’s CITIBANK marks for banking and financial services, is not likely cause confusion, based in part on findings that the phrase “City Bank” is frequently used in the banking industry and that “CAPITAL” is the dominant element of Applicant’s marks, which gives the marks a geographic connotation as well as a look and sound distinct from opposer’s marks).

The subject marks in the present case both share the term “APOLLO,” which is weak in the field of automotive and vehicular products and therefore entitled to only a narrow scope of protection. The weakness of this term is evidenced by the third-party registrations of marks that contain the shared term “APOLLO” for goods in this field as shown in the following chart:

MARK	Reg. No. Owner	Goods	Internet
	3588131 Apollo Motorhome Holidays Pty Ltd	Class 12: Land motor vehicles , namely, motor homes and campers. Class 35: store services featuring ex- rental motor vehicles , namely, motor homes and campers; Wholesale stores	https://www.apollorv.com/

MARK	Reg. No. Owner	Goods	Internet
		featuring ex-rental motor vehicles, namely, motor homes and campers. Class 37: Maintenance and repair services for motor vehicles , namely, motor homes and campers. Class 39: Vehicle leasing and rental services.	
	3534433 Jiangsu Changfa Agricultural Equipment Co., Ltd.	Class 7: Diesel engines for machines, gasoline engines not for land vehicles, electrical generators	http://diesel2.sell.everychina.com/p-92201999-diesel-engine-apollo-d186f-e.html
	4468368 Shanghai Apollo Machinery Co., Ltd.	Class 7: Centrifugal pumps; pumps as parts of machines, engines or motors ; pumps as parts of heating installations; vacuum pumps; compressed air pumps; pumps for machines; valves being parts of machines; shaft couplings for machines; de-aerators for feedwater; connecting rods for machines, motors and engines; starters for motors and engines	http://en.apollopump.com/
	4402675 Apollo Scitech, Inc.	Class 9: scientific measuring instrument, namely, total dissolved inorganic carbon analyzer comprised of a precision digital metering pump, an electrical reactor which extracts CO2 gas from the solution and an infrared CO2 detector for measurements of the total amount of carbon dioxide in waters; total alkalinity titration system comprised of a precision pH meter, a temperature-controlled acid-base titration cell, two precision digital pumps, and a data communication and control unit for measuring alkalinity in seawater; an instrument for real-time shipboard measurements of the partial pressure of carbon dioxide in seawater while the vessel is sailing.	http://apollosciotech.com/

MARK	Reg. No. Owner	Goods	Internet
APOLLO	4423143 FENIEX INDUSTRIES INC.	Class 11: Emergency and safety signal lighting for police, fire, construction, emergency medical services, tow trucks and security vehicles , namely, beacon lights, strobe lights, safety lights, LED lights, flashing colored lights, light bars and traffic directional light bars; emergency vehicle signal lighting, namely, warning lights, wrecker lights, security lights, grille surface lights, police lights and traffic advisor lights.	https://www.ultrabrightlightz.com/search.php?search_query=APOLLO&Search=
APOLLO	3543507 Michigan Wheel Operations, LLC	Class 12: Screw propellers; Vehicle propellers	https://www.miwheel.com/outboard-propellers/
APOLLO CIS	4869882 K&N Engineering, Inc.	Class 7: air filters for motors and engines ; air intakes for motors and engines	https://www.knfilters.com/search/%20APOLLO
APOLLO APOLLO	1142018 B&J Rocket Sales AG 5526696 B& J Rocket Sales AG	Class 7: Tire Rasp Blades. Class 7: Machine tools, namely, rasps for removing rubber on tires and parts thereof not included in other classes; Machine tools, namely, rubber rasps for removing rubber on tires and parts thereof not included in other classes; blades for powered machine tools for removing rubber on tires; blades for use with powered tire rasps; machine tools, namely, blades for powered rubber rasps for removing rubber on tires; disposable blades for use with electric machines for removing rubber on tires; Power-operated sharpeners for rasps and for rasp blades; power-operated rubber buffing and rasping machine tools; blades for power-operated rubber buffing and rasping tools and machine tools; parts and accessories not included in other	http://yourtiresupply.com/product/6008/111137-apollo-rasp-blade-refill-50refill-bjapolloiii

MARK	Reg. No. Owner	Goods	Internet
		classes for power-operated rubber rasps and for power-operated rubber buffing tools, namely, blades; powered hand tools for buffing and rasping, namely, tire buffing machines and tire buffers; blades for powered hand tools for rubber buffing and rasping; parts and accessories not included in other classes for powered rubber rasps and for powered rubber buffing hand tools, namely, blades Class 8: blades for manually operated hand tools for removing rubber on tires ; blades for use with hand tools in the nature of tire rasps; blades for hand tools in the nature of rubber rasps for removing rubber on tires	

Copies of the trademark registration certificates along with true and accurate pages from the websites are attached hereto as Group Exhibits B and Exhibit C respectively.

The evidence of the third-party marks used in the marketplace as identified above was obtained from the Internet. Specifically, a Google® search of the word “APOLLO” revealed numeral third-party APOLLO-formative marks in use for various goods and services as shown in the active websites set forth above. See In re Total Quality Group Inc., 51 U.S.P.Q. 2d 1474, 1475-76 (TTAB 1999). The evidence on record clearly establishes that the consuming public is exposed to third-party use of similar APOLLO-formative marks in the field of automotive and vehicular products and shows that the shared term “APOLLO” is relatively weak for trademark purposes and therefore entitled to only a narrow scope of protection. See Palm Bay Imports v. Veuve Clicquot Ponsardin Maison Fondée en 1772, USPQ2d 1689 at 1693 (Fed. Cir. 2005).

As noted by the Examiner, the Applicant's mark ends with the term PILOT, referring to the navigating function and purpose of Applicant's goods for driverless cars. In contrast, Registrant's mark ends with the term ELD, which is Registrant's goods. Therefore, the parties' marks when viewed in their entireties are substantially different in appearance, sound and meaning, because of the additional terms "PILOT" in Applicant's mark and "ELD" in Registrant's mark. Such differences are meaningful and, given the weakness of the shared term, should be enough to avoid a likelihood of confusion. See, e.g., In re White Rock Distilleries Inc., 92 USPQ2d 1282 (TTAB 2009) (reversing final 2(d) refusal of registration of the mark VOLTA for vodka infused with caffeine in view of the registration of TERZA VOLTA & Design for wines based in part on findings that the common element VOLTA has suggestive meaning with regard to the parties' goods).

III. The Sophisticated and Discriminating Nature of Consumers Avoids A Likelihood Of Confusion.

The sophistication of consumers is an important du Pont factor and often dispositive of a likelihood of confusion because "[s]ophisticated consumers may be expected to exercise greater care." Electronic Design & Sales, Inc. v. Electronic Data Systems Corp., 954 2d 713 (Fed. Cir. 1992). Confusion is unlikely here because Applicant's and Registrant's goods are integrated into expensive automobiles and bought by sophisticated purchasers, who exercise great care and deliberation. Integrated Device Tech., Inv. Mgmt. Sci. Assocs., Inc., Opposition No. 115082, 2001 WL 826858 at *7 (TTAB 2001)("[B]ecause the very nature of opposer's [m]icroprocessor products, many if not most of which are integrated into systems manufactured by purchasers," the purchasers are sophisticated.) In this case, the decision to purchase Registrant's and

Applicant's products would be made only after thoughtful consideration and research by discriminating customers.

Registrant's goods are ELD devices that are attached to commercial vehicles.

Registrant's customers are solely comprised of professional truck and bus drivers, who log and report their HOS for professional personnel to review. Therefore, the degree of care exercised by these professional drivers who purchase commercial vehicle parts is extremely high and weighs heavily against any finding of likelihood of confusion. A professional buyer or an expert in the field is knowledgeable and will not be confused merely because there is some similarity in the marks. In re N.A. D., Inc., 754 F. 2d 996, 1000, 224 U.S.P.Q. 969, 971 (Fed. Cir. 1985) (concluding that because only sophisticated purchasers exercising great care would purchase the relevant goods, there would be no likelihood of confusion between the marks NARCO and NARKOMED).

Applicant's goods are navigation and vehicle status software used for luxury driverless cars. Each driverless car is an expensive item (e.g., generally, from hundreds-of-thousands of dollars to over a million) and will be purchased with a great deal of care. See In re General Motors Corp., 23 USPQ2d at 1471 ("the purchase of an automobile is "typically a major and expensive purchase.") Further, even ordinary consumers may be expected to exercise a heightened degree of care when purchasing an expensive automobile or automotive item. See Weiss Assoc., Inc. v. HRL Assoc's., Inc., 902 F.2d 1546, 14 USPQ2d 1840, 1841 (Fed. Cir. 1990) (in making purchasing decisions regarding expensive, luxury goods, "the reasonably prudent person standard is elevated to the standard of the 'discriminating purchaser.'"); Tiffany & Co. v. Classic Motor Carriages Inc., 10 USPQ2d 1835, 1841 (TTAB 1989) (automobiles would be purchased only upon careful consideration); See also McGregor-Doniger, Inc. Drizzle,

Inc., 599 F.2d 1126, 202 USPQ 81, 92 (2nd Cir. 1979) (“the average purchaser of an automobile will no doubt devote more attention to examining different products and determining their manufacturer or source than will the average purchaser of a ball of twine.”).

In short, both Registrant’s and Applicant’s target customers will be sophisticated purchasers who will exercise a significant degree of care in making purchasing decisions. This is not a case where consumers will grab the wrong item off the shelf or make a spontaneous purchase without giving due consideration. Confusion is therefore unlikely, and the refusal should be withdrawn for this reason alone.

CONCLUSION

Applicant respectfully requests suspension of the appeal and remand of the application to the Examining Attorney for consideration of the foregoing amendments and arguments. Applicant’s amendments will resolve all outstanding issues raised in the Examining Attorney’s May 28, 2019 denial of the first Request for Reconsideration Letter. Applicant believes that the application is now in condition for publication upon entry of these amendments.

Dated: August 2, 2019

By:  _____

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Exhibit A



WIKIPEDIA
The Free Encyclopedia

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Electronic logging device

From Wikipedia, the free encyclopedia



The examples and perspective in this article **may not represent a worldwide view of the subject**. You may [improve this article](#), discuss the issue on the [talk page](#), or [create a new article](#), as appropriate. *(July 2019)* ([Learn how and when to remove this template message](#))

Electronic Logging Device (**ELD** or **E-Log**) is electronic hardware that is attached to a [commercial motor vehicle](#) engine to record driving hours. The driving hours of commercial drivers ([truck](#) and [bus](#) drivers) are typically regulated by a set of rules known as the [hours of service](#) (HOS) in the United States and as [Drivers' working hours](#) in Europe. The Commercial Vehicle Driver Hours of Service Regulations vary in Canada and the United States.^[1]

An ELD monitors a vehicle's engine to capture data on whether the engine is running, whether the vehicle is moving, miles driven, and duration of engine operation.^[2]

Previously, paper logs or [electronic on-board recorders](#) (EOBR) were used for hours-of-service tracking. Even though an electronic on-board recorder (EOBR)-style log improves the accuracy of the data, the lack of a consistent data format meant that the logs needed to be regenerated to an equivalent "paper" format for review and enforcement. The Record of Duty Status (RODS) definition within the ELD legislation defines a consistent format for enforcement personnel to review, so the ELD Mandate was created.^[*citation needed*]

The [Federal Motor Carrier Safety Administration](#) (FMCSA) announced the Final Rule of the ELD mandate, and the ELD rule being implemented in several phases with a compliance date of December 18, 2017. Fleets have until December 2017 to implement certified ELDs to record HOS. Fleets already equipped with electronic logging technology will have until December 2019 to ensure compliance with the published specifications.^[3]

See also

[\[edit \]](#)

- [Digital tachograph](#)

References

[\[edit \]](#)

- ↑ [Hours of Service: Canada/U.S. Comparison](#) Published on August 1, 2014, retrieved via the Wayback Machine on July 1, 2019
- ↑ [What is an electronic logging device \(ELD\)?](#)
- ↑ [Implementation Timeline](#)

Categories: [Road haulage](#)

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Exhibit B

Int. Cls.: 12, 35, 37, and 39

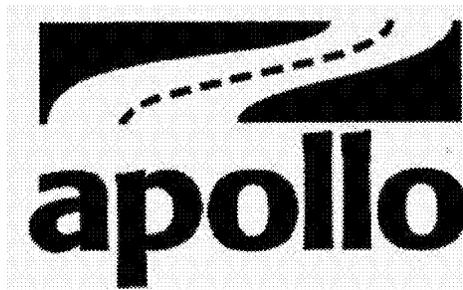
**Prior U.S. Cls.: 19, 21, 23, 31, 35, 44, 100, 101, 102,
103, 105, and 106**

Reg. No. 3,588,131

Registered Mar. 10, 2009

United States Patent and Trademark Office

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



APOLLO MOTORHOME HOLIDAYS PTY LTD
(AUSTRALIA CORPORATION)
698 NUDGE ROAD
NORTHGATE, QUEENSLAND, AUSTRALIA 4013

FOR: LAND MOTOR VEHICLES, NAMELY, MOTOR HOMES AND CAMPERS , IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 4-1-2008; IN COMMERCE 4-1-2008.

FOR: RETAIL STORE SERVICES FEATURING EX-RENTAL MOTOR VEHICLES, NAMELY, MOTOR HOMES AND CAMPERS; WHOLESALE STORES FEATURING EX-RENTAL MOTOR VEHICLES, NAMELY, MOTOR HOMES AND CAMPERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-1-2008; IN COMMERCE 4-1-2008.

FOR: MAINTENANCE AND REPAIR SERVICES FOR MOTOR VEHICLES, NAMELY, MOTOR

HOMES AND CAMPERS , IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 4-1-2008; IN COMMERCE 4-1-2008.

FOR: VEHICLE LEASING AND RENTAL SERVICES, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 4-1-2008; IN COMMERCE 4-1-2008.

THE MARK CONSISTS OF A RECTANGLE WITH A DEPICTION OF A ROAD WITH DOTTED LINES IN ITS CENTER THAT MOVES FROM THE LEFT UP TO THE RIGHT. BELOW THE RECTANGLE IS THE WORD "APOLLO" IN SMALL CASE LETTERS.

SN 77-279,741, FILED 9-14-2007.

SANJEEV VOHRA, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

Reg. No. 3,534,433

United States Patent and Trademark Office

Registered Nov. 18, 2008

**TRADEMARK
PRINCIPAL REGISTER**



JIANGSU CHANGFA INDUSTRIAL GROUP CO.,
LTD. (CHINA CORPORATION)
LIJIA TOWN, WUJIN
JIANGSU, CHINA

THE MARK CONSISTS OF THE STYLIZED LET-
TERS "CF" AND WORD "APOLLO".

FOR: DIESEL ENGINES FOR MACHINES, GASO-
LINE ENGINES NOT FOR LAND VEHICLES, ELEC-
TRICAL GENERATORS, IN CLASS 7 (U.S. CLS. 13,
19, 21, 23, 31, 34 AND 35).

SN 76-655,820, FILED 2-28-2006.

FIRST USE 3-1-2008; IN COMMERCE 3-1-2008.

ANDREA K. NADELMAN, EXAMINING ATTOR-
NEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,468,368

Registered Jan. 21, 2014

Int. Cl.: 7

TRADEMARK

PRINCIPAL REGISTER

SHANGHAI APOLLO MACHINERY, CO., LTD (CHINA CORPORATION)
NO. 555 YISONG ROAD
NANQIAO TOWN, FENGXIAN DISTRICT, SHANGHAI
CHINA

FOR: CENTRIFUGAL PUMPS; PUMPS AS PARTS OF MACHINES, ENGINES OR MOTORS; PUMPS AS PARTS OF HEATING INSTALLATIONS; VACUUM PUMPS; COMPRESSED AIR PUMPS; PUMPS FOR MACHINES; VALVES BEING PARTS OF MACHINES; SHAFT COUPLINGS FOR MACHINES; DE-AERATORS FOR FEEDWATER; CONNECTING RODS FOR MACHINES, MOTORS AND ENGINES; STARTERS FOR MOTORS AND ENGINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

THE MARK CONSISTS OF A RECTANGULAR DESIGN WITH TWO CURVED BANDS, ONE ARCING TOWARDS THE TOP OF THE MARK, AND THE SECOND FORMING FROM THE LEFT OF THE BOTTOM PORTION OF THE ARCING BAND. BELOW THE RECTANGULAR DESIGN IS THE STYLIZED WORDING "SHAPOLLO", WITH A DOT BETWEEN THE "SH" AND "APOLLO" WORDING AND FIRST "O" IN "APOLLO" APPEARING AS A STYLIZED SUN.

OWNER OF INTERNATIONAL REGISTRATION 1153060 DATED 2-1-2013, EXPIRES 2-1-2023.

SER. NO. 79-127,300, FILED 2-1-2013.

JORDAN BAKER, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America
United States Patent and Trademark Office

Apollo
SciTech

Reg. No. 4,402,675

APOLLO SCITECH, INC. (GEORGIA CORPORATION)
115 TRADE STREET
BOGART, GA 30622

Registered Sep. 17, 2013

Int. Cl.: 9

FOR: SCIENTIFIC MEASURING INSTRUMENT, NAMELY, TOTAL DISSOLVED INORGANIC CARBON ANALYZER COMPRISED OF A PRECISION DIGITAL METERING PUMP, AN ELECTRICAL REACTOR WHICH EXTRACTS CO₂ GAS FROM THE SOLUTION AND AN INFRARED CO₂ DETECTOR FOR MEASUREMENTS OF THE TOTAL AMOUNT OF CARBON DIOXIDE IN WATERS; TOTAL ALKALINITY TITRATION SYSTEM COMPRISED OF A PRECISION PH METER, A TEMPERATURE-CONTROLLED ACID-BASE TITRATION CELL, TWO PRECISION DIGITAL PUMPS, AND A DATA COMMUNICATION AND CONTROL UNIT FOR MEASURING ALKALINITY IN SEAWATER; AN INSTRUMENT FOR REAL-TIME SHIPBOARD MEASUREMENTS OF THE PARTIAL PRESSURE OF CARBON DIOXIDE IN SEAWATER WHILE THE VESSEL IS SAILING , IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 7-3-2003; IN COMMERCE 7-3-2003.

THE MARK CONSISTS OF THE STYLIZED TEXT "APOLLO" ABOVE THE STYLIZED TEXT "SCITECH".

SER. NO. 85-750,718, FILED 10-10-2012.

EVIN L. KOZAK, EXAMINING ATTORNEY



Lisa Street Lee

Deputy Director of the United States Patent and Trademark Office

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Requirements in the First Ten Years*

What and When to File:

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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United States of America
United States Patent and Trademark Office

APOLLO

Reg. No. 4,423,143

FENIEX INDUSTRIES INC. (TEXAS CORPORATION)
6800 W. GATE BLVD. SUITE 132, 317
AUSTIN, TX 78745

Registered Oct. 22, 2013

Int. Cl.: 11

FOR: EMERGENCY AND SAFETY SIGNAL LIGHTING FOR POLICE, FIRE, CONSTRUCTION, EMERGENCY MEDICAL SERVICES, TOW TRUCKS AND SECURITY VEHICLES, NAMELY, BEACON LIGHTS, STROBE LIGHTS, SAFETY LIGHTS, LED LIGHTS, FLASHING COLORED LIGHTS, LIGHT BARS AND TRAFFIC DIRECTIONAL LIGHT BARS; EMERGENCY VEHICLE SIGNAL LIGHTING, NAMELY, WARNING LIGHTS, WRECKER LIGHTS, SECURITY LIGHTS, GRILLE SURFACE LIGHTS, POLICE LIGHTS AND TRAFFIC ADVISOR LIGHTS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 4-0-2013; IN COMMERCE 4-0-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-818,139, FILED 1-8-2013.

KIMBERLY PARKS, EXAMINING ATTORNEY



Sean Street Lee

Deputy Director of the United States Patent and Trademark Office

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Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 3,543,507

United States Patent and Trademark Office

Registered Dec. 9, 2008

**TRADEMARK
PRINCIPAL REGISTER**

APOLLO

MICHIGAN WHEEL CORPORATION (DELA-
WARE CORPORATION)
1501 BUCHANAN AVE., S.W.
GRAND RAPIDS, MI 49507

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: SCREW PROPELLERS; VEHICLE PROPEL-
LERS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND
44).

SER. NO. 77-460,711, FILED 4-29-2008.

FIRST USE 4-27-2005; IN COMMERCE 5-30-2005.

ALICE BENMAMAN, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

APOLLO CIS

Reg. No. 4,869,882

K&N ENGINEERING, INC. (CALIFORNIA CORPORATION)
1455 CITRUS STREET

Registered Dec. 15, 2015

RIVERSIDE, CA 92507

Int. Cl.: 7

FOR: AIR FILTERS FOR MOTORS AND ENGINES; AIR INTAKES FOR MOTORS AND ENGINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

TRADEMARK

FIRST USE 1-30-2006; IN COMMERCE 1-30-2006.

PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-581,672, FILED 3-30-2015.

JASON BLAIR, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

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Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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Int. Cl.: 7

Prior U.S. Cl.: 23

United States Patent and Trademark Office

Reg. No. 1,142,018

Registered Dec. 2, 1980

TRADEMARK
Principal Register

APOLLO

B & J Manufacturing Company (Illinois corporation)
700 W. 193rd St.
Glenwood, Ill. 60425

For: TIRE RASP BLADES, in CLASS 7 (U.S.
Cl. 23).
First use May 3, 1976; in commerce May 3, 1976.

Ser. No. 209,406, filed Mar. 29, 1979.

R. KOLAKOSKI, Primary Examiner

United States of America

United States Patent and Trademark Office

APOLLO

Reg. No. 5,526,696

Registered Jul. 31, 2018

Int. Cl.: 7, 8

Trademark

Principal Register

B & J Rocket Sales AG (SWITZERLAND AKTIENGESELLSCHAFT (AG))
Haldenstrasse 5
Ch-6340 Baar
SWITZERLAND

CLASS 7: Machine tools, namely, rasps for removing rubber on tires and parts thereof not included in other classes; Machine tools, namely, rubber rasps for removing rubber on tires and parts thereof not included in other classes; blades for powered machine tools for removing rubber on tires; blades for use with powered tire rasps; machine tools, namely, blades for powered rubber rasps for removing rubber on tires; disposable blades for use with electric machines for removing rubber on tires; Power-operated sharpeners for rasps and for rasp blades; power-operated rubber buffing and rasping machine tools; blades for power-operated rubber buffing and rasping tools and machine tools; parts and accessories not included in other classes for power-operated rubber rasps and for power-operated rubber buffing tools, namely, blades; powered hand tools for buffing and rasping, namely, tire buffing machines and tire buffers; blades for powered hand tools for rubber buffing and rasping; parts and accessories not included in other classes for powered rubber rasps and for powered rubber buffing hand tools, namely, blades

CLASS 8: blades for manually operated hand tools for removing rubber on tires; blades for use with hand tools in the nature of tire rasps; blades for hand tools in the nature of rubber rasps for removing rubber on tires

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

PRIORITY DATE OF 05-19-2016 IS CLAIMED

OWNER OF INTERNATIONAL REGISTRATION 1327250 DATED 07-27-2016,
EXPIRES 07-27-2026

SER. NO. 79-199,880, FILED 07-27-2016



Andrei Iancu

Director of the United States
Patent and Trademark Office

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

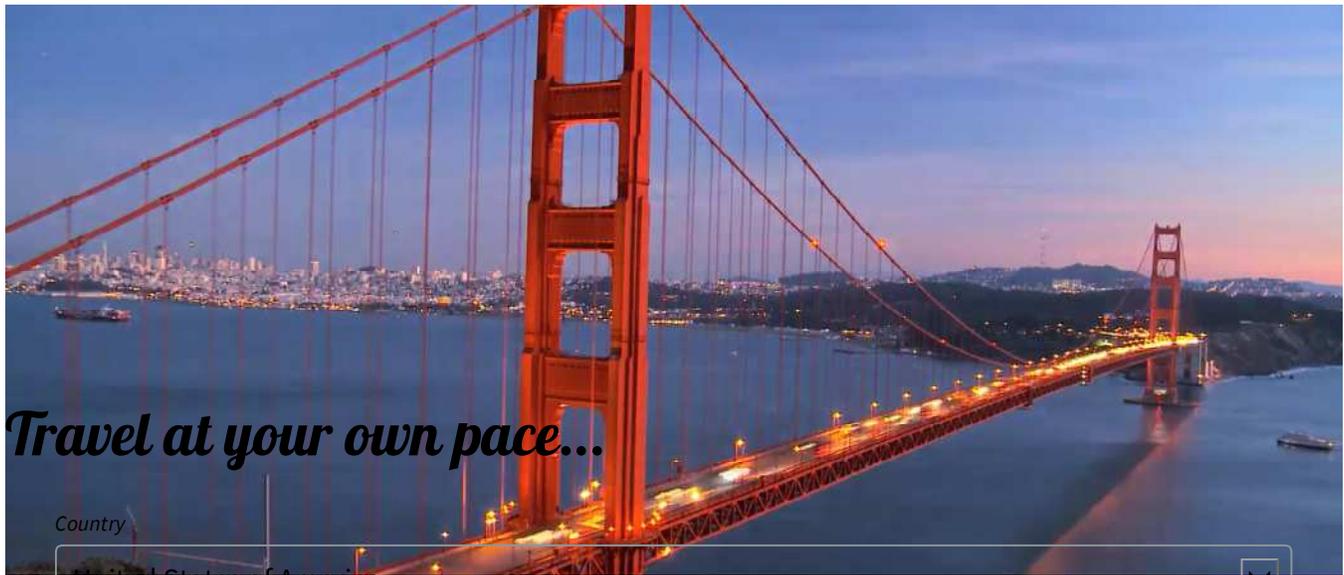
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Exhibit C



Travel at your own pace...

Country

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Vehicle Type

Motorhome Hire



Pick up location

Los Angeles



Drop off location

San Francisco



Pick up date

Sat, 3-Aug-2019

1:00 PM



Drop off date

Mon, 12-Aug-2019

9:00 AM



Adults

1



Children

0



Driver age

Select age



Driver's Licence

Select issuing country



Promo code

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At Apollo, it's our pleasure to make your RV vacation a dream. Our meticulously maintained motor homes are fitted with camping guides and welcome packs, while living equipment and other optional extras are available for hire with your RV rental. Our wide range of RVs provide a solution for any budget, from a cheap last minute getaway to a luxurious travelling holiday.

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♥ *Personally Verified*

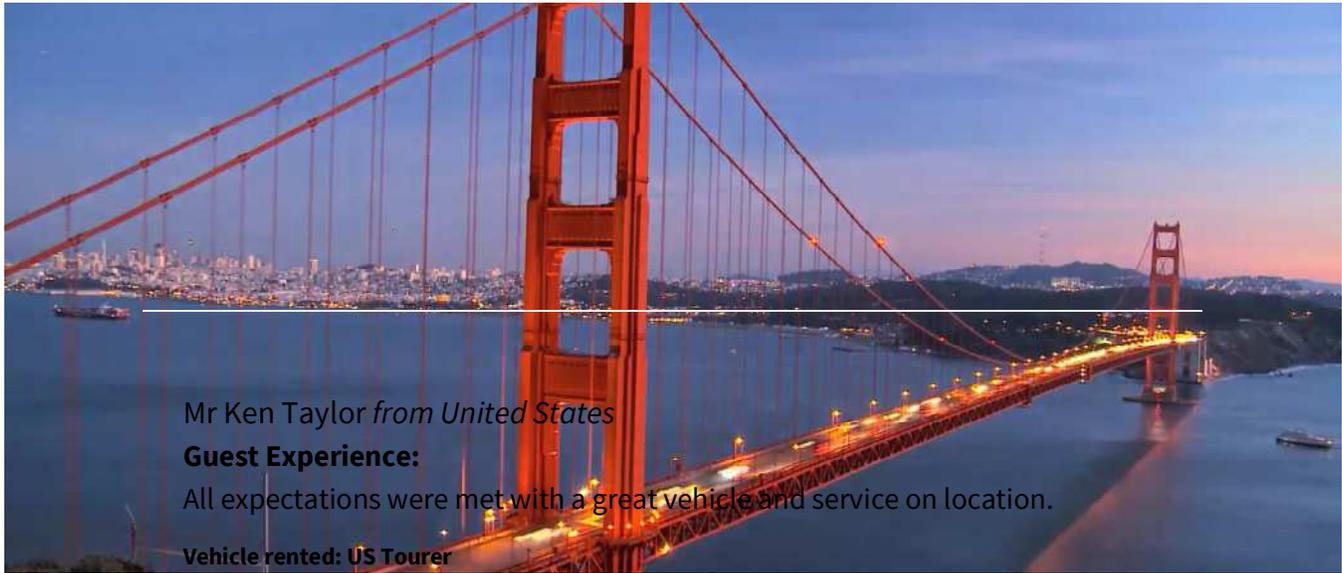
Mr Ken Taylor *from United States*

Guest Experience:

All expectations were met with a great vehicle and service on location.

Vehicle rented: Euro Tourer

Submitted on 2 April, 2019



Mr Ken Taylor *from United States*

Guest Experience:

All expectations were met with a great vehicle and service on location.

Vehicle rented: US Tourer

Submitted on 2 April, 2019

Mr James Watson *from United States*

Guest Experience:

The friendly service was beyond reproach. Juan was exceptional and instructive while showing us the motor home at check out

Vehicle rented: Eclipse Camper

Submitted on 22 March, 2019



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Province/State:jiangsu
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Diesel Engine (APOLLO D186F/E)

Packaging Details :	Canton
Payment Terms :	L/C, T/T
Place of Origin :	China
Trade Terms :	FOB
Production Capacity :	100000 PCS/Year
Model Number :	D186F
Brand Name :	APOLLO
Output Type :	AC Single Phase
Standard :	CE
Installation Method :	Fixed
Stroke :	Two Stroke
Min. order :	10 Pieces
Cooling Method :	Oil Cooling
Main Markets :	Global
Fuel :	Diese
HS Code :	8408909199
Type :	Basic Diesel Generator
Category :	Diesel Generators

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Engine Model	D186F
Engine Type	Single cylinder, vertical, four-stroke, direct injection
Cylinder NO. -bore× stroke (mm)	1-86× 70

	Displacement (ml)	406
	Rated power [KW/(r/min)]	5.7/3000 6.3/3600
	Compression ratio	19: 1
	Starting system	Recoil starter or electric starter
	Fuel type	0#(summer)-10#(winter)-35#(chillness)diesel
ENGINE	Capacity of cooling water (L)	Without
	Fuel consumption (g/kW. h)	≤ 280(333)
	Fuel tank capacity [L(gal.)]	5.5(1.21)
	Rated rotation speed (r/min)	3000 3600
	Lubrication oil volume[L(gal.)]	1.65(0.36)
	Power-Take-Off	Crankshaft
	Cooling system	Air cooled
	Overall dimension(LxWxH)[mm]	500x475x555
	Dry weight(ibs.)	48(105.6) recoil 53(116.6) electric



Diesel Engine (APOLLO D186F/ E) Images

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Town, Fengxian District, Shanghai

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Shanghai Apollo Machinery Co., Ltd is a professional and intensified supplier for equipment and service in the whole industry chain of nuclear-class pumps and major non-nuclear class pumps as well as equipment of nuclear power re-processing. In January, 2009, Apollo obtained Design & Manufacturing Certificate in Civil Nuclear Safety Equipment issued by State Bureau of Nuclear Safety; in May, 2013, Apollo obtained qualification of designing/manufacturing nuclear class 2 pumps, with the State Bureau of Nuclear Safety issuing Notification on Approving Shanghai Apollo Machinery to Expand its Scope of Design and Manufacturing Licence of Civil Nuclear Safety Equipment. Besides, Apollo was listed to the New Three Board successfully on 17th June, 2015.

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Aquatic Carbon Dioxide Parameter Analysis

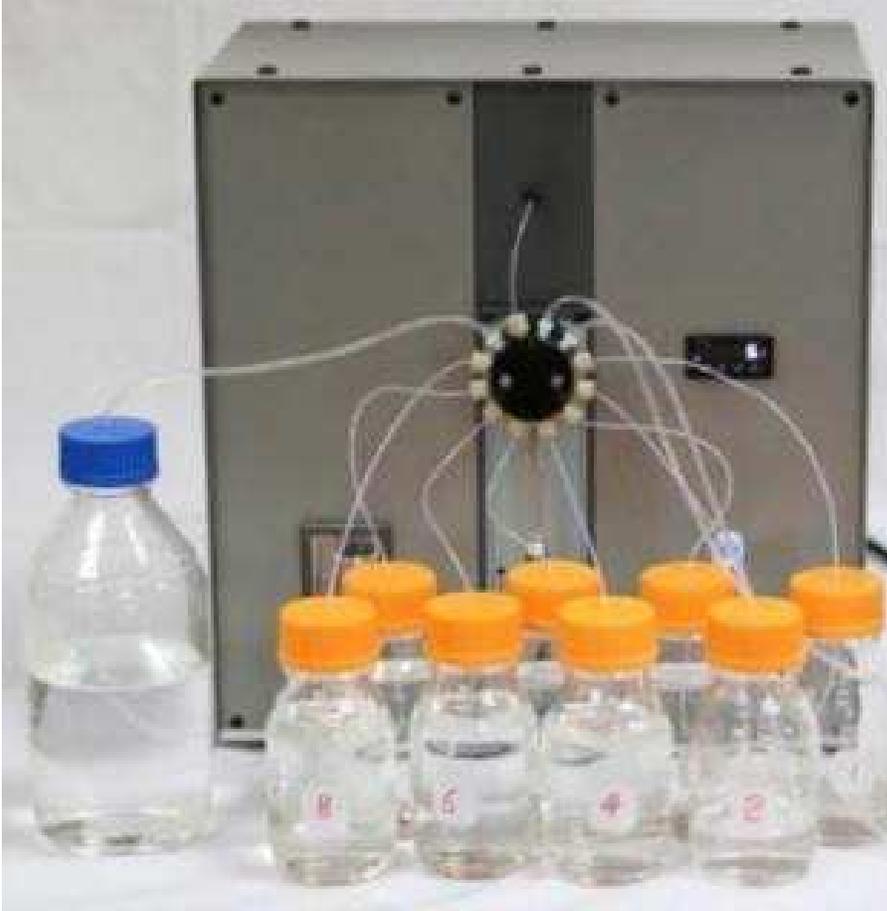
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DI C Multi-Sample Analyzer [AS-C5]

Developed for total dissolved inorganic carbon analysis in a variety of aquatic environments. It is particularly useful for analysis of coastal waters, sediment porewaters, and time series incubation water samples.

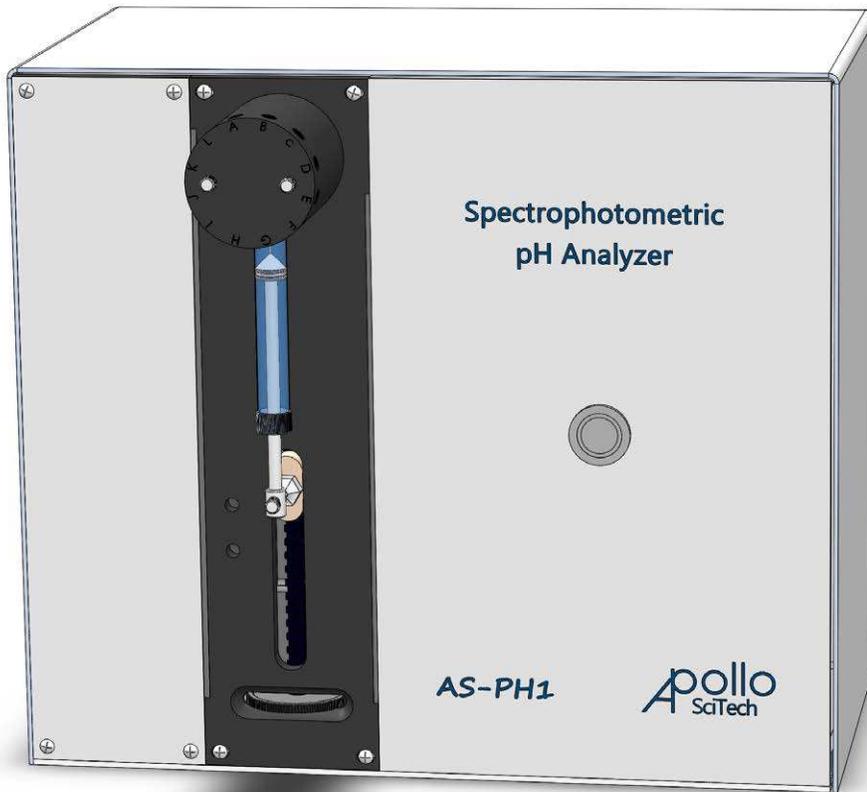
[AS-C5 Product Page](#)



DIC- $\delta^{13}\text{C}$ Analyzer [AS-D1]

Apollo SciTech's DIC- $\delta^{13}\text{C}$ analyzer (model AS-D1) is designed for simultaneous and precise analyses of Dissolved Inorganic Carbon (DIC) and $\delta^{13}\text{C}$ for natural water samples and is based on the Picarro's G-2131i Analyzer.

[AS-D1 Product Page](#)



Spectrophotometric Seawater pH Analyzer

[AS-spec-pH1] (Coming Soon)

Based on the principle of colorimetric determination of the relative color intensity using a pH indicator, the AS-spec-pH1 Analyzer has been developed for high precision and accuracy, automated and fast determination of seawater pH.

[AS-spec-pH1 Product Page](#)



Total Alkalinity Titrator [AS-ALK2]

Specifically designed acid-base titrator, which truly automates the Gran titration procedure, controlling the titration and standardization procedures and the calculation of the final result.

[AS-ALK2 Product Page](#)



Partial Pressure of CO₂ (pCO₂) [AS-P2]

The AS-P2 model is designed for real-time measurements of the partial pressure of carbon dioxide, pH, and dissolved oxygen in surface water, atmospheric carbon dioxide as well as water salinity, temperature and position.

[AS-P2 Product Page](#)



DI C Analyzer [AS-C3, AS-C6]

Model AS-C3 has been discontinued and replaced by Model AS-C6. Currently AS-C6 is similar to [AS-C5](#), but a LI-7000 unit is used for CO₂ detection. In the near future, a laser-based new CO₂ analyzer (LI-COR's most recent model [LI-7810](#)) will be used to deliver the best performance. Coming soon.

[AS-C6 Product Page](#)

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