

## Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

The table below presents the data as entered.

Input Field	Entered
<b>REGISTRATION NUMBER</b>	2828065
<b>REGISTRATION DATE</b>	03/30/2004
<b>SERIAL NUMBER</b>	78246733
<b>MARK SECTION</b>	
<b>MARK</b>	SATURDAY
<b>ATTORNEY SECTION (current)</b>	
<b>NAME</b>	Adam M. Schoen
<b>FIRM NAME</b>	Brown Rudnick LLP
<b>INTERNAL ADDRESS</b>	19th Floor
<b>STREET</b>	One Financial Center
<b>CITY</b>	Boston
<b>STATE</b>	Massachusetts
<b>POSTAL CODE</b>	02111
<b>COUNTRY</b>	United States
<b>PHONE</b>	919-286-8000
<b>FAX</b>	919-286-8199
<b>EMAIL</b>	ip@brownrudnick.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	Yes
<b>DOCKET/REFERENCE NUMBER</b>	014559.001
<b>ATTORNEY SECTION (proposed)</b>	
<b>NAME</b>	Adam M. Schoen
<b>FIRM NAME</b>	Brown Rudnick LLP
<b>INTERNAL ADDRESS</b>	19th Floor
<b>STREET</b>	One Financial Center
<b>CITY</b>	Boston
<b>STATE</b>	Massachusetts
<b>POSTAL CODE</b>	02111
<b>COUNTRY</b>	United States
<b>PHONE</b>	617-856-8132
<b>FAX</b>	617-856-8201

EMAIL	ip@brownrudnick.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	28843/1
OTHER APPOINTED ATTORNEY	Mark S. Leonardo, Catherine E. Feldman, Brian D. Bean, Zachary D. Hyde, Thomas C. Meyers, Robert J. Tosti, Matthew P. York, Olivia D. Uitto and Daniel A. Palmer
<b>CORRESPONDENCE SECTION (current)</b>	
NAME	Adam M. Schoen
FIRM NAME	Brown Rudnick LLP
INTERNAL ADDRESS	19th Floor
STREET	One Financial Center
CITY	Boston
STATE	Massachusetts
POSTAL CODE	02111
COUNTRY	United States
PHONE	919-286-8000
FAX	919-286-8199
EMAIL	ip@brownrudnick.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	014559.001
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	Adam M. Schoen
FIRM NAME	Brown Rudnick LLP
INTERNAL ADDRESS	19th Floor
STREET	One Financial Center
CITY	Boston
STATE	Massachusetts
POSTAL CODE	02111
COUNTRY	United States
PHONE	617-856-8132
FAX	617-856-8201
EMAIL	ip@brownrudnick.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	28843/1
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
GOODS OR SERVICES	Sporting goods, namely, skateboards, skateboard wheels sold separately or as a unit with skateboards, and ball bearings for skateboards
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT_16\782\467\78246733.xml1\



	<a href="#">S890002.JPG</a>
SPECIMEN DESCRIPTION	picture of skateboard showing mark in use
<b>OWNER SECTION (current)</b>	
NAME	INK FLOYD, INC.
STREET	1111 HAWTHORNE LANE
CITY	CHARLOTTE
STATE	North Carolina
ZIP/POSTAL CODE	28205
COUNTRY	United States
<b>LEGAL ENTITY SECTION (current)</b>	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	North Carolina
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	500
TOTAL FEE PAID	500
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Adam M. Schoen/
SIGNATORY'S NAME	Adam M. Schoen
SIGNATORY'S POSITION	Attorney of record, MA bar member
DATE SIGNED	03/28/2014
SIGNATORY'S PHONE NUMBER	617-856-8132
PAYMENT METHOD	DA
<b>FILING INFORMATION</b>	
SUBMIT DATE	Fri Mar 28 11:45:39 EDT 2014
TEAS STAMP	USPTO/S08N09-XX.XX.XXX.XX -20140328114539325952-282 8065-5006b1ae56fbae56f83f 78cb640e57d893b6881309553 acd9b0b8f0a1c782-DA-11177 -20140328113830642515

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**Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9**

**To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 2828065

**REGISTRATION DATE:** 03/30/2004

**MARK:** SATURDAY

The owner, INK FLOYD, INC., a corporation of North Carolina, having an address of  
1111 HAWTHORNE LANE  
CHARLOTTE, North Carolina 28205  
United States

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 028, the mark is in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Sporting goods, namely, skateboards, skateboard wheels sold separately or as a unit with skateboards, and ball bearings for skateboards ; or, the owner is making the listed excusable nonuse claim.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) picture of skateboard showing mark in use.

[Specimen File 1](#)

The registrant's current Attorney Information: Adam M. Schoen of Brown Rudnick LLP  
19th Floor  
One Financial Center  
Boston, Massachusetts (MA) 02111  
United States

The docket/reference number is 014559.001.

The registrant's proposed Attorney Information: Adam M. Schoen of Brown Rudnick LLP  
19th Floor  
One Financial Center  
Boston, Massachusetts (MA) 02111  
United States

The docket/reference number is 28843/1.

The Other Appointed Attorney(s): Mark S. Leonardo, Catherine E. Feldman, Brian D. Bean, Zachary D. Hyde, Thomas C. Meyers, Robert J. Tosti, Matthew P. York, Olivia D. Uitto and Daniel A. Palner.

The phone number is 617-856-8132.

The fax number is 617-856-8201.

The email address is ip@brownrudnick.com.

The registrant's current Correspondence Information: Adam M. Schoen of Brown Rudnick LLP  
19th Floor  
One Financial Center  
Boston, Massachusetts (MA) 02111  
United States

The docket/reference number is 014559.001.

The registrant's proposed Correspondence Information: Adam M. Schoen of Brown Rudnick LLP  
19th Floor  
One Financial Center  
Boston, Massachusetts (MA) 02111  
United States

The docket/reference number is 28843/1.

The phone number is 617-856-8132.

The fax number is 617-856-8201.

The email address is ip@brownrudnick.com.

A fee payment in the amount of \$500 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

##### **Section 8: Declaration of Use and/or Excusable Nonuse in Commerce**

*Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

##### **Section 9: Application for Renewal**

*The registrant requests that the registration be renewed for the goods/services/collective organization identified above.*

Signature: /Adam M. Schoen/ Date: 03/28/2014

Signatory's Name: Adam M. Schoen

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

Signatory's Phone Number: 617-856-8132

##### **Mailing Address (current):**

Brown Rudnick LLP  
One Financial Center  
Boston, Massachusetts 02111

##### **Mailing Address (proposed):**

Brown Rudnick LLP  
One Financial Center  
Boston, Massachusetts 02111

Serial Number: 78246733

Internet Transmission Date: Fri Mar 28 11:45:39 EDT 2014

TEAS Stamp: USPTO/S08N09-XX.XX.XXX.XX-20140328114539

325952-2828065-5006b1ae56fbaecf83f78cb6

40e57d893b6881309553acd9b0b8f0a1c782-DA-

11177-20140328113830642515





**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 2828065



**Serial Number:** 78246733



**RAM Sale Number:** 2828065

**RAM Accounting Date:** 20140328

**Total Fees:** \$500

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20140328	\$100	1	1	\$100
Application for Renewal (§9)	7201	20140328	\$400	1	1	\$400

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20140328







Side - 1



**NOTICE OF ACCEPTANCE AND  
ACKNOWLEDGEMENT OF §§8 & 15  
DECLARATION  
MAILING DATE: Mar 26, 2010**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

**REG NUMBER:** 2828065  
**MARK:** SATURDAY  
**OWNER:** Saturday Skateboards, Inc.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID

Adam M. Schoen  
Brown Rudnick LLP  
One Financial Center  
19th Floor  
Boston, MA 02111

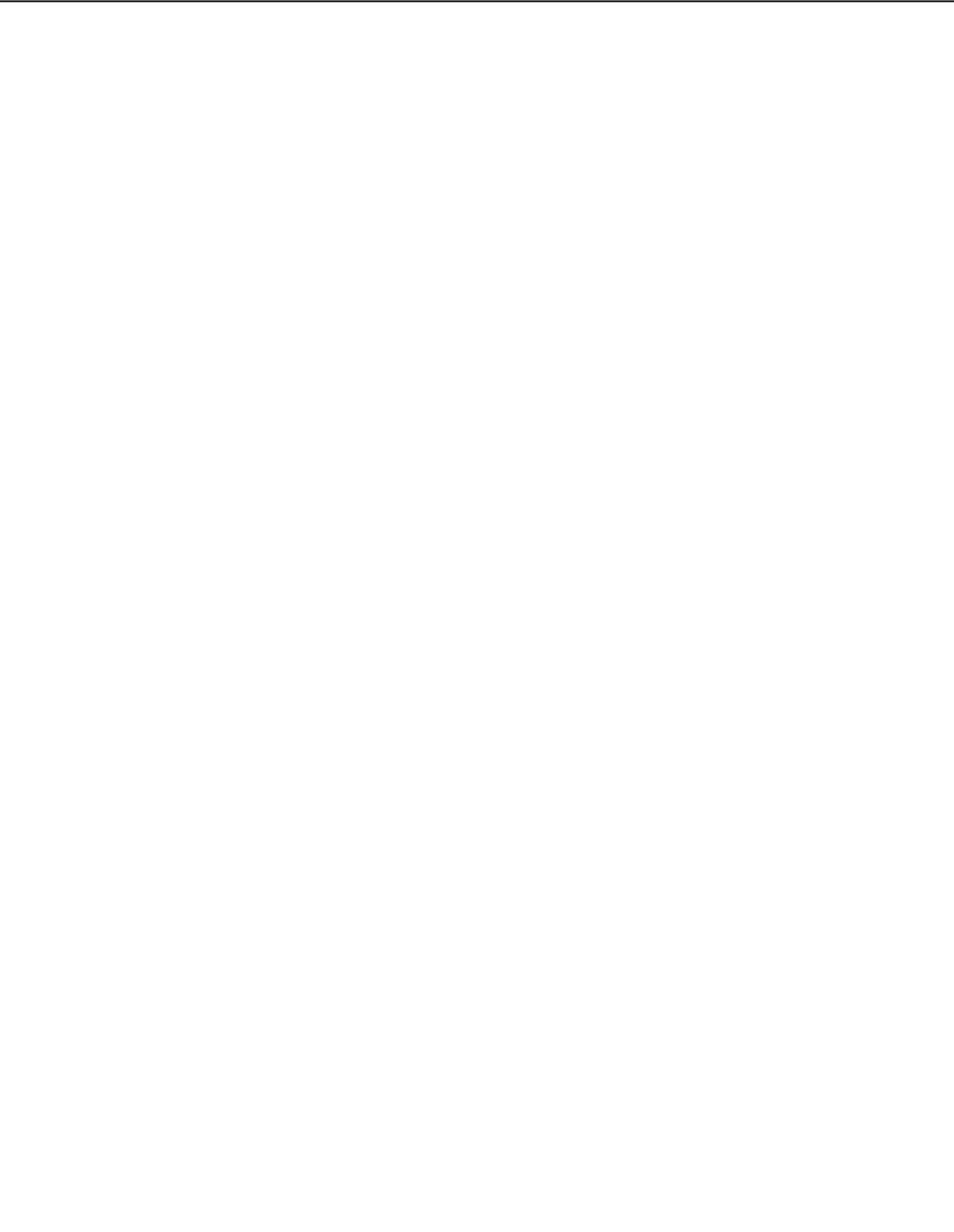
## Combined Declaration of Use and Incontestability under Sections 8 & 15

**The table below presents the data as entered.**

Input Field	Entered
<b>REGISTRATION NUMBER</b>	2828065
<b>REGISTRATION DATE</b>	03/30/2004
<b>SERIAL NUMBER</b>	78246733
<b>MARK SECTION</b>	
<b>MARK</b>	SATURDAY
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Saturday Skateboards, Inc.
<b>STREET</b>	311 Meadowbrook Road
<b>CITY</b>	Charlotte
<b>STATE</b>	North Carolina
<b>ZIP/POSTAL CODE</b>	28211
<b>COUNTRY</b>	United States
<b>PHONE</b>	704-607-2910
<b>EMAIL</b>	ellenrubel@mvalaw.com
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Saturday Skateboards, Inc.
<b>STREET</b>	311 Meadowbrook Road
<b>CITY</b>	Charlotte
<b>STATE</b>	North Carolina
<b>ZIP/POSTAL CODE</b>	28211
<b>COUNTRY</b>	United States
<b>PHONE</b>	704-607-2910
<b>ATTORNEY SECTION (current)</b>	
<b>NAME</b>	Ellen A. Rubel
<b>FIRM NAME</b>	MOORE & VAN ALLEN PLLC
<b>STREET</b>	2200 WEST MAIN STREET SUITE 800
<b>CITY</b>	DURHAM
<b>STATE</b>	North Carolina
<b>POSTAL CODE</b>	27705
<b>COUNTRY</b>	United States
<b>PHONE</b>	919-286-8000

FAX	919-286-8199
EMAIL	ellenrubel@mvalaw.com
<b>ATTORNEY SECTION (proposed)</b>	
NAME	Adam M. Schoen
FIRM NAME	Brown Rudnick LLP
INTERNAL ADDRESS	19th Floor
STREET	One Financial Center
CITY	Boston
STATE	Massachusetts
POSTAL CODE	02111
COUNTRY	United States
EMAIL	ip@brownrudnick.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
OTHER APPOINTED ATTORNEY	Mark S. Leonardo
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
GOODS OR SERVICES	KEEP ALL LISTED
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT9\IMAGEOUT9\782\467\78246733\xml1\81_50002.JPG
SPECIMEN DESCRIPTION	screenshot of website showing skateboards for sale and mark in use
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	300
TOTAL FEE PAID	300
<b>SIGNATURE SECTION</b>	
SIGNATURE	/s/Adam M. Schoen/
SIGNATORY'S NAME	Adam M. Schoen
SIGNATORY'S POSITION	Attorney of record, MA bar member
DATE SIGNED	03/10/2010
PAYMENT METHOD	DA
<b>FILING INFORMATION</b>	
SUBMIT DATE	Wed Mar 10 10:39:58 EST 2010
TEAS STAMP	USPTO/S08N15-XX.XX.XXX.XX -20100310103958781092-282 8065-460513e1a5127a7b8b33 1294b73c531c4b-DA-7846-20 100310102827292994





**Combined Declaration of Use and Incontestability under Sections 8 & 15  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 2828065  
**REGISTRATION DATE:** 03/30/2004

**MARK:** SATURDAY

The owner, Saturday Skateboards, Inc., having an address of  
311 Meadowbrook Road  
Charlotte, North Carolina 28211  
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 028, the mark is in use in commerce on or in connection with **all** of the goods or services listed in the existing registration for this specific class; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods or services listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods or services exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one specimen for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) screenshot of website showing skateboards for sale and mark in use.

[Specimen File 1](#)

The registrant hereby appoints Adam M. Schoen and Mark S. Leonardo of Brown Rudnick LLP  
19th Floor  
One Financial Center  
Boston, Massachusetts 02111  
United States

to file this Combined Declaration of Use and Incontestability under Sections 8 & 15 on behalf of the registrant.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

**Declaration**

*The mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce. There has been no final decision adverse to the owner's claim of ownership of such mark, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the U.S. Patent and Trademark Office or in the courts.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /s/Adam M. Schoen/ Date: 03/10/2010  
Signatory's Name: Adam M. Schoen  
Signatory's Position: Attorney of record, MA bar member

Mailing Address (current):  
MOORE & VAN ALLEN PLLC

2200 WEST MAIN STREET SUITE 800  
DURHAM, North Carolina 27705

Mailing Address (**proposed**):  
Brown Rudnick LLP  
One Financial Center  
Boston, Massachusetts 02111

Serial Number: 78246733  
Internet Transmission Date: Wed Mar 10 10:39:58 EST 2010  
TEAS Stamp: USPTO/S08N15-XX.XX.XXX.XX-20100310103958  
781092-2828065-460513e1a5127a7b8b331294b  
73c531c4b-DA-7846-20100310102827292994





**About Wood Team Apparel Misc Contact**

**QUALITY OVER QUANTITY.**

When it comes down to it, it's all about the boards. At Saturday, our mission is to put out the best quality domestically-produced decks available, with original art-forward graphics. It's that simple. Our boards are made with top quality veneers by a reputable skater-owned woodshop, just a few hours from our headquarters.

Below is our new Spring '09 Collection! We just posted these photos five minutes ago. You'll notice BUY IT NOW buttons to buy direct right here, right now. These are for skaters (and collectors) who can't find them nearby. But please check with your local skate shop first - if they have our boards in stock, support your shop first. Otherwise, get to clickin' while the gettin's good.

AS OF RIGHT NOW (11/18/09) ALL OF OUR BOARDS ARE SOLD OUT EXCEPT FOR THE SABRE. STAY TUNED FOR THE NEW COLLECTION DROPPING SOON...

**THE GOON PLATOON**



Goon Platoon Series  
7.75" x 31.5"  
full aqua stain  
art: Bill McRight

Goon Platoon Series  
8.0" x 31.75"  
full aqua stain  
art: Bill McRight

Goon Platoon Series  
8.25" x 31.75"  
full aqua stain  
art: Bill McRight

BUY IT NOW

BUY IT NOW

BUY IT NOW

Random:  
11.18.09  
All boards Sabre are tuned for the collection c  
4.20.09  
We turned today. Happy Saturday.  
1.11.09  
Andrew C by the war lona journe

**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 2828065



**Serial Number:** 78246733



**RAM Sale Number:** 7846

**RAM Accounting Date:** 20100310

**Total Fees:** \$300

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20100310	\$100	1	1	\$100
§15 affidavit	7208	20100310	\$200	1	1	\$200

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20100310







# About Wood Team Apparel Misc Contact

## QUALITY OVER QUANTITY.

When it comes down to it, it's all about the boards. At Saturday, our mission is to put out the best quality domestically-produced decks available, with original art-forward graphics. It's that simple. Our boards are made with top quality veneers by a reputable skater-owned woodshop, just a few hours from our headquarters.

Below is our new Spring '09 Collection! We just posted these photos five minutes ago. You'll notice BUY IT NOW buttons to buy direct right here, right now. These are for skaters (and collectors) who can't find them nearby. But please check with your local skate shop first - if they have our boards in stock, support your shop first. Otherwise, get to clickin' while the gettin's good.

AS OF RIGHT NOW (11/18/09) ALL OF OUR BOARDS ARE SOLD OUT EXCEPT FOR THE SABRE. STAY TUNED FOR THE NEW COLLECTION DROPPING SOON...

### THE GOON PLATOON



**BUY IT NOW** **BUY IT NOW** **BUY IT NOW**

<p>Goon Platoon Series 7.75" x 31.5" full aqua stain art: Bill McRight</p>	<p>Goon Platoon Series 8.0" x 31.75" full aqua stain art: Bill McRight</p>	<p>Goon Platoon Series 8.25" x 31.75" full aqua stain art: Bill McRight</p>
--	--	---

Random:  
11.18.09  
All boards  
Sabre are  
tuned for  
collection c  
4.20.09  
We turned  
today. Hap  
Saturday.  
1.11.09  
Andrew C  
by the war  
lona journe

**Int. Cl.: 28**

**Prior U.S. Cls.: 22, 23, 38 and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,828,065**

**Registered Mar. 30, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**SATURDAY**

SATURDAY SKATEBOARDS, INC. (NORTH  
CAROLINA CORPORATION)  
311 MEADOWBROOK ROAD  
CHARLOTTE, NC 28211

AND BALL BEARINGS FOR SKATEBOARDS, IN  
CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 4-20-2003; IN COMMERCE 4-20-2003.

FOR: SPORTING GOODS, NAMELY, SKATE-  
BOARDS, SKATEBOARD WHEELS SOLD SEPA-  
RATELY OR AS A UNIT WITH SKATEBOARDS,

SER. NO. 78-246,733, FILED 5-7-2003.

BARBARA BROWN, EXAMINING ATTORNEY

Dec 17, 2003

**NOTICE OF PUBLICATION UNDER 12(a)**

- |                                     |   |
|-------------------------------------|---|
| 1. Serial No.:<br>78/246,733        | 2. Mark:<br>SATURDAY                        |
| 3. International Class(es):<br>28   |   |
| 4. Publication Date:<br>Jan 6, 2004 | 5. Applicant:<br>Saturday Skateboards, Inc. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: (202) 512-1800

By direction of the Commissioner.

---

Correspondence Address:

Ellen A. Rubel  
Moore & Van Allen PLLC  
2200 West Main Street Suite 800  
Durham, NC 27705

TMP&I

\*\*\* User: bbrown \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	78246750[SN]
02	2	0	2	1	0:01	saturday[on] and skateboards[on]
03	227	N/A	0	0	0:02	*sat{v}rd*[bi,ti]
04	3167	N/A	0	0	0:01	210325[DC]
05	1	0	1	1	0:01	3 and 4
06	86	0	86	18	0:05	3 and live[ld]
07	323	N/A	0	0	0:01	210325[SD]
08	151	0	4	151	0:05	7 and live[ld]
09	227	141	86	18	0:01	*saturday*[bi,ti]
10	7	4	3	1	0:01	saturday[fm]

Session started 10/28/03 9:51:02 AM  
Session finished 10/28/03 9:59:12 AM  
Total search duration 0 minutes 19 seconds  
Session duration 8 minutes 10 seconds

Default NEAR limit= 1 ADJ limit= 1

Sent to TICRS as Serial Number: 78246750  
Sent to TICRS as Serial Number: 78246733

## Trademark/Service Mark Application, Principal Register, with Declaration

Serial Number: 78246733  
Filing Date: 05/07/2003

The table below presents the data as entered.

Input Field	Entered
MARK	SATURDAY
OWNER	
NAME	Saturday Skateboards, Inc.
STREET	311 Meadowbrook Road
CITY	Charlotte
STATE	NC
ZIP/POSTAL CODE	28211
COUNTRY	USA
PHONE	704-607-2910
EMAIL	ellenrubel@mvalaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
LEGAL ENTITY	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	North Carolina
ATTORNEY	
NAME	Ellen A. Rubel
FIRM NAME	Moore & Van Allen PLLC
STREET	2200 West Main Street Suite 800
CITY	Durham
STATE	NC
ZIP/POSTAL CODE	27705
COUNTRY	USA
PHONE	919-286-8000
FAX	919-286-8199
EMAIL	ellenrubel@mvalaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	014559.001
OTHER APPOINTED ATTORNEY(S)	Dominic J. Chiantera, Ted E. Corvette, Charles L. Evans, Arlene D. Hanks, David A. Harlow, Joyce W. Jenzano, Michael G. Johnston, Christopher M. Kindel, Steven B. Phillips, John E. Slaughter, III, Steven



	D. Thomas, and Matthew W. Witsil
<b>CORRESPONDENCE</b>	
NAME	Ellen A. Rubel
FIRM NAME	Moore & Van Allen PLLC
STREET	2200 West Main Street Suite 800
CITY	Durham
STATE	NC
ZIP/POSTAL CODE	27705
COUNTRY	USA
PHONE	919-286-8000
FAX	919-286-8199
EMAIL	ellenrubel@mvalaw.com
AUTHORIZED EMAIL COMMUNICATION	Yes
<b>GOODS AND/OR SERVICES</b>	
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Sporting goods, namely, skateboards, skateboard wheels sold separately or as a unit with skateboards, and ball bearings for skateboards.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	04/20/2003
FIRST USE IN COMMERCE DATE	04/20/2003
SPECIMEN FILE NAME(S)	\\tlers\EXPORT5\IMAGEOUT5\782\467\78246733\xml1\APP0002.JPG
SPECIMEN DESCRIPTION	photograph of a skateboard
<b>SIGNATURE INFORMATION</b>	
SIGNATURE	/ellenarubel/
SIGNATURE DATE	05/07/2003
SIGNATORY NAME	Ellen A. Rubel
SIGNATORY POSITION	Attorney for Saturday Skateboards, Inc.
<b>PAYMENT</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	335
TOTAL AMOUNT	335
RAM SALE NUMBER	7
RAM ACCOUNTING DATE	05/08/2003
<b>FILING INFORMATION</b>	
SUBMIT DATE	Wed May 07 14:41:57 EDT 2003
TEAS STAMP	USPTO/BAS-XXXXXXXXXX -2003050714415725723 6-78246733-2003b64b3



d4bdalbe61a9f4a8f449  
e01f-ET-7-2003050714  
1457802475

## Trademark/Service Mark Application, Principal Register, with Declaration

Serial Number: 78246733

Filing Date: 05/07/2003

### To the Commissioner for Trademarks:

MARK: SATURDAY

The applicant, Saturday Skateboards, Inc., a corporation of North Carolina, residing at 311 Meadowbrook Road, Charlotte, NC USA 28211, requests registration of the trademark/service mark shown on the drawing page in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 028: Sporting goods, namely, skateboards, skateboard wheels sold separately or as a unit with skateboards, and ball bearings for skateboards.

In International Class 028: the mark was first used at least as early as 04/20/2003, and first used in commerce at least as early as 04/20/2003, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) photograph of a skateboard.

[Specimen - 1](#)

The applicant, hereby appoints Ellen A. Rubel and Dominic J. Chiantera, Ted E. Corvette, Charles L. Evans, Arlene D. Hanks, David A. Harlow, Joyce W. Jenzano, Michael G. Johnston, Christopher M. Kindel, Steven B. Phillips, John E. Slaughter, III, Steven D. Thomas, and Matthew W. Witsil of Moore & Van Allen PLLC, 2200 West Main Street Suite 800, Durham, NC USA 27705 to submit this application on behalf of the applicant.

A fee payment in the amount of \$335 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /eEllenarubel/ Date: 05/07/2003

Signatory's Name: Ellen A. Rubel

Signatory's Position: Attorney for Saturday Skateboards, Inc.

### Mailing Address:

Ellen A. Rubel  
2200 West Main Street Suite 800  
Durham, NC 27705

RAM Sale Number: 7

RAM Accounting Date: 05/08/2003

Serial Number: 78246733

Internet Transmission Date: Wed May 07 14:41:57 EDT 2003

TEAS Stamp: USPTO/BAS-XXXXXXXXXX-20030507144157257236-78246733-2003b64b3d4bda1be61a9f4a8f449e01f-  
ET-7-20030507141457802475



**FILING DATE:**

2003/05/07

**SERIAL NUMBER:**

78/246733



**TRADEMARK APPLICATION**

**FEE RECORD SHEET**

**RAM SALE NUMBER: 7**

**RAM ACCOUNTING DATE: 20030508**

<b>Description</b>	<b>Fee Code</b>	<b>Fee Amount</b>	<b>Number Of Classes</b>	<b>Total Fees Paid</b>
New App	7001	335	1	335

**Drawing Page**

**Date/Time Stamp:** 05/07/2003 14:14:5

**Mark:**

SATURDAY

**Applicant:**

Saturday Skateboards, Inc.  
311 Meadowbrook Road  
Charlotte NC 28211  
USA

**Date of First Use Anywhere:**04/20/2003

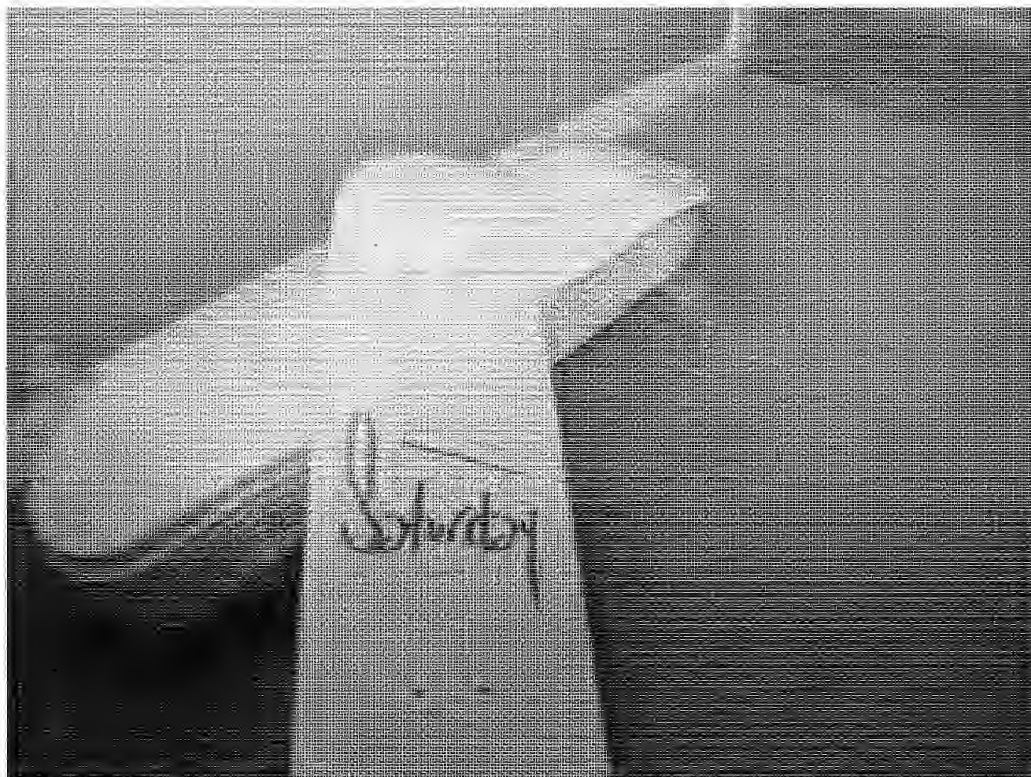
**Date of First Use In Commerce:**04/20/2003

**Goods and Services:**

Sporting goods, namely, skateboards, skateboard wheels sold separately or as a unit with skateboards, and ball bearings for skateboards.

SPECIMEN

78246733







Generated on: This page was generated by TSDR on 2019-05-07 23:51:40 EDT

Mark: WAVE

WAVE

US Serial Number: 78534009

Application Filing Date: Dec. 16, 2004

US Registration Number: 3080867

Registration Date: Apr. 11, 2006

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jul. 07, 2016

Publication Date: Sep. 13, 2005

Notice of Allowance Date: Dec. 06, 2005

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## Mark Information

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Mark Literal Elements: WAVE

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

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## Goods and Services

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**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: Wheeled skateboard-like device

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 2005

Use in Commerce: Jan. 2005

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## Basis Information (Case Level)

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Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

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## Current Owner(s) Information

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**Owner Name:** STREET SURFING INVESTMENT I, INC.

**DBA, AKA, Formerly:** DBA STREET SURFING WORLDWIDE

**Owner Address:** 1200 ROUTE 22 EAST  
SUITE 2000-2159  
BRIDGEWATER, NEW JERSEY UNITED STATES 08807

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

---

## Attorney/Correspondence Information

---

**Attorney of Record - None**

**Correspondent**

**Correspondent Name/Address:** STREET SURFING LLC  
101 CONVENTION CENTER DRIVE  
SUITE 700  
LAS VEGAS, NEVADA UNITED STATES 89109

**Phone:** (201) 863-4200

**Fax:** (201) 863-4200

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Sep. 27, 2017	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 07, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 07, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Jul. 07, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jul. 07, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Apr. 15, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 15, 2016	TEAS SECTION 8 & 9 RECEIVED	
Apr. 11, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 10, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 24, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Apr. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Apr. 10, 2012	TEAS SECTION 8 & 15 RECEIVED	
Apr. 11, 2006	REGISTERED-PRINCIPAL REGISTER	
Feb. 28, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
Feb. 24, 2006	ASSIGNED TO LIE	78288
Feb. 22, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 14, 2006	ASSIGNED TO EXAMINER	78186
Feb. 13, 2006	STATEMENT OF USE PROCESSING COMPLETE	71280
Jan. 23, 2006	USE AMENDMENT FILED	71280
Jan. 23, 2006	TEAS STATEMENT OF USE RECEIVED	
Dec. 06, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 13, 2005	PUBLISHED FOR OPPOSITION	
Aug. 24, 2005	NOTICE OF PUBLICATION	
Jul. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Jul. 29, 2005	ASSIGNED TO LIE	73787
Jul. 21, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 21, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 21, 2005	EXAMINERS AMENDMENT -WRITTEN	76845
Jul. 21, 2005	ASSIGNED TO EXAMINER	76845
Dec. 29, 2004	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 07, 2016

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## Assignment Abstract Of Title Information

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### Summary

Total Assignments: 2

Registrant: Street Surfing LLC

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### Assignment 1 of 2

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Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6153/0657](#)

Pages: 9

Date Recorded: Sep. 13, 2017

Supporting Documents: [assignment-tm-6153-0657.pdf](#)

#### Assignor

Name: [STREET SURFING LLC](#)

Execution Date: Jan. 23, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: NEVADA  
Where Organized:

#### Assignee

Name: [STREET SURF \(ASSIGNMENT FOR THE BENEFIT OF CREDITORS\), LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: CALIFORNIA  
Where Organized:

Address: 1100 LA AVENIDA ST  
BLDG A  
MOUNTAIN VIEW, CALIFORNIA 94043

#### Correspondent

Correspondent Name: LODESTONE LEGAL GROUP

Correspondent Address: 256 SEABOARD LANE, SUITE G-103  
FRANKLIN, TN 37067

Domestic Representative - Not Found

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### Assignment 2 of 2

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Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6153/0702](#)

Pages: 14

Date Recorded: Sep. 13, 2017

Supporting Documents: [assignment-tm-6153-0702.pdf](#)

#### Assignor

Name: [STREET SURF \(ASSIGNMENT FOR THE BENEFIT OF CREDITORS\), LLC](#)

Execution Date: Jan. 23, 2012

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: CALIFORNIA  
Where Organized:

#### Assignee

Name: [STREET SURFING INVESTMENT I, INC.](#)

Legal Entity Type: CORPORATION

State or Country: DELAWARE  
Where Organized:

Address: 1200 ROUTE 22 EAST  
SUITE 2000-2159  
BRIDGEWATER, NEW JERSEY 08807

DBA, AKA, TA, Formerly: DBA STREET SURFING WORLDWIDE

#### Correspondent

Correspondent Name: LODESTONE LEGAL GROUP

Name:

Correspondent 256 SEABOARD LANE, SUITE G-103  
Address: FRANKLIN, TN 37067

Domestic Representative - Not Found

## Proceedings

### Summary

Number of 1  
Proceedings:

### Type of Proceeding: Opposition

Proceeding Number: [91178330](#)

Filing Date: Jul 11, 2007

Status: Terminated

Status Date: Nov 28, 2007

Interlocutory Attorney: ANDREW P BAXLEY

#### Defendant

Name: WaveSkater, LLC

Correspondent Kenneth S. Weitzman  
Address: Weitzman Law Offices, LLC  
425 Eagle Rock Avenue, Suite 102  
Roseland NJ UNITED STATES , 07068

Correspondent e-mail: [kweitzman@weitzmanip.com](mailto:kweitzman@weitzmanip.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
WAVE SKATER	Cancelled - Section 8 Plaintiff(s)	<a href="#">78741088</a>	<a href="#">3362311</a>

Name: Street Surfing, LLC

Correspondent Jeromye V. Sartain  
Address: Mind Law Firm, P.C.  
2424 S.E. Bristol Street, Suite 300  
Newport Beach CA UNITED STATES , 92660

Correspondent e-mail: [jsartain@mindlawfirm.com](mailto:jsartain@mindlawfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
WAVE	REGISTERED AND RENEWED	<a href="#">78534009</a>	<a href="#">3080867</a>
THE WAVE	Cancelled - Section 8	<a href="#">78533985</a>	<a href="#">3083847</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 11, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 11, 2007	Aug 20, 2007
3	PENDING, INSTITUTED	Jul 11, 2007	
4	STIPULATION FOR AN EXTENSION OF TIME	Aug 09, 2007	
5	EXTENSION OF TIME GRANTED	Aug 09, 2007	
6	CHANGE OF CORRESPONDENCE ADDRESS	Aug 09, 2007	
7	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Aug 09, 2007	
8	STIPULATION FOR AN EXTENSION OF TIME	Sep 25, 2007	
9	EXTENSION OF TIME GRANTED	Sep 25, 2007	
10	WITHDRAWAL OF OPPOSITION	Nov 28, 2007	
11	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 28, 2007	
12	TERMINATED	Nov 28, 2007	

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Thursday, July 7, 2016 11:01 PM  
**To:** trademarks@olcott.com  
**Cc:** nuno.pereira@streetsurfing.com ; tania.garcia@streetsurfing.com ; Justin\_Sanders@one3ip.com ; jeromye\_sartain@one3ip.com  
**Subject:** Official USPTO Notice of Acceptance and Renewal Sections 8 and 9: U.S. Trademark RN 3080867: WAVE

---

**Serial Number:** 78534009  
**Registration Number:** 3080867  
**Registration Date:** Apr 11, 2006  
**Mark:** WAVE  
**Owner:** Street Surfing LLC

Jul 7, 2016

### **NOTICE OF ACCEPTANCE UNDER SECTION 8**

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### **NOTICE OF REGISTRATION RENEWAL UNDER SECTION 9**

The renewal application filed for the above-identified registration meets the requirements of Section 9 of the Trademark Act, 15 U.S.C. §1059. **The registration is renewed.**

**The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.**

**Class(es):**  
028

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

### **REQUIREMENTS FOR MAINTAINING REGISTRATION IN SUCCESSIVE TEN-YEAR PERIODS**

**WARNING:** Your registration will be canceled if you do not file the documents below during the specified time 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. See 15 U.S.C. §§1058, 1059.

#### **Grace Period Filings**

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

**\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=78534009>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78534009
<b>MARK SECTION</b>	
MARK	WAVE (see. )
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	Street Surfing LLC  Suite 700 101 Convention Center Drive Las Vegas Nevada United States 89109 (201) 863-4200 (201) 863-4200 trademarks@olcott.com; nuno.pereira@streetsurfing.com; tania.garcia@streetsurfing.com; Justin_Sanders@one3ip.com; jerome_sartain@one3ip.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Nuno Pereira/
SIGNATORY NAME	Nuno Pereira
SIGNATORY DATE	04/15/2016
SIGNATORY POSITION	In-House Counsel for the trademark owner
SIGNATORY PHONE NUMBER	13477080036
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Apr 15 10:40:46 EDT 2016
TEAS STAMP	USPTO/S08N09-XX.XXX.XXX.X X-20160415104046852121-30 80867-5508ade56caa562f74c d61ac1839a5e5437f0727dda1 b9256d962857dd88c1a12e0-D A-8324-201604141417492681 54

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
 PTO Form 1963 (Rev. 05/2006)  
 OMB No. 0651-0055 (Exp 07/31/2018)

## Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	3080867
REGISTRATION DATE	04/11/2006
SERIAL NUMBER	78534009
<b>MARK SECTION</b>	
MARK	WAVE
<b>CORRESPONDENCE SECTION (current)</b>	
NAME	Justin G. Sanders
FIRM NAME	One3 IP Management, P.C.
STREET	5405 Alton Parkway, Suite 5A, 764
CITY	Irvine
STATE	California
POSTAL CODE	92604
COUNTRY	United States
PHONE	949-250-5800
FAX	805-322-4469
EMAIL	one3ipdocket@blackhillsip.com; Tamara_Rodriguez@one3ip.com; Justin_Sanders@one3ip.com; Jeromye_Sartain@one3ip.com; Dean_Stathakis@one3ip.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	STRSU.10505
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	Street Surfing LLC
INTERNAL ADDRESS	Suite 700
STREET	101 Convention Center Drive
CITY	Las Vegas
STATE	Nevada
POSTAL CODE	89109
COUNTRY	United States
PHONE	(201) 863-4200
FAX	(201) 863-4200
	trademarks@olcott.com;nuno.pereira@streetsurfing.com;



EMAIL	tania.garcia@streetsurfing.com; Justin_Sanders@one3ip.com; jeromye_sartain@one3ip.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
GOODS OR SERVICES	Wheeled skateboard-like device
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\785\340\78534009\xml3\S890002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\785\340\78534009\xml3\S890003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\785\340\78534009\xml3\S890004.JPG</a>
SPECIMEN DESCRIPTION	photos of a catalog, an owner's manual and of the actual product showing the Mark in connection with the goods
<b>OWNER SECTION (current)</b>	
NAME	Street Surfing LLC
INTERNAL ADDRESS	Suite 700
STREET	101 Convention Center Drive
CITY	Las Vegas
STATE	Nevada
ZIP/POSTAL CODE	89109
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
<b>OWNER SECTION (proposed)</b>	
NAME	Street Surfing LLC
INTERNAL ADDRESS	Suite 700
STREET	101 Convention Center Drive
CITY	Las Vegas
STATE	Nevada
ZIP/POSTAL CODE	89109
COUNTRY	United States
PHONE	(201) 863-4200
FAX	(201) 863-4200
EMAIL	trademarks@olcott.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>LEGAL ENTITY SECTION (current)</b>	
TYPE	limited liability company



STATE/COUNTRY WHERE LEGALLY ORGANIZED	Nevada
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	400
GRACE PERIOD	200
TOTAL FEE PAID	600
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Nuno Pereira/
SIGNATORY'S NAME	Nuno Pereira
SIGNATORY'S POSITION	In-House Counsel for the trademark owner
DATE SIGNED	04/15/2016
SIGNATORY'S PHONE NUMBER	13477080036
PAYMENT METHOD	DA
<b>FILING INFORMATION</b>	
SUBMIT DATE	Fri Apr 15 10:40:46 EDT 2016
TEAS STAMP	USPTO/S08N09-XX.XXX.XXX.X X-20160415104046852121-30 80867-5508ade56caa562f74c d61ac1839a5e5437f0727dda1 b9256d962857dd88c1a12e0-D A-8324-201604141417492681 54

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**Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9**

**To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 3080867  
**REGISTRATION DATE:** 04/11/2006

**MARK:** WAVE (see, )

The owner, Street Surfing LLC, a limited liability company legally organized under the laws of Nevada, having an address of  
Suite 700  
101 Convention Center Drive  
Las Vegas, Nevada 89109  
United States  
(201) 863-4200  
(201) 863-4200  
trademarks@olcott.com (authorized)

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 028, the mark is in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Wheeled skateboard-like device ; or, the owner is making the listed excusable nonuse claim.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photos of a catalog, an owner's manual and of the actual product showing the Mark in connection with the goods.

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

The registrant's current Correspondence Information: Justin G. Sanders of One3 IP Management, P.C.

5405 Alton Parkway, Suite 5A, 764  
Irvine, California 92604  
United States

The docket/reference number is STRSU.10505.

The registrant's proposed Correspondence Information: Street Surfing LLC

Suite 700  
101 Convention Center Drive  
Las Vegas, Nevada 89109  
United States

The phone number is (201) 863-4200.

The fax number is (201) 863-4200.

The email address is trademarks@olcott.com;nuno.pereira@streetsurfing.com; tania.garcia@streetsurfing.com; Justin\_Sanders@one3ip.com; jeromye\_sartain@one3ip.com.

A fee payment in the amount of \$600 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

**Declaration**

**Section 8: Declaration of Use and/or Excusable Nonuse in Commerce**

*Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services, or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.*

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

**Section 9: Application for Renewal**

*The registrant requests that the registration be renewed for the goods/services/collective organization identified above.*

Signature: /Nuno Pereira/ Date: 04/15/2016

Signatory's Name: Nuno Pereira

Signatory's Position: In-House Counsel for the trademark owner

Signatory's Phone Number: 13477080036

Serial Number: 78534009

Internet Transmission Date: Fri Apr 15 10:40:46 EDT 2016

TEAS Stamp: USPTO/S08N09-XX.XXX.XXX.XX-2016041510404

6852121-3080867-5508ade56caa562f74cd61ac

1839a5e5437f0727dda1b9256d962857dd88c1a1

2e0-DA-8324-20160414141749268154









**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 3080867



**Serial Number:** 78534009



**RAM Sale Number:** 3080867

**RAM Accounting Date:** 20160415

**Total Fees:** \$600

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20160415	\$100	1	1	\$100
Application for Renewal (§9)	7201	20160415	\$300	1	1	\$300
Grace period for §8	7206	20160415	\$100	1	1	\$100
Grace period for renewal	7203	20160415	\$100	1	1	\$100

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20160415











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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Saturday, April 11, 2015 01:07 AM  
**To:** one3ipdocket@blackhillsip.com ; msd@cohen-sak.com  
**Cc:** Tamara\_Rodriguez@one3ip.com ; Justin\_Sanders@one3ip.com ; Jeromye\_Sartain@one3ip.com ; Dean\_Stathakis@one3ip.com  
**Subject:** Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filings Under Section 8 and 9: U.S. Trademark RN 3080867: WAVE: Docket/Reference No. STRSU.10505

**U.S. Serial Number:** 78534009  
**U.S. Registration Number:** 3080867  
**U.S. Registration Date:** Apr 11, 2006  
**Mark:** WAVE  
**Owner:** Street Surfing LLC

Apr 11, 2015

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER  
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILINGS UNDER SECTIONS 8 AND 9**

**WARNING:** Your trademark registration will be **CANCELLED** and will **EXPIRE** if you do not file the required documents below during the specified statutory time periods.

The above-identified registration registered on Apr 11, 2006. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse and an Application for Renewal under §§8 and 9 of the Trademark Act anytime between now and Apr 11, 2016. For an additional fee, the owner may file the documents within the six-month grace period that ends on Oct 11, 2016. See 15 U.S.C. §§1058, 1059. The current fee for a combined filing under §§8 and 9 is \$400 per class for filings submitted through the USPTO's official website using the Trademark Electronic Application System ("TEAS"), and the additional fee for filing during the six-month grace period is \$200 per class. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through TEAS. Official forms for filing a Combined Declaration of Use and/or Excusable Nonuse and Application for Renewal under §§8 and 9 are available through TEAS at [http://www.uspto.gov/trademarks/teas/reg\\_maintain.jsp](http://www.uspto.gov/trademarks/teas/reg_maintain.jsp).

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <http://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

To check the status of this registration, go to [http://tsdr.uspto.gov/#caseNumber=78534009&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=78534009&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

**Beware of Unofficial Trademark Solicitations:** Please be aware that private companies not associated with the USPTO often use trademark registration information from the USPTO's database to mail or e-mail trademark-related solicitations. This is the only official reminder that you will receive from the USPTO about your upcoming required maintenance filings. For additional information about these private solicitations, please visit the USPTO website at [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS and ensure that you maintain a current e-mail address with the USPTO.



## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78534009
REGISTRATION NUMBER	3080867
LAW OFFICE ASSIGNED	LAW OFFICE 107
<b>MARK SECTION</b>	
MARK	WAVE
<b>CORRESPONDENCE SECTION (current)</b>	
ORIGINAL ADDRESS	Justin G. Sanders Mind Law Firm, P.C. 36 Executive Park, Suite 110 IRVINE California 92614 US 949-250-5800 866-258-5653 notice@mindlawfirm.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	One3 IP Management, P.C. AAAFL.11638 5405 Alton Parkway, Suite 5A, 764 Irvine California United States 92604 949-250-5800 805-322-4469 one3ipdocket@blackhillsip.com; Tamara_Rodriguez@one3ip.com; Justin_Sanders@one3ip.com; Jeromye_Sartain@one3ip.com; Dean_Stathakis@one3ip.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Justin G. Sanders/
SIGNATORY NAME	Justin G. Sanders
SIGNATORY DATE	07/10/2014
SIGNATORY POSITION	Attorney of record, CA bar member
SIGNATORY PHONE NUMBER	949-250-5800
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Jul 10 14:49:45 EDT 2014
	USPTO/CCA-XX.XX.XXX.XX-20 140710144945841203-859731

TEAS STAMP

22-50086f82944276115adabf  
a23115f76acfee6e4e92f7874  
4379804a49fcf33ac9c0-N/A-  
N/A-20140710143103820686



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, April 24, 2012 11:00 PM  
**To:** notice@mindlawfirm.com  
**Subject:** Trademark RN 3080867: Official Notice of Acceptance and Acknowledgement under Sections 8 and 15 of the Trademark Act

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**Serial Number:** 78534009  
**Registration Number:** 3080867  
**Registration Date:** Apr 11, 2006  
**Mark:** WAVE(STANDARD CHARACTER MARK)  
**Owner:** Street Surfing LLC

Apr 24, 2012

### NOTICE OF ACCEPTANCE UNDER SECTION 8

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.

**Class(es):**  
028

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

### REQUIREMENTS FOR MAINTAINING REGISTRATION

**WARNING:** Your registration will be canceled if you do not file the documents below during the specified time periods.

#### Requirements in the First Ten Years

**What and When to File:** 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. §§1058, 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. See 15 U.S.C. §§1058, 1059.

#### Grace Period Filings

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

**\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=78534009>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

## Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	3080867
REGISTRATION DATE	04/11/2006
SERIAL NUMBER	78534009
<b>MARK SECTION</b>	
MARK	WAVE
<b>ATTORNEY SECTION (current)</b>	
NAME	Michael S. Davidson
FIRM NAME	COHEN SAKAGUCHI & ENGLISH LLP
STREET	2040 MAIN ST FL 9
CITY	IRVINE
STATE	California
POSTAL CODE	92614-7216
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>ATTORNEY SECTION (proposed)</b>	
NAME	Justin G. Sanders
FIRM NAME	Mind Law Firm, P.C.
STREET	36 Executive Park, Suite 110
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	United States
PHONE	949-250-5800
FAX	866-258-5653
EMAIL	notice@mindlawfirm.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	STRSU.10505
OTHER APPOINTED ATTORNEY	Jeromye V. Sartain

<b>CORRESPONDENCE SECTION (current)</b>	
NAME	MICHAEL S. DAVIDSON
FIRM NAME	COHEN SAKAGUCHI & ENGLISH LLP
STREET	2040 MAIN ST FL 9
CITY	IRVINE
STATE	California
POSTAL CODE	92614-7216
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	Justin G. Sanders
FIRM NAME	Mind Law Firm, P.C.
STREET	36 Executive Park, Suite 110
CITY	IRVINE
STATE	California
POSTAL CODE	92614
COUNTRY	United States
PHONE	949-250-5800
FAX	866-258-5653
EMAIL	notice@mindlawfirm.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	STRSU.10505
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
GOODS OR SERVICES	Wheeled skateboard-like device
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT1\IMAGEOUT 11\785\340\78534009\xml2\8150002.JPG</a>
SPECIMEN DESCRIPTION	photo of a representative product sold bearing the Mark
<b>OWNER SECTION (current)</b>	
NAME	Street Surfing LLC
STREET	Suite 700
CITY	Las Vegas
STATE	Nevada
ZIP/POSTAL CODE	89109
COUNTRY	United States

PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
<b>OWNER SECTION (proposed)</b>	
NAME	Street Surfing LLC
STREET	Suite 700
CITY	Las Vegas
STATE	Nevada
ZIP/POSTAL CODE	89109
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	
<b>LEGAL ENTITY SECTION (current)</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Nevada
<b>LEGAL ENTITY SECTION (proposed)</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Nevada
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	300
TOTAL FEE PAID	300
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Justin G. Sanders/
SIGNATORY'S NAME	Justin G. Sanders
SIGNATORY'S POSITION	Attorney of record, CA bar member
DATE SIGNED	04/10/2012
SIGNATORY'S PHONE NUMBER	949-250-5800
PAYMENT METHOD	CC
<b>FILING INFORMATION</b>	
SUBMIT DATE	Tue Apr 10 12:47:40 EDT 2012
TEAS STAMP	USPTO/S08N15-XXX.XXX.XX.X X-20120410124740892262-30 80867-490ccf4c1bd869e574a 7f6c4c6bcedbcc8-CC-9968-2 0120410124144773007



**Combined Declaration of Use and Incontestability under Sections 8 & 15  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 3080867  
**REGISTRATION DATE:** 04/11/2006

**MARK:** WAVE

The owner, Street Surfing LLC, a limited liability company legally organized under the laws of Nevada, having an address of  
Suite 700  
Las Vegas, Nevada 89109  
United States  
is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 028, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Wheeled skateboard-like device; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photo of a representative product sold bearing the Mark.

[Specimen File](#)

The registrant's current Attorney Information: Michael S. Davidson of COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, California (CA) 92614-7216  
United States

The registrant's proposed Attorney Information: Justin G. Sanders of Mind Law Firm, P.C.  
36 Executive Park, Suite 110  
IRVINE, California (CA) 92614  
United States

The docket/reference number is STRSU.10505.

The Other Appointed Attorney(s): Jeromye V. Sartain.

The phone number is 949-250-5800.

The fax number is 866-258-5653.

The email address is notice@mindlawfirm.com.

The registrant's current Correspondence Information: MICHAEL S. DAVIDSON of COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, California (CA) 92614-7216  
United States

The registrant's proposed Correspondence Information: Justin G. Sanders of Mind Law Firm, P.C.  
36 Executive Park, Suite 110  
IRVINE, California (CA) 92614  
United States

The docket/reference number is STRSU.10505.



The phone number is 949-250-5800.

The fax number is 866-258-5653.

The email address is notice@mindlawfirm.com.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

*The mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce. There has been no final decision adverse to the owner's claim of ownership of such mark, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the U.S. Patent and Trademark Office or in the courts.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /Justin G. Sanders/    Date: 04/10/2012  
Signatory's Name: Justin G. Sanders  
Signatory's Position: Attorney of record, CA bar member  
Signatory's Phone Number: 949-250-5800

**Mailing Address (current):**  
COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, California 92614-7216

**Mailing Address (proposed):**  
Mind Law Firm, P.C.  
36 Executive Park, Suite 110  
IRVINE, California 92614

Serial Number: 78534009  
Internet Transmission Date: Tue Apr 10 12:47:40 EDT 2012  
TEAS Stamp: USPTO/S08N15-XXX.XXX.XX.XX-2012041012474  
0892262-3080867-490ccf4c1bd869e574a7f6c4  
c6bcedbce8-CC-9968-20120410124144773007



**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 3080867



**Serial Number:** 78534009



**RAM Sale Number:** 9968

**RAM Accounting Date:** 20120410

**Total Fees:** \$300

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20120410	\$100	1	1	\$100
§15 affidavit	7208	20120410	\$200	1	1	\$200

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20120410





Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

Reg. No. 3,080,867

United States Patent and Trademark Office

Registered Apr. 11, 2006

**TRADEMARK  
PRINCIPAL REGISTER**

**WAVE**

STREET SURFING LLC (NEVADA LTD LIAB  
CO)  
SUITE 700  
101 CONVENTION CENTER DRIVE  
LAS VEGAS, NV 89109

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

FOR: WHEELED SKATEBOARD-LIKE DEVICE,  
IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

SN 78-534,009, FILED 12-16-2004.

FIRST USE 1-0-2005; IN COMMERCE 1-0-2005.

SEAN DWYER, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

**NOTICE OF ACCEPTANCE OF STATEMENT OF USE**

**Mar 2, 2006**

TM107

MICHAEL S. DAVIDSON  
COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, CA 92614-7216

ATTORNEY  
REFERENCE NUMBER:

SURF-005

**SERIAL NUMBER:** 78/534009  
**MARK:** WAVE  
**OWNER:** Street Surfing LLC

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The Statement of Use (SOU) filed for the trademark application identified above has been accepted. This acceptance means that the mark will register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information please check the USPTO web site at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	78534009	FILING DATE	12/16/2004
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DWYER, SEAN W	L.O. ASSIGNED	107

**PUB INFORMATION**

RUN DATE	02/23/2006		
PUB DATE	09/13/2005		
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION		
STATUS DATE	02/22/2006		
LITERAL MARK ELEMENT	WAVE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	WAVE
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
------------	-------------------------

NAME	Street Surfing LLC
ADDRESS	Suite 700 101 Convention Center Drive Las Vegas, NV 89109
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Nevada

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Wheeled skateboard-like device

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	01/00/2005	FIRST USE IN COMMERCE DATE	01/00/2005	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/22/2006	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	015
02/14/2006	DOCK	D	ASSIGNED TO EXAMINER	014
02/13/2006	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	013
01/23/2006	IUAF	S	USE AMENDMENT FILED	012
01/23/2006	EISU	I	TEAS STATEMENT OF USE RECEIVED	011
12/06/2005	NOAM	O	NOTICE OF ALLOWANCE-MAILED	010
09/13/2005	PUBO	A	PUBLISHED FOR OPPOSITION	009
08/24/2005	NPUB	O	NOTICE OF PUBLICATION	008
07/29/2005	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	007
07/29/2005	ALIE	A	ASSIGNED TO LIE	006
07/21/2005	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	005
07/21/2005	GNEA	F	EXAMINERS AMENDMENT E-MAILED	004
07/21/2005	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	003
07/21/2005	DOCK	D	ASSIGNED TO EXAMINER	002
12/29/2004	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Michael S. Davidson
CORRESPONDENCE ADDRESS	MICHAEL S. DAVIDSON COHEN SAKAGUCHI & ENGLISH LLP 2040 MAIN ST FL 9 IRVINE, CA 92614-7216
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Street Surfing LLC
ADDRESS	Suite 700 101 Convention Center Drive Las Vegas, NV 89109
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Nevada

WAVE











## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	78534009
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>NOTICE OF ALLOWANCE</b>	YES
<b>EXTENSION OF USE</b>	NO
<b>REQUEST TO DIVIDE</b>	NO
<b>MARK SECTION</b>	
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	WAVE
<b>OWNER SECTION (no change)</b>	
<b>ATTORNEY SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
GOODS AND/OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	01/00/2005
FIRST USE IN COMMERCE DATE	01/00/2005
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT7\IMAGEOUT7\785\340\78534009\xml1\SOU0002.JPG</a>
	<a href="#">\\TICRS\EXPORT7\IMAGEOUT7\785\340\78534009\xml1\SOU0003.JPG</a>
	<a href="#">\\TICRS\EXPORT7\IMAGEOUT7\785\340\78534009\xml1\SOU0004.JPG</a>
SPECIMEN DESCRIPTION	digital photographs of product and packaging
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
SUBTOTAL AMOUNT	100
TOTAL AMOUNT	100
<b>SIGNATURE SECTION</b>	
SIGNATURE	/peace/
SIGNATORY NAME	Jasun Weiner
SIGNATORY DATE	01/23/2006
SIGNATORY POSITION	President

FILING INFORMATION	
SUBMIT DATE	Mon Jan 23 19:58:49 EST 2006
TEAS STAMP	USPTO/SOU-XX.XXX.XXX.XXX- 20060123195849003893-7853 4009-3209396b529a565144ad 94c806416106ca2-DA-890-20 060123164539132621

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**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** WAVE  
**SERIAL NUMBER:** 78534009

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, Street Surfing LLC, having an address of Suite 700 101 Convention Center Drive, Las Vegas, Nevada United States 89109, is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class: 028, the applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/00/2005, and first used in commerce at least as early as 01/00/2005, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) digital photographs of product and packaging.

[Specimen-1](#)

[Specimen-2](#)

[Specimen-3](#)

The applicant hereby appoints Michael S. Davidson to submit this Trademark/Service Mark Statement of Use on behalf of the applicant. The attorney docket/reference number is SURF-005.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /peace/ Date Signed: 01/23/2006  
Signatory's Name: Jasun Weiner  
Signatory's Position: President

RAM Sale Number: 890  
RAM Accounting Date: 01/24/2006

Serial Number: 78534009  
Internet Transmission Date: Mon Jan 23 19:58:49 EST 2006  
TEAS Stamp: USPTO/SOU-XX.XXX.XXX.XXX-200601231958490  
03893-78534009-3209396b529a565144ad94c80  
6416106ca2-DA-890-20060123164539132621



The ultimate new sport  
**StreetSurfing**

a combination of snowboarding, skateboarding & surfing

**Ride uphill & Carve downhill**

Propel yourself without touching the ground

Put off precision 360's

FREE DEMO INSTRUCTIONAL DVD INCLUDED



StreetSurfing









**FEE RECORD SHEET**

**Serial Number:** 78534009



**RAM Sale Number:** 890

**Total Fees:** \$100

**RAM Accounting Date:** 20060124

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20060123	\$100	1	\$100

**Transaction Date:** 20060123



U.S. Patent and Trademark Office (USPTO)

NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Dec 6, 2005

MICHAEL S. DAVIDSON  
COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, CA 92614-7216

ATTORNEY  
REFERENCE NUMBER

SURF-005

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

The following information should be reviewed for accuracy:

SERIAL NUMBER: 78/534009  
MARK: WAVE (STANDARD CHARACTER MARK)  
OWNER: Street Surfing LLC  
Suite 700  
101 Convention Center Drive  
Las Vegas, NEVADA 89109

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

028 - Wheeled skateboard-like device

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

Aug 24, 2005

**NOTICE OF PUBLICATION UNDER 12(a)**

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>78/534,009         | 2. Mark:<br>WAVE<br>Standard Character Mark |
| 3. International Class(es):<br>28    |   |
| 4. Publication Date:<br>Sep 13, 2005 | 5. Applicant:<br>Street Surfing LLC         |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

---

Correspondence Address:

MICHAEL S. DAVIDSON  
COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, CA 92614-7216

TMP&I

**To:** Street Surfing LLC ([msd@cohen-sak.com](mailto:msd@cohen-sak.com))  
**Subject:** TRADEMARK APPLICATION NO. 78534009 - WAVE - SURF-005  
**Sent:** 7/21/2005 2:10:54 PM  
**Sent As:** ECOM112@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/534009

**APPLICANT:** Street Surfing LLC

**\*78534009\***

**CORRESPONDENT ADDRESS:**  
MICHAEL S. DAVIDSON  
COHEN SAKAGUCHI & ENGLISH LLP  
2040 MAIN ST FL 9  
IRVINE, CA 92614-7216

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

**MARK:** WAVE

**CORRESPONDENT'S REFERENCE/DOCKET NO :** SURF-005

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**  
[msd@cohen-sak.com](mailto:msd@cohen-sak.com)

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

Serial Number 78/534009

**EXAMINER'S AMENDMENT**

**OFFICE RECORDS SEARCH:** The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

**ADVISORY – AMENDMENTS TO GOODS/SERVICES:** If the identification of goods and/or services has been amended below, any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

**AMENDMENT(S) AUTHORIZED:** As authorized by Mr. Michael S. Davidson on July 21, 2005, the application is amended as noted below. *If applicant disagrees with or objects to any of the amendments below, please notify the undersigned trademark examining attorney immediately.* Otherwise, no response is necessary. TMEP §707.

Entity

The applicant's entity shall be clarified and amended to read as follows:

Street Surfing LLC, a Limited Liability Company organized under the laws of Nevada.

/CGJ/  
Charles G. Joyner, Jr.  
Trademark Attorney  
Law Office 112  
(571) 272-9411  
Fax: (571) 273-9112

\*\*\* User:cjoyner \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	78534009[SN]
02	5739	N/A	0	0	0:01	*WAV*[bi.ti]
03	2495	N/A	0	0	0:02	2 not dead[ld]
04	1618	N/A	0	0	0:03	3 AND "028"[CC]
05	122	0	121	44	0:01	4 AND ("028" or a or b or 200)[ic]

Session started 7/21/2005 9:19:40 AM

Session finished 7/21/2005 9:32:34 AM

Total search duration 0 minutes 8 seconds

Session duration 12 minutes 54 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78534009



## Trademark/Service Mark Application, Principal Register

**Serial Number: 78534009**  
**Filing Date: 12/16/2004**

**The table below presents the data as entered.**

Input Field	Entered
<b>MARK SECTION</b>	
MARK	<a href="#">WAVE</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	WAVE
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>OWNER SECTION</b>	
NAME	Street Surfing LLC
INTERNAL ADDRESS	Suite 700
STREET	101 Convention Center Drive
CITY	Las Vegas
STATE	NV
ZIP/POSTAL CODE	89109
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
AUTHORIZED EMAIL COMMUNICATION	Yes
<b>LEGAL ENTITY SECTION</b>	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Nevada
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	028
DESCRIPTION	Wheeled skateboard-like device
FILING BASIS	Section 1(b)
<b>SIGNATURE SECTION</b>	
SIGNATURE	/MSD/
SIGNATORY NAME	Michael S. Davidson
SIGNATORY DATE	12/16/2004

SIGNATORY POSITION	Attorney
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	335
TOTAL AMOUNT	335
<b>ATTORNEY</b>	
NAME	Michael S. Davidson
FIRM NAME	Cohen Sakaguchi & English LLP
INTERNAL ADDRESS	9th Floor
STREET	2040 Main Street
CITY	Irvine
STATE	CA
ZIP/POSTAL CODE	92614
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	SURF-005
<b>CORRESPONDENCE SECTION</b>	
NAME	Michael S. Davidson
FIRM NAME	Cohen Sakaguchi & English LLP
INTERNAL ADDRESS	9th Floor
STREET	2040 Main Street
CITY	Irvine
STATE	CA
ZIP/POSTAL CODE	92614
COUNTRY	United States
PHONE	(949) 677-7758
FAX	(949) 625-8955
EMAIL	msd@cohen-sak.com
AUTHORIZED EMAIL COMMUNICATION	Yes
<b>FILING INFORMATION</b>	
SUBMIT DATE	Thu Dec 16 17:25:51 EST 2004
TEAS STAMP	USPTO/BAS-XXXXXXXXXX-2004 1216172551109632-78534009 -200744483fd13094d17529bf 97618356ab-DA-458-2004121

6172259511813

## Trademark/Service Mark Application, Principal Register

**Serial Number: 78534009**

**Filing Date: 12/16/2004**

### To the Commissioner for Trademarks:

**MARK:** (Standard Characters, see [mark](#))

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of WAVE.

The applicant, Street Surfing LLC, a corporation of Nevada, residing at Suite 700, 101 Convention Center Drive, Las Vegas, NV, United States, 89109, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

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

International Class 028: Wheeled skateboard-like device

The applicant hereby appoints Michael S. Davidson of Cohen Sakaguchi & English LLP, 9th Floor, 2040 Main Street, Irvine, CA, United States, 92614 to submit this application on behalf of the applicant. The attorney docket/reference number is SURF-005.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: [msd@cohen-sak.com](mailto:msd@cohen-sak.com).

A fee payment in the amount of \$335 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /MSD/ Date: 12/16/2004  
Signatory's Name: Michael S. Davidson  
Signatory's Position: Attorney

Mailing Address:  
Michael S. Davidson  
9th Floor  
2040 Main Street  
Irvine, CA 92614

RAM Sale Number: 458  
RAM Accounting Date: 12/17/2004

Serial Number: 78534009

Internet Transmission Date: Thu Dec 16 17:25:51 EST 2004  
TEAS Stamp: USPTO/BAS-XXXXXXXXXX-2004121617255110963  
2-78534009-200744483fd13094d17529bf97618  
356ab-DA-458-20041216172259511813

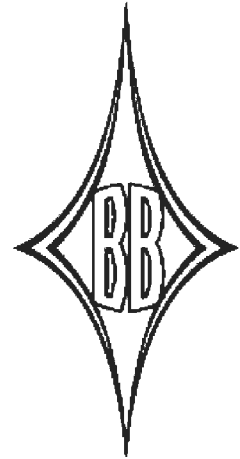
WAVE



WAVE

Generated on: This page was generated by TSDR on 2019-05-07 23:54:09 EDT

Mark: BB



US Serial Number: 79233177

Application Filing Date: Feb. 20, 2018

US Registration Number: 5624902

Registration Date: Dec. 11, 2018

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 11, 2018

Publication Date: Sep. 25, 2018

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## Mark Information

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Mark Literal Elements: BB

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 an outlined single star with four points featuring the letters BB inside the star.

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

Design Search Code(s): 01.01.02 - Star - a single star with four points

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## Related Properties Information

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International Registration Number: 1404492

International Registration Date: Feb. 20, 2018

---

## Goods and Services

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**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: Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 66(a)

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## Basis Information (Case Level)

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<b>Filed Use:</b> No	<b>Currently Use:</b> No	<b>Amended Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No	<b>Amended 44E:</b> No
<b>Filed 66A:</b> Yes	<b>Currently 66A:</b> Yes	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

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## Current Owner(s) Information

---

**Owner Name:** Bennett Surfboards Pty Ltd  
**Owner Address:** 180 Harbord Rd  
BROOKVALE NSW 2100  
AUSTRALIA  
**Legal Entity Type:** PROPRIETARY LIMITED COMPANY  
**State or Country Where Organized:** AUSTRALIA

---

## Attorney/Correspondence Information

---

**Attorney of Record - None**  
**Correspondent**

**Correspondent Name/Address:** BRAND HAVEN PTY LTD  
PO BOX 681  
MANLY NSW 1655  
AUSTRALIA

**Domestic Representative - Not Found**

---

## Prosecution History

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Date	Description	Proceeding Number
Apr. 12, 2019	FINAL DECISION TRANSACTION PROCESSED BY IB	
Mar. 22, 2019	FINAL DISPOSITION NOTICE SENT TO IB	
Mar. 22, 2019	FINAL DISPOSITION PROCESSED	68359
Mar. 11, 2019	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Dec. 11, 2018	REGISTERED-PRINCIPAL REGISTER	
Sep. 25, 2018	PUBLISHED FOR OPPOSITION	
Sep. 21, 2018	NOTIFICATION PROCESSED BY IB	
Sep. 05, 2018	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Sep. 05, 2018	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Sep. 05, 2018	NOTICE OF PUBLICATION	
Aug. 21, 2018	ASSIGNED TO LIE	70997
Aug. 09, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 26, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 25, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 25, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 14, 2018	REFUSAL PROCESSED BY IB	
Jun. 25, 2018	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	

Jun. 25, 2018	REFUSAL PROCESSED BY MPU	73787
Jun. 15, 2018	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Jun. 14, 2018	NON-FINAL ACTION WRITTEN	73360
Jun. 12, 2018	APPLICATION FILING RECEIPT MAILED	
Jun. 07, 2018	ASSIGNED TO EXAMINER	73360
Jun. 07, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2018	SN ASSIGNED FOR SECT 66A APPL FROM IB	

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### International Registration Information (Section 66a)

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<b>International Registration Number:</b> 1404492	<b>International Registration Date:</b> Feb. 20, 2018
<b>Priority Claimed Flag:</b> Yes	<b>Date of Section 67 Priority Claim:</b> Sep. 08, 2017
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> May 31, 2018
<b>Notification of Designation Date:</b> May 31, 2018	<b>Date of Automatic Protection:</b> Nov. 30, 2019
<b>International Registration Renewal Date:</b> Feb. 20, 2028	
<b>First Refusal Flag:</b> Yes	

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### TM Staff and Location Information

---

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 11, 2018

**NOTICE THAT TRANSACTION HAS BEEN PROCESSED BY IB**

**USPTO REFERENCE NUMBER: 7923317**

**SERIAL NUMBER: 79233177**

---

**The table below presents the data as entered.**

<b>Input Field</b>	<b>Entered</b>
INTERNATIONAL REGISTRATION NUMBER	1404492
EFFECTIVE DATE OF MODIFICATION	03/22/2019
IB DOCUMENT ID	1236884401
OFFICE REFERENCE	7923317 79233177
TRANSACTION TYPE	FINO - Other Final decision (usually a partial reversal)

## FINAL DISPOSITION ON EXTENSION OF PROTECTION

The table below presents the data as entered.

Input Field	Entered
<b>IDENTIFICATION SECTION</b>	
INTERNATIONAL REGISTRATION NUMBER	1404492
OFFICE REFERENCE	79233177
ORIGINAL LANGUAGE CODE	ENGLISH
<b>FILE SECTION</b>	
FILE SPECIFICATION OF THE DOCUMENT	The legal letter below is sent to IB
<b>GOODS AND SERVICES SECTION</b>	
NICE CLASS NUMBER	28
LIMITED LIST	List limited to
GOODS AND SERVICE TERMS IN ORIGINAL LANGUAGE	Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods
<b>INSTRUCTIONS SECTION</b>	
FREE TEXT PROCESSING INSTRUCTIONS	Registration of REP Application



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

**Statement of Partial Grant of Protection Following a Provisional Refusal  
by the United States Patent & Trademark Office  
According to Rule 18ter(2)(ii) of the Common Regulations**

The United States Patent and Trademark Office hereby notifies the International Bureau of the GRANT OF PROTECTION in the United States for:

**International Registration No.:** 1404492

**Holder:** Bennett Surfboards Pty Ltd

**Mark:** BB

Application Serial No. 79233177 was registered by the USPTO on December 11, 2018. The registration number is 5624902.

The grant of protection applies to the goods and/or services listed below:

International Class: 28

Goods and Services: Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skin boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

---



# United States of America

United States Patent and Trademark Office



**Reg. No. 5,624,902**

**Registered Dec. 11, 2018**

**Int. Cl.: 28**

**Trademark**

**Principal Register**

Bennett Surfboards Pty Ltd (AUSTRALIA PROPRIETARY LIMITED COMPANY)  
180 Harbord Rd  
Brookvale Nsw 2100  
AUSTRALIA

CLASS 28: Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

The mark consists of an outlined single star with four points featuring the letters BB inside the star.

PRIORITY DATE OF 09-08-2017 IS CLAIMED

OWNER OF INTERNATIONAL REGISTRATION 1404492 DATED 02-20-2018,  
EXPIRES 02-20-2028

SER. NO. 79-233,177, FILED 02-20-2018



*Andrei Iancu*

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.

**\*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 United States Patent and Trademark Office (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>.

**NOTE:** A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

**NOTICE THAT TRANSACTION HAS BEEN PROCESSED BY IB**

**USPTO REFERENCE NUMBER: 7923317**

**SERIAL NUMBER: 79233177**

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**The table below presents the data as entered.**

<b>Input Field</b>	<b>Entered</b>
INTERNATIONAL REGISTRATION NUMBER	1404492
EFFECTIVE DATE OF MODIFICATION	09/05/2018
IB DOCUMENT ID	1180950001
OFFICE REFERENCE	7923317 79233177
TRANSACTION TYPE	GPN - Grant of Protection



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

Sep 5, 2018

## NOTICE OF PUBLICATION

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>79-233,177         | 2. Mark:<br>BB<br>(STYLIZED/DESIGN)         |
| 3. International Class(es):<br>28    |   |
| 4. Publication Date:<br>Sep 25, 2018 | 5. Applicant:<br>Bennett Surfboards Pty Ltd |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=79233177>.

---

### Correspondence Address:

BRAND HAVEN PTY LTD  
PO BOX 681  
MANLY NSW 1655  
AUSTRALIA

## NOTICE OF POSSIBLE OPPOSITION SENT TO INTERNATIONAL BUREAU

The table below presents the data as entered.

Input Field	Entered
<b>IDENTIFICATION SECTION</b>	
INTERNATIONAL REGISTRATION NUMBER	1404492
OFFICE REFERENCE NUMBER	79233177
ORIGINAL LANGUAGE CODE	ENGLISH
<b>NAME AND ADDRESS SECTION</b>	
NAME AND ADDRESS TYPE	Applicant/Holder
NAME	Bennett Surfboards Pty Ltd
ADDRESS	180 Harbord Rd BROOKVALE NSW 2100
<b>OPPOSITION PERIOD SECTION</b>	
OPPOSITION PERIOD START DATE	09/25/2018
<b>INSTRUCTIONS SECTION</b>	
FREE TEXT PROCESSING INSTRUCTIONS	U. S. designated on 20180220. Opposition period is starting 20180925 Type 4 BB





Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

### Notification of Opposition Possible

Statement sent to the International Bureau of the World Intellectual Property Organization (WIPO) in accordance with **Rule 18bis(1)(b)** of the Common Regulations under the Madrid Agreement and Protocol.

**International Registration No.:** 1404492

**Holder:** Bennett Surfboards Pty Ltd

**Mark:** BB

By this notification, the United States Patent and Trademark Office (USPTO) hereby informs the International Bureau (IB) that the *ex officio* examination has been completed and the USPTO no longer has grounds for refusal. However, the protection of the mark is still subject to opposition or observations by third parties. The opposition or observations period is scheduled to begin on September 25, 2018, the date of publication by the USPTO.

An opposition must be filed within thirty (30) days after publication. Upon request, the opposition period is extendable, but shall not exceed 180 days after publication. 37 C.F.R. §§2.101(c), 2.102.

Sincerely,

Madrid Processing Unit  
United States Patent & Trademark Office  
(571) 272-8910

**\*\* STATUS AND INFORMATION CHECK \*\***

For questions about this *notification* or the referenced international registration, email the USPTO Madrid Processing Unit at [MPU@uspto.gov](mailto:MPU@uspto.gov) or visit their website at <http://www.uspto.gov/web/trademarks/madrid/madridindex.htm>.

For further information, please review the USPTO Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>.

To view any notice of publication for opposition published in the Official Gazette, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/>.

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	79233177	FILING DATE	02/20/2018
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	1404492	INTL REG DATE	02/20/2018
TM ATTORNEY	BLANDU, FLORENTINA	L.O. ASSIGNED	117

**PUB INFORMATION**

RUN DATE	08/10/2018		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	08/09/2018		
LITERAL MARK ELEMENT	BB		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	YES	66A	YES		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	BB
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bennett Surfboards Pty Ltd
ADDRESS	180 Harbord Rd BROOKVALE NSW 2100
ENTITY	82
CITIZENSHIP	Australia

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of an outlined single star with four points featuring the letters BB inside the star.

### SECTION 66A INTERNATIONAL REGISTRATION DATA

INTL REG #	1404492
INTL REG DATE	02/20/2018
PRIORITY CLMD	YES
PRIOR CLMD DATE	09/08/2017
INTL STATUS	001-REQUEST FOR EXTENSION OF PROTECTION PROCESSED
INTL STATUS DATE	05/31/2018
AUTQ PROTECTION DATE	11/30/2019
INTL RENEWAL DATE	02/20/2028
INTL REG DEATH DATE	N/A
FIRST REFUSAL	YES

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/09/2018	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	013
07/26/2018	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
07/25/2018	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011

07/25/2018	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	010
07/14/2018	RFNT	P	REFUSAL PROCESSED BY IB	009
06/25/2018	RFCS	P	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	008
06/25/2018	RFRR	P	REFUSAL PROCESSED BY MPU	007
06/15/2018	RFRC	E	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	006
06/14/2018	CNRT	R	NON-FINAL ACTION WRITTEN	005
06/12/2018	MAFR	O	APPLICATION FILING RECEIPT MAILED	004
06/07/2018	DOCK	D	ASSIGNED TO EXAMINER	003
06/07/2018	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/31/2018	REPR	M	SN ASSIGNED FOR SECT 68A APPL FROM IB	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	BRAND HAVEN PTY LTD PO BOX 681 MANLY NSW 1655 AUSTRALIA
DOMESTIC REPRESENTATIVE	NONE



# NOTE TO THE FILE

SERIAL NUMBER: 79233177  
DATE: 08/09/2018  
NAME: fblandu

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  Protest evidence reviewed  
 Other:

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox  
  
 Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  Left message with Attorney/Applicant  
 email  
  
 Requested Law Library search for:  Issued Examiner's Amendment and entered changes in TRADEUPS  
  
 **PRINT**  **DO NOT PRINT**  Added design code in TRADEUPS  
 Description of the mark  Re-imaged standard character drawing  
 Translation statement  
 Negative translation statement  Contacted TM MADRID ID/CLASS about misclassified definite ID  
 Consent of living individual  
 Changed TRADEUPS to: correct typographical error and to enter the entity type that was made of record.  
  
 OTHER:

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	79233177	FILING DATE	02/20/2018
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	1404492	INTL REG DATE	02/20/2018
TM ATTORNEY	BLANDU, FLORENTINA	L.O. ASSIGNED	117

**PUB INFORMATION**

RUN DATE	07/27/2018		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	07/26/2018		
LITERAL MARK ELEMENT	BB		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	YES	66A	YES		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	BB
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bennett Surfboards Pty Ltd
ADDRESS	180 Harbord Rd BROOKVALE NSW 2100
ENTITY	99-OTHER
CITIZENSHIP	Australia

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of an outlined single star with four points featuring teh letter BB inside the star.

### SECTION 66A INTERNATIONAL REGISTRATION DATA

INTL REG #	1404492
INTL REG DATE	02/20/2018
PRIORITY CLMD	YES
PRIOR CLMD DATE	09/08/2017
INTL STATUS	001-REQUEST FOR EXTENSION OF PROTECTION PROCESSED
INTL STATUS DATE	05/31/2018
AUTQ PROTECTION DATE	11/30/2019
INTL RENEWAL DATE	02/20/2028
INTL REG DEATH DATE	N/A
FIRST REFUSAL	YES

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/26/2018	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
07/25/2018	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
07/25/2018	TROA	I	TEAS RESPONSE TO QFFICE ACTION RECEIVED	010

07/14/2018	RFNT	P	REFUSAL PROCESSED BY IB	009
06/25/2018	RFCS	P	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	008
06/25/2018	RFRR	P	REFUSAL PROCESSED BY MPU	007
06/15/2018	RFGR	E	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	006
06/14/2018	CNRT	R	NON-FINAL ACTION WRITTEN	005
06/12/2018	MAFR	O	APPLICATION FILING RECEIPT MAILED	004
06/07/2018	DOCK	D	ASSIGNED TO EXAMINER	003
06/07/2018	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/31/2018	REPR	M	SN ASSIGNED FOR SECT 66A APPL FROM IB	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	BRAND HAVEN PTY LTD PO BOX 681 MANLY NSW 1655 AUSTRALIA
DOMESTIC REPRESENTATIVE	NONE





Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
 PTO Form 1957 (Rev 10/2011)  
 OMB No. 0651-0050 (Exp 09/20/2020)

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	79233177
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 117
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="https://tmng-al.uspto.gov/resting2/api/img/79233177/large">https://tmng-al.uspto.gov/resting2/api/img/79233177/large</a>
<b>LITERAL ELEMENT</b>	BB
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>COLOR(S) CLAIMED (If applicable)</b>	Color is not claimed as a feature of the mark.
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Bennett Surfboards Pty Ltd
<b>INTERNAL ADDRESS</b>	180 Harbord Rd
<b>STREET</b>	BROOKVALE NSW 2100
<b>COUNTRY</b>	Australia
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Bennett Surfboards Pty Ltd
<b>INTERNAL ADDRESS</b>	180 Harbord Rd
<b>STREET</b>	BROOKVALE NSW 2100
<b>CITY</b>	Sydney
<b>COUNTRY</b>	Australia
<b>LEGAL ENTITY SECTION (current)</b>	
<b>TYPE</b>	corporation
<b>LEGAL ENTITY SECTION (proposed)</b>	
<b>TYPE</b>	proprietary limited company (p/l or pty. ltd.)
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	Australia
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	028
<b>DESCRIPTION</b>	
Sporting equipment and sporting articles, including equipment for water sports: surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods	
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	

INTERNATIONAL CLASS	028
<b>TRACKED TEXT DESCRIPTION</b>	
<p><del>Sporting equipment and sporting articles, including equipment for water sports; Surfing equipment and sporting articles, namely, equipment for water sports in the form of surfboards; surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods; component parts and fittings in this class for the aforementioned goods</del></p>	
<b>FINAL DESCRIPTION</b>	
<p>Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods</p>	
<b>ADDITIONAL STATEMENTS SECTION</b>	
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of an outlined single star with four points featuring teh letter BB inside the star.
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Barry Bennett/
SIGNATORY'S NAME	Barry Bennett
SIGNATORY'S POSITION	Director
SIGNATORY'S PHONE NUMBER	+61299055157
DATE SIGNED	07/26/2018
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed Jul 25 22:12:14 EDT 2018
TEAS STAMP	USPTO/ROA-XX.XXX.X.XX-201 80725221214995458-7923317 7-61048f9e303fe065308b42a f625ea1d44bdf25816397bae2 e4622058805aa146c-N/A-N/A -20180725212716774911

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
PTO Form 1557 (Rev 10/2011)  
OMB No. 0651-0050 (Exp 09/20/2020)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **79233177** BB (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/79233177/large>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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



**Current:** Class 028 for Sporting equipment and sporting articles, including equipment for water sports: surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States, Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**Proposed:**

**Tracked Text Description:** ~~Sporting equipment and sporting articles, including equipment for water sports; Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods; component parts and fittings in this class for the aforementioned goods~~

Class 028 for Sporting equipment and sporting articles, namely, equipment for water sports in the form of surfboards; watercraft and surf craft, namely, surfboards, surf skis, stand-up paddle boards, soft surfboards, skim boards, wave skis and sailboards; skateboards; paddles, namely, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, namely, surfing leashes, surfboard leg ropes, and surfboard deck grip; bags and covers specially adapted for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; component parts and fittings in this class for the aforementioned goods

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States, Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

**APPLICANT AND/OR ENTITY INFORMATION**

**Applicant proposes to amend the following:**

**Current:** Bennett Surfboards Pty Ltd, a corporation of AUSTRALIA, having an address of

180 Harbord RdBROOKVALE NSW 2100

Australia

**Proposed:** Bennett Surfboards Pty Ltd, proprietary limited company (p/l or pty. ltd.) legally organized under the laws of Australia, having an address of

180 Harbord Rd  
BROOKVALE NSW 2100  
Sydney,  
Australia

**ADDITIONAL STATEMENTS**

**Description of mark**

The mark consists of an outlined single star with four points featuring teh letter BB inside the star.

**SIGNATURE(S)**

**Response Signature**

Signature: /Barry Bennett/ Date: 07/26/2018

Signatory's Name: Barry Bennett

Signatory's Position: Director

Signatory's Phone Number: +61299055157

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either: (1) the owner/holder : or (2) a person(s) with legal authority to bind the owner/holder; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

Serial Number: 79233177

Internet Transmission Date: Wed Jul 25 22:12:14 EDT 2018

TEAS Stamp: USPTO/ROA-XX.XXX.X.XX-201807252212149954

58-79233177-610489e303fe065308b42af625e  
ald44bdf25816397bae2e4622058805aa146c-N/  
A-N/A-20180725212716774911

**NOTICE THAT TRANSACTION HAS BEEN PROCESSED BY IB**

**USPTO REFERENCE NUMBER: 792331**

**SERIAL NUMBER: 79233177**

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**The table below presents the data as entered.**

<b>Input Field</b>	<b>Entered</b>
INTERNATIONAL REGISTRATION NUMBER	1404492
EFFECTIVE DATE OF MODIFICATION	06/25/2018
IB DOCUMENT ID	1162877101
OFFICE REFERENCE	792331 79233177
TRANSACTION TYPE	RFNT - Total Refusal

## PROVISIONAL REFUSAL OF PROTECTION

The table below presents the data as entered.

Input Field	Entered
<b>IDENTIFICATION SECTION</b>	
INTERNATIONAL REGISTRATION NUMBER	1404492
OFFICE REFERENCE	79233177
ORIGINAL LANGUAGE CODE	ENGLISH
<b>FILE SECTION</b>	
FILE SPECIFICATION OF THE DOCUMENT	<a href="\\TICRS\EXPORT17\IMAGEOUT17\792\331\79233177.xml5\MOC0002.xml">\\TICRS\EXPORT17\IMAGEOUT17\792\331\79233177.xml5\MOC0002.xml</a>
<b>GOODS AND SERVICES SECTION</b>	
ALL GOODS AND SERVICES INDICATOR	Protection has been refused for all the goods and services.
<b>INSTRUCTIONS SECTION</b>	
FREE TEXT PROCESSING INSTRUCTIONS	U. S. designated on 20180220; Non-final examiner action
MAIL DATE	06/25/2018



UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION  
SERIAL NO. 79233177

**\*79233177\***

MARK: BB

**CORRESPONDENT**

**ADDRESS:**  
BRAND HAVEN  
PTY LTD  
PO BOX 681  
MANLY NSW 1655  
AUSTRALIA

**CLICK HERE TO RESPOND TO THIS  
LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Bennett  
Surfboards Pty Ltd

**CORRESPONDENT'S  
REFERENCE/DOCKET  
NO:**

N/A

**CORRESPONDENT E-  
MAIL ADDRESS:**

**OFFICE ACTION**

**INTERNATIONAL REGISTRATION NO. 1404492**

**STRICT DEADLINE TO RESPOND TO THIS NOTIFICATION:** TO AVOID ABANDONMENT OF THE REQUEST FOR EXTENSION OF PROTECTION OF THE INTERNATIONAL REGISTRATION, THE USPTO MUST RECEIVE A COMPLETE RESPONSE TO THIS PROVISIONAL FULL REFUSAL NOTIFICATION **WITHIN 6 MONTHS** OF THE "DATE ON WHICH THE NOTIFICATION WAS SENT TO WIPO (MAILING DATE)" LOCATED ON THE WIPO COVER LETTER ACCOMPANYING THIS NOTIFICATION.

In addition to the Mailing Date appearing on the WIPO cover letter, a holder (hereafter "applicant") may confirm this Mailing Date using the USPTO's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. To do so, enter the U.S. application serial number for this application and then select "Documents." The Mailing Date used to calculate the response deadline for this provisional full refusal is the "Create/Mail Date" of the "IB-1rst Refusal Note."

This is a **PROVISIONAL FULL REFUSAL** of the request for extension of protection of the mark in the above-referenced U.S. application. See 15 U.S.C. §1141h(c). See below in this notification (hereafter "Office action") for details regarding the provisional full refusal.

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**NO CONFLICTING MARKS**

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

**COUNTRY OF INCORPORATION OMITTED**

Applicant must specify its country of incorporation. 37 C.F.R. §2.32(a)(3)(ii); TMEP §§803.03(c), 803.04. This information is required in all U.S. trademark applications. See 37 C.F.R. §2.32(a)(3)(ii); TMEP §§803.03, 803.04.

If applicant is organized under the laws of a foreign province or geographical region, applicant should specify both the foreign province or geographical region and the foreign country in which the province or region is located. See TMEP §803.04. To provide this information online via the Trademark Electronic Application System (TEAS) response form, applicant must (1) locate the "Entity Type" heading and select "Other;" (2) locate the "Specify Entity Type" heading and select "Other" under the Foreign Entity option, and enter in the free-text field below both applicant's entity type and the foreign province or geographical region of its organization (e.g., partnership of Victoria); and (3) locate the "State or Country Where Legally Organized" heading and select the appropriate foreign country (e.g., Australia) under the Non-U.S. Entity option. See *id.*

### DESCRIPTION OF THE MARK IS MISSING

Applicant must submit an accurate and concise description of the literal and design elements in the mark. 37 C.F.R. §2.37; see TMEP §§808.01, 808.02. The following is suggested, if accurate:

**The mark consists of an outlined single star with four points featuring the letter BB inside the star.**

### IDENTIFICATION OF GOODS IS INDEFINITE

The wording in the identification of goods in International Class 28 is indefinite and too broad. This wording must be clarified because it is not clear what the goods are. See 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03, 1904.02(c), (c)(ii).

In an application filed under Trademark Act Section 66(a), an applicant may not change the classification of goods from that assigned by the International Bureau of the World Intellectual Property Organization in the corresponding international registration. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Therefore, although the goods may be classified in several international classes, any modification to this wording must identify goods in International Class 28 only, the class specified in the application for these goods. See TMEP §1904.02(c), (c)(ii).

The wording "including" in the identification of goods is indefinite and must be deleted and replaced with a definite term, such as "namely," "consisting of," "particularly," or "in particular." See 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03(a). The identification must be specific and all-inclusive. This wording is an open-ended term (e.g., "including," "such as") that is not acceptable because it fails to identify specific goods. See TMEP §1402.03(a).

The wording "Sporting equipment and sporting articles, including equipment for water sports" in the identification of goods is indefinite and must be clarified because the common commercial name of the goods is not given and the wording contains open-ended language. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01.

The wording "watercraft and surf craft including surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards" in the identification of goods is indefinite and must be clarified because the nature of the goods is unclear and the wording contains open-ended language.

The wording "paddles, being paddles for surf skis and for stand-up paddle boards" in the identification of goods is indefinite and must be clarified because the nature of the goods is unclear.

The wording "surfing accessories in this class, including leashes, leg ropes and deck grip" in the identification of goods is indefinite and must be clarified because the nature of the goods is unclear and the wording contains open-ended language.

The wording "bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, sailboards and other surf craft" in the identification of goods is indefinite and must be clarified because the nature of the goods is unclear.

The wording "parts, fittings and accessories in this class for the aforementioned goods" in the identification of goods is indefinite and must be clarified because the nature of the goods is unclear. Additionally, "accessories" is unacceptable because it does not identify the common commercial name of the goods.

Applicant may substitute the following wording, if accurate (suggestions are **bold**):

"Sporting equipment and sporting articles, **namely**, equipment for water sports **in the form of surfboards**: watercraft and surf craft, **namely**, surfboards, surf skis, stand-up paddle boards, soft **surf** boards, skim boards, wave skis and sailboards; skateboards; paddles, **namely**, paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, **namely**, surfing leashes, **surfboard** leg ropes, and **surfboard** deck grip; bags and covers **specifically adapted** for surfboards, stand-up paddle boards, surf skis, wave skis, sailboards ~~and other surf craft~~; **component parts and fittings and accessories** in this class for the aforementioned goods, in International Class 28."

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). See TMEP §1402.04.

### MAY NOT EXPAND THE IDENTIFICATION

Applicant's goods may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably narrowed. See 37 C.F.R. §2.71(a); TMEP §§1402.06, 1904.02(c)(iv). Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods or add goods not found or encompassed by those in the original application or as acceptably narrowed. See TMEP §1402.06(a)-(b). The scope of the goods sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods will further limit scope, and once goods are deleted, they are not permitted to be reinserted. TMEP §1402.07(e). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau); and the classification of goods may not be changed from that assigned by the International Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this

Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

**The USPTO proposes to change federal trademark rules to require** applicants and registrants to (1) file submissions concerning applications and registrations online using the USPTO's Trademark Electronic Application System (TEAS) and (2) provide and maintain an accurate email address for receiving correspondence from the USPTO. [See the Mandatory Electronic Filing Rules webpage for more information.](#)

**WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL:** Any response to this provisional refusal must be personally signed by an individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant (e.g., a corporate officer or general partner). 37 C.F.R. §§2.62(b), 2.193(e)(2)(ii); TMEP §712.01. If applicant hires a qualified U.S. attorney to respond on his or her behalf, then the attorney must sign the response. 37 C.F.R. §§2.193(e)(2)(i), 11.18(a); TMEP §§611.03(b), 712.01. Qualified U.S. attorneys include those in good standing with a bar of the highest court of any U.S. state, the District of Columbia, Puerto Rico, and other U.S. commonwealths or U.S. territories. See 37 C.F.R. §§2.17(a), 2.62(b), 11.1, 11.14(a); TMEP §§602, 712.01. Additionally, for all responses, the proper signatory must personally sign the document or personally enter his or her electronic signature on the electronic filing. See 37 C.F.R. §2.193(a); TMEP §§611.01(b), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(b).

In general, foreign attorneys are not permitted to represent applicants before the USPTO (e.g., file written communications, authorize an amendment to an application, or submit legal arguments in response to a requirement or refusal). See 37 C.F.R. §11.14(c), (e); TMEP §§602.03-.03(b), 608.01.

**DESIGNATION OF DOMESTIC REPRESENTATIVE:** The USPTO encourages applicants who do not reside in the United States to designate a domestic representative upon whom any notice or process may be served. TMEP §610; see 15 U.S.C. §§1051(e), 1141h(d); 37 C.F.R. §2.24(a)(1)-(2). Such designations may be filed online at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

/Florentina Blandu/  
Examining Attorney  
U.S. Patent & Trademark Office  
L.O. 117  
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fax 571 273-9128

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailling date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION  
SERIAL NO. 79233177

**\*79233177\***

MARK: BB

**CORRESPONDENT**

**ADDRESS:**  
BRAND HAVEN  
PTY LTD  
PO BOX 681  
MANLY NSW 1655  
AUSTRALIA

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LETTER:**

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/Florentina Blandu/  
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fax 571 273-9128

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

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\*\*\* User:fblandu \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	2835	N/A	0	0	0:02	("bb" or " b b")[bi,ti]
02	5640	N/A	0	0	0:01	010102[dc]
03	4643827	N/A	0	0	0:02	028[cc]
04	5343540	N/A	0	0	0:01	dead[lid]
05	4	1	3	3	0:01	1 and 2
06	1198	N/A	0	0	0:01	(2 and 3) not 4
07	74	0	74	74	0:01	(2 and 028[ic]) not 4
08	5	0	5	5	0:02	(2 and (A, b, 200)[ic]) not 4
09	591	0	64	63	0:01	(1 and 3) not 4
10	42	0	22	22	0:01	(1 and 028[ic]) not 4
11	141	0	43	43	0:01	(1 and 035[ic]) not 4
12	2	0	2	1	0:02	(1 and (A, b, 200)[ic]) not 4

Session started 6/14/2018 6:18:01 AM

Session finished 6/14/2018 7:11:25 AM

Total search duration 0 minutes 16 seconds

Session duration 53 minutes 24 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 79233177



FILING RECEIPT FOR TRADEMARK APPLICATION

Jun 12, 2018

BRAND HAVEN PTY LTD  
PO BOX 681  
MANLY NSW 1655  
AUSTRALIA

Docket/Reference  
Number:

1. **YOUR APPLICATION RECEIVED:** We have received your U.S. Trademark Application and assigned the serial number listed below to your submission. A summary of your application data is provided at the bottom and serves as your official filing receipt. Please keep a copy of this information for your records. All correspondence concerning the application should reference your assigned serial number.

Please read all of the important information below. Not every mark is registrable with the USPTO and we do not refund the application filing fee(s) if a registration does not ultimately issue.

2. **RECEIVING E-MAIL COMMUNICATIONS/FILING DOCUMENTS ON-LINE:** If you authorize receipt of correspondence by e-mail, please make sure that your server will accept USPTO e-mail and not treat it as SPAM. If you have not authorized communication by e-mail, please do so at any time by using the "Change of Correspondence Address" form, available at <http://teas.uspto.gov/ccr/cca>. If you must submit correspondence to us, please use the Trademark Electronic Application System (TEAS) forms, available at <http://www.uspto.gov/trademarks/teas/index.jsp>.

3. **KEEP YOUR ADDRESS CURRENT IN USPTO RECORDS:** We do not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must update the correspondence and/or owner's address if a postal address and/or e-mail address changes, using the form(s) available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

4. **WARNING ABOUT UNSOLICITED COMMUNICATIONS:** You may receive trademark-related communications from private companies not associated with the USPTO. These communications frequently display customer-specific information, including your USPTO serial number or registration number and owner name, and request fees for trademark-related services, such as monitoring, listings in international publications, and document filing. None of the companies offering these services are affiliated with the USPTO or any other federal agency. All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov." Please consult the "Warning" page on the Trademarks section of the USPTO's website for further information about unsolicited communications and to view representative examples of them. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult [www.uspto.gov](http://www.uspto.gov), contact the [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or telephone 1-800-786-9199.

5. **LEGAL EXAMINATION PROCESS:** Your application is now pending examination. In approximately 3 months, your application will be assigned to a USPTO examining attorney for review. The application cannot mature into a registration unless all legal requirements are met, and many applications never satisfy these requirements and therefore never register. The overall process can take up to 18 months.

6. **CHECK STATUS AND REVIEW DOCUMENTS OR YOUR APPLICATION MAY BE UNINTENTIONALLY ABANDONED:** You must check the status and review all documents associated with your application at least every 3-4 months using Trademark Status and Document Retrieval (TSDR), available at <http://tsdr.uspto.gov/>.

Promptly e-mail the [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or telephone 1-800-786-9199 (select option #1) if an Office action (letter from the USPTO) or notice has issued for your application that you did not receive or do not understand. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

7. **FILING ERRORS:** If you discover an error in the application data, you must file a Voluntary Amendment at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Please wait approximately 7 days after the filing date of your application to submit a Voluntary Amendment in order to allow for initial upload of your application data into the USPTO database. The assigned examining attorney will determine the acceptability of any Voluntary Amendment during examination. Not all errors may be corrected. For example, if you submitted the wrong mark or if the proposed correction would be considered a material alteration to your original filing, it will not be accepted. In this situation, your only recourse would be to file a new application, with a new fee and no refund of your original filing fee.

8. **REQUEST FOR REFUND AND/OR CANCELLATION:** Since your application has already been assigned a serial number, please do not request a refund or to cancel the filing. We will only cancel the filing and refund the filing fee if the application does not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.

9. **SelectUSA:** The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov) or call +1-202-482-6800.

PLEASE REVIEW THE ACCURACY OF THE FILING RECEIPT DATA.

A request for correction to the filing receipt should be submitted within 30 days. Such requests may be submitted by mail to: COMMISSIONER FOR TRADEMARKS, P.O. BOX 1451, ALEXANDRIA, VIRGINIA 22313-1451; by fax to 571-273-9913; or by e-mail to [tmfilingreceipt@uspto.gov](mailto:tmfilingreceipt@uspto.gov). The USPTO will review the request and make corrections when appropriate.

SERIAL NUMBER: 79233177  
FILING DATE: Feb 20, 2018  
REGISTER: Principal  
MARK: BB  
MARK TYPE(S): Trademark  
DRAWING TYPE: Words, letters, or numbers and design  
FILING BASIS: Sect. 66(a)(Madrid Protocol)

OWNER: Bennett Surfboards Pty Ltd (NOT PROVIDED, Corporation)  
180 Harbord Rd  
BROOKVALE NSW 2100

, AUSTRALIA

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FOR: Sporting equipment and sporting articles, including equipment for water sports; surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods  
INT. CLASS: 028  
FIRST USE: NONE      USE IN COMMERCE: NONE

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

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OTHER DATA

COLOR(S) CLAIMED: Color is not claimed as a feature of the mark.

Design Search Codes:

01.01.02 - Star - a single star with four points

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INTERNATIONAL OR FOREIGN REGISTRATION DATA

INTERNATIONAL REG. NUMBER: 1404492

Note on representation: An attorney who is a member in good standing of the bar of the highest court of any U.S. state may practice before the USPTO in trademark matters. See [http://tess2.uspto.gov/tmdb/tmep/0600.htm#\\_T60206](http://tess2.uspto.gov/tmdb/tmep/0600.htm#_T60206) for more information on foreign attorneys and persons who may practice before the Office.

ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS

## REQUEST FOR EXTENSION OF PROTECTION

SERIAL NUMBER: 79233177

FILING DATE: 02/20/2018

The table below presents the data as entered.

Input Field	Entered
<b>MARK SECTION</b>	
IMAGE	\\TICRS\EXPORT17\IMAGEOUT17\792\331\79233177\xml1\APP0002.JPG
COLLECTIVE, CERTIFICATE OR GUARANTEE MARK	NO
MARK IN STANDARD CHARACTERS	NO
MARK IN COLOR	NO
THREE DIMENSIONAL MARK	NO
SOUND MARK	NO
THE WORDS CONTAINED IN THE MARK HAVE NO MEANING (AND THEREFORE CANNOT BE TRANSLATED)	YES
TM IMAGE: COLOR	Grey Scale
IMAGE FILE NAME	\\TICRS\EXPORT17\IMAGEOUT17\792\331\79233177\xml1\APP0002.JPG
TYPE (IMAGE TYPE)	JPG
TEXTUAL ELEMENTS OF MARK	BB
<b>HOLDER DETAILS</b>	
CLIENT IDENTIFIER	1101153
NOTIFICATION LANGUAGE	ENGLISH
NAME	Bennett Surfboards Pty Ltd
ADDRESS	180 Harbord Rd BROOKVALE NSW 2100
COUNTRY	Australia
ENTITLEMENT ESTABLISHMENT	Australia
LEGAL NATURE	Corporation
LEGAL NATURE: PLACE INCORPORATED	Not provided
CORRESPONDENCE INDICATOR	YES
<b>BASIC GOODS AND SERVICES</b>	
VERSION OF NICE CLASSIFICATION USED	11-2018
NICE CLASSIFICATION	28
GOODS AND SERVICES	Sporting equipment and sporting articles, including equipment for water sports; surf craft being surfboards, surf skis, stand-up paddle boards, soft boards, skim boards, wave skis and sailboards; skateboards; paddles being paddles for surf skis and for stand-up paddle boards; surfing accessories in this class, including leashes, leg ropes, and deck grip; bags and covers for surfboards, stand-up paddle boards, surf skis, wave skis, and sailboards; parts, fittings and accessories in this class for the aforementioned goods.

**PARIS PRIORITY DETAILS**

PARIS PRIORITY CODE: Australia  
PARIS PRIORITY APPLICATION NUMBER 1871959  
PARIS PRIORITY APPLICATION DATE 09/08/2017

**BASE REGISTRATION DETAILS**

BASE APPLICATION NUMBER 1871959  
BASE APPLICATION DATE 09/08/2017

**REPRESENTATIVE DETAILS**

CLIENT IDENTIFIER 1090369  
NAME BRAND HAVEN PTY LTD  
ADDRESS PO BOX 681  
MANLY NSW 1655  
COUNTRY Australia

**INTENT TO USE GROUP**

CONTRACTING PARTY CODE United States of America

**DESIGNATIONS**

DESIGNATIONS UNDER THE PROTOCOL United States of America

**INTERNATIONAL REGISTRATION DETAILS**

INTERNATIONAL REGISTRATION NUMBER 1404492  
INTERNATIONAL REGISTRATION DATE OF MARK 02/20/2018  
INTERNATIONAL REGISTRATION EXPIRY DATE 02/20/2028  
EFFECTIVE DATE OF MODIFICATION 02/20/2018  
NOTIFICATION DATE 05/31/2018  
DATE OF RECORDAL IN INTERNATIONAL REGISTER 05/17/2018  
IB DOCUMENT ID 1130651401  
OFFICE OF ORIGIN CODE Australia  
OFFICE REFERENCE 79233177  
TRANSACTION TYPE VALUES Initial Designation  
ORIGINAL LANGUAGE ENGLISH  
INSTRUMENT UNDER WHICH CONTRACTING PARTY IS DESIGNATED Protocol  
DURATION OF MARK (YEARS) 10  
VIENNA CLASSIFICATION VERSION USED 7  
VIENNA CLASS 0101  
VIENNA CLASS 2604  
VIENNA CLASS 2705

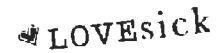
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Generated on: This page was generated by TSDR on 2019-05-07 23:55:18 EDT

Mark: LOVESICK



US Serial Number: 85596217

Application Filing Date: Apr. 12, 2012

US Registration Number: 4306658

Registration Date: Mar. 19, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 19, 2013

Publication Date: Sep. 18, 2012

Notice of Allowance Date: Nov. 13, 2012

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## Mark Information

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Mark Literal Elements: LOVESICK

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 heart shaded with a border on the outside next to the stylized word "LOVESICK" where the word "LOVE" is upper case and "sick" is in lowercase.

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

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

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## Related Properties Information

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Claimed Ownership of US Registrations: 4169027

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## Goods and Services

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**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: Bathing suits; Denim jackets; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Scarves; Swim trunks; Underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2011

Use in Commerce: Aug. 01, 2011

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## Basis Information (Case Level)

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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:** Torrid Merchandising, Inc.  
**Owner Address:** 18501 E. San Jose Avenue  
City of Industry, CALIFORNIA 91724  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** CALIFORNIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Carlo F. Van den Bosch  
**Attorney Primary Email Address:** [uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com)  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Carlo F. Van den Bosch  
Sheppard Mullin Richter & Hampton LLP  
650 Town Center Drive  
Fourth Floor  
Costa Mesa, CALIFORNIA 92626  
UNITED STATES  
**Phone:** 714-424-8215  
**Fax:** 714-513-5130  
**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 13, 2018	REGISTERED - SEC. 7 REQUEST ABANDONED	64591
Jul. 13, 2018	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	64591
Jun. 25, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jun. 05, 2018	TEAS SECTION 7 REQUEST RECEIVED	
Mar. 19, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 19, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 19, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 01, 2017	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 02, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 02, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 26, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 19, 2013	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 08, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Feb. 06, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 29, 2013	STATEMENT OF USE PROCESSING COMPLETE	70565
Jan. 08, 2013	USE AMENDMENT FILED	70565
Jan. 29, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jan. 08, 2013	TEAS STATEMENT OF USE RECEIVED	
Nov. 13, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 18, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 18, 2012	PUBLISHED FOR OPPOSITION	

Aug. 29, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 14, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Aug. 13, 2012	ASSIGNED TO LIE	68123
Aug. 01, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 01, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 01, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 01, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 01, 2012	EXAMINERS AMENDMENT -WRITTEN	85327
Jul. 26, 2012	ASSIGNED TO EXAMINER	85327
Jun. 06, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 06, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 20, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 19, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 17, 2012	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Jul. 13, 2018

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 5

Registrant: Hot Topic Merchandising, Inc.

### Assignment 1 of 5

Conveyance: GRANT OF SECURITY INTEREST IN UNITED STATES TRADEMARKS

Reel/Frame: [5050/0123](#)

Pages: 15

Date Recorded: Jun. 13, 2013

Supporting Documents: [assignment-tm-5050-0123.pdf](#)

#### Assignor

Name: [HOT TOPIC, INC.](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA

Where Organized:

Name: [HOT TOPIC MERCHANDISING, INC.](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA

Where Organized:

Name: [BLACKHEART CLOTHING COMPANY, LLC](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE

Where Organized:

#### Assignee

Name: [BANK OF NEW YORK MELLON TRUST COMPANY, N.A., THE](#)

Legal Entity Type: BANK

State or Country: UNITED STATES

Where Organized:

Address: 400 SOUTH HOPE STREET  
LOS ANGELES, CALIFORNIA 90071

#### Correspondent

Correspondent Name: THOMAS FAHEY

Correspondent Address: NATIONAL CORPORATE RESEARCH, LTD.  
1025 VERMONT AVENUE N.W.  
SUITE 1130  
WASHINGTON, D.C. 20005

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [5050/0230](#)

Pages: 14

Date Recorded: Jun. 12, 2013

Supporting Documents: [assignment-tm-5050-0230.pdf](#)

Assignor

Name: [HOT TOPIC, INC.](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA  
Where Organized:

Name: [HOT TOPIC MERCHANDISING, INC.](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA  
Where Organized:

Name: [BLACKHEART CLOTHING COMPANY, LLC](#)

Execution Date: Jun. 12, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

Assignee

Name: [BANK OF AMERICA, N. A.](#)

Legal Entity Type: ASSOCIATION

State or Country: UNITED STATES  
Where Organized:

Address: 100 FEDERAL STREET, 9TH FLOOR  
BOSTON, MASSACHUSETTS 02110

Correspondent

Correspondent Name: THOMAS FAHEY

Correspondent Address: NATIONAL CORPORATE RESEARCH, LTD.  
1025 VERMONT AVENUE  
SUITE 1130  
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5980/0777](#)

Pages: 4

Date Recorded: Feb. 03, 2017

Supporting Documents: [assignment-tm-5980-0777.pdf](#)

Assignor

Name: [HOT TOPIC MERCHANDISING, INC.](#)

Execution Date: Dec. 22, 2016

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA  
Where Organized:

Assignee

Name: [TORRID MERCHANDISING, INC.](#)

Legal Entity Type: CORPORATION

State or Country: CALIFORNIA  
Where Organized:

Address: 18501 E. SAN JOSE AVENUE  
CITY OF INDUSTRY, CALIFORNIA 91748

Correspondent

Correspondent Name: JORGE ARCINIEGA, MCDERMOTT WILL & EMERY

Correspondent Address: 2049 CENTURY PARK EAST, SUITE 3800  
LOS ANGELES, CA 90067-3218

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: PARTIAL RELEASE OF SECURITY INTEREST RECORDED AT REEL/FRAME 5050/0123

Reel/Frame: [5982/0231](#)

Pages: 6

Date Recorded: Feb. 06, 2017

Supporting Documents: [assignment-tm-5982-0231.pdf](#)

Name: [THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

Name: [HOT TOPIC MERCHANDISING, INC.](#)

Legal Entity Type: CORPORATION

Address: 18305 E. SAN JOSE AVE.  
CITY OF INDUSTRY, CALIFORNIA 91748

Correspondent Name: RENEE PRESCAN

Correspondent Address: 300 NORTH LASALLE STREET  
KIRKLAND & ELLIS LLP  
CHICAGO, IL 60654

Assignor

Execution Date: Feb. 03, 2017

State or Country Where Organized: UNITED STATES

Assignee

State or Country Where Organized: CALIFORNIA

Correspondent

Domestic Representative - Not Found

---

### Assignment 5 of 5

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Conveyance: PARTIAL RELEASE OF SECURITY INTEREST RECORDED AT REEL/FRAME 5050/0230

Reel/Frame: [5983/0098](#)

Pages: 6

Date Recorded: Feb. 06, 2017

Supporting Documents: [assignment-tm-5983-0098.pdf](#)

Name: [BANK OF AMERICA, N.A.](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

Name: [HOT TOPIC MERCHANDISING, INC.](#)

Legal Entity Type: CORPORATION

Address: 18305 E. SAN JOSE AVE.  
CITY OF INDUSTRY, CALIFORNIA 91748

Correspondent Name: RENEE PRESCAN

Correspondent Address: 300 NORTH LASALLE STREET  
KIRKLAND & ELLIS LLP  
CHICAGO, IL 60654

Assignor

Execution Date: Feb. 03, 2017

State or Country Where Organized: UNITED STATES

Assignee

State or Country Where Organized: CALIFORNIA

Correspondent

Domestic Representative - Not Found

**To:** Torrid Merchandising, Inc. ([uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com))  
**Subject:** TRADEMARK REGISTRATION NO. 4306658 - LOVESICK - N/A  
**Sent:** 07/13/18 07:52:45 AM  
**Sent As:** PRG@uspto.gov  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT OWNER'S TRADEMARK REGISTRATION

U.S.  
REGISTRATION  
NO. 4306658 July 13, 2018

85596217

OWNER:  
Torrid  
Merchandising, Inc.

CORRESPONDENT'S  
ADDRESS:

Carlo F.  
Van den  
Bosch

Sheppard  
Mullin  
Richter &  
Hampton  
LLP

650  
Town  
Center  
Drive

Fourth  
Floor

Costa  
Mesa, CA  
92626

MARK: LOVESICK

CORRESPONDENT'S  
REFERENCE/DOCKET NO.  
N/A

CORRESPONDENT'S EMAIL  
ADDRESS:

uspto-tm-  
oc@sheppardmullin.com

CLICK ON THE LINK BELOW TO RESPOND TO THIS LETTER AND SELECT FORM NUMBER 11:

[http://www.uspto.gov/trademarks/teas/reg\\_maintain.jsp](http://www.uspto.gov/trademarks/teas/reg_maintain.jsp)

## POST REGISTRATION OFFICE ACTION

**ISSUE/MAILING DATE: 7/13/2018**

U.S. Registration Number 4306658

The Section 7(g) Request for Correction submitted on **JUNE 5, 2018**, is not accepted for the reasons set forth below.

### **THE REQUEST FOR CORRECTION IS CONSIDERED MOOT**

There was no error on the original certificate of Registration regarding the ownership therefore the request for correction is considered moot. However, the changes to the chain of title will be updated in the Trademark data base and any fees associated with this filing will be refunded in due course.

**\*THERE IS NO RESPONSE REQUIRED TO THIS OFFICE ACTION\***

/Everett J. Henson/

Everett J. Henson

Trademark Specialist Post Registration Branch

Phone: (571)-272-9529

Fax: (571)-273-9529

e-mail: [everett.henson@uspto.gov](mailto:everett.henson@uspto.gov)

**CHECK THE STATUS OF THE REGISTRATION:** To check the status of your registration at any time, visit the Office's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**To:** Torrid Merchandising, Inc. ([uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com))  
**Subject:** TRADEMARK REGISTRATION NO. 4306658 - LOVESICK - N/A  
**Sent:** 07/13/18 07:52:45 AM  
**Sent As:** PRG@uspto.gov  
**Attachments:**

**IMPORTANT NOTICE  
USPTO OFFICE ACTION HAS ISSUED ON 07/13/2018 FOR  
REGISTRATION NO. 4306658**

Please follow the instructions below to continue the examination of your post registration filing:

**VIEW OFFICE ACTION:** Click on this link

<http://tsdr.uspto.gov/view.action?DDA=Y&sn=85596217&type=OOA&date=20180713>

(or copy and paste this URL into the address field of your browser), or visit <http://tsdr.uspto.gov/> and enter the registration number to access the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this notification.

**RESPONSE MAY BE REQUIRED:** You should carefully review the Office action to determine (1) if a response is required, (2) how to respond and (3) the applicable response time period your response deadline will be calculated from.

**Do NOT hit 'Reply' to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.**

**HELP:** For technical assistance in accessing the Office action, please e-mail [tsdr@uspto.gov](mailto:tsdr@uspto.gov). Please contact the assigned examiner with questions about the Office action.

**WARNING**

1. The USPTO will NOT send a separate e-mail with the Office action attached.
2. Failure to file any required response by the applicable deadline may result in the cancellation and/or expiration of your registration.



## Section 7 Request Form

**The table below presents the data as entered.**

Input Field	Entered
<b>REGISTRATION NUMBER</b>	4306658
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 102
<b>SERIAL NUMBER</b>	85596217
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="https://tmng-al.uspto.gov/resting2/api/img/85596217/large">https://tmng-al.uspto.gov/resting2/api/img/85596217/large</a>
<b>LITERAL ELEMENT</b>	LOVESICK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Hot Topic Merchandising, Inc.
<b>STREET</b>	18305 E. San Jose Avenue
<b>CITY</b>	City of Industry
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	91724
<b>COUNTRY</b>	United States
<b>PHONE</b>	626-839-4681
<b>FAX</b>	626-709-1194
<b>EMAIL</b>	uspto-tm-oc@sheppardmullin.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	Yes
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Torrid Merchandising, Inc.
<b>STREET</b>	18501 E. San Jose Avenue
<b>CITY</b>	City of Industry
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	91724
<b>COUNTRY</b>	United States
<b>EXPLANATION OF FILING</b>	
<p>On February 3, 2017 a Trademark Assignment was recorded with the USPTO Assignment Division assigning the entire interest of the subject registration from Hot Topic Merchandising, Inc. to Torrid Merchandising, Inc. This assignment was effective December 22, 2016 and was recorded in Reel/Frame: 005980/0779. Although the Assignee is correctly listed as the current owner of record in the Trademark Assignment Abstract of Title online records for the subject registration, the Assignor is still listed as the owner of record in the Trademark Status &amp; Document (TSDR) system. As such, Registrant hereby requests that the official records for the subject registration be amended to list the current owner as Torrid Merchandising, Inc. with a business address of 18501 E. San Jose Avenue, City of Industry, California 91748.</p>	

<b>ATTORNEY SECTION</b>	
<b>NEW ATTORNEY SECTION</b>	
NAME	Carlo F. Van den Bosch
FIRM NAME	Sheppard Mullin Richter & Hampton LLP
OTHER APPOINTED ATTORNEY	Michelle LaVoie Wisniewski; Gazal Pour-Moezzi; Brian M. Daucher; Timothy L. Epp
INTERNAL ADDRESS	Fourth Floor
STREET	650 Town Center Drive
CITY	Costa Mesa
STATE	California
ZIP/POSTAL CODE	92626
COUNTRY	United States
PHONE	714-424-8215
FAX	714-513-5130
EMAIL	uspto-tm-oc@sheppardmullin.com
AUTHORIZED EMAIL COMMUNICATION	Yes
<b>CORRESPONDENCE SECTION</b>	
<b>NEW CORRESPONDENCE SECTION</b>	
NAME	Carlo F. Van den Bosch
FIRM NAME	Sheppard Mullin Richter & Hampton LLP
INTERNAL ADDRESS	Fourth Floor
STREET	650 Town Center Drive
CITY	Costa Mesa
STATE	California
ZIP/POSTAL CODE	92626
COUNTRY	United States
PHONE	714-424-8215
FAX	714-513-5130
EMAIL	uspto-tm-oc@sheppardmullin.com
AUTHORIZED EMAIL COMMUNICATION	Yes
<b>PAYMENT SECTION</b>	
SECTION 7 FEE	100
TOTAL FEES DUE	100
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/cfv/
SIGNATORY'S NAME	Carlo F. Van den Bosch
SIGNATORY'S POSITION	Attorney of record, California bar member
DATE SIGNED	06/05/2018

REQUEST SIGNATURE	/cfv/
SIGNATORY'S NAME	Carlo F. Van den Bosch
SIGNATORY'S POSITION	Attorney of record, California bar member
DATE SIGNED	06/05/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT § 8, 8 & 15, OR 8 & 9 FILED	NO
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Jun 05 16:49:59 EDT 2018
TEAS STAMP	USPTO/S7R-XX.XXX.XXX.XXX- 20180605164959995009-4306 658-6106dfd93e5224d99f181 e1d9e79a663da98d143a2ebdf da2c4d3e4fb2f2cf743f-DA-3 920-20180605164738246878

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
 FTC Form 1597 (Rev. 11/2007)  
 OMB No. 0551-0055 (Exp. 07/31/2018)

### Section 7 Request Form

#### To the Commissioner for Trademarks:

The registrant requests the following amendment(s) to registration no. **4306658** LOVESICK (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/85596217/large>) has been amended as follows:

#### EXPLANATION OF FILING

On February 3, 2017 a Trademark Assignment was recorded with the USPTO Assignment Division assigning the entire interest of the subject registration from Hot Topic Merchandising, Inc. to Torrid Merchandising, Inc. This assignment was effective December 22, 2016 and was recorded in Reel/Frame: 005980/0779. Although the Assignee is correctly listed as the current owner of record in the Trademark Assignment Abstract of Title online records for the subject registration, the Assignor is still listed as the owner of record in the Trademark Status & Document (TSDR) system. As such, Registrant hereby requests that the official records for the subject registration be amended to list the current owner as Torrid Merchandising, Inc. with a business address of 18501 E. San Jose Avenue, City of Industry, California 91748.

#### OWNER AND/OR ENTITY INFORMATION

##### Registrant proposes to amend the following:

**Current:** Hot Topic Merchandising, Inc., a corporation of California, having an address of  
 18305 E. San Jose Avenue  
 City of Industry, California 91724  
 United States  
 uspto-tm-oc@sheppardmullin.com (authorized)  
 626-839-4681  
 626-709-1194

**Proposed:** Torrid Merchandising, Inc., a corporation of California, having an address of

18501 E. San Jose Avenue  
 City of Industry, California 91724  
 United States

**ATTORNEY INFORMATION**

Registrant proposes to amend the following:

**Current:**

**Proposed:** Carlo F. Van den Bosch of Sheppard Mullin Richter & Hampton LLP, having an address of 650 Town Center Drive Fourth Floor Costa Mesa, California United States 92626, whose e-mail address is uspto-tm-oc@sheppardmullin.com, whose phone number is 714-424-8215 and whose fax number is 714-513-5130.

The Other Appointed Attorney(s): Michelle LaVoie Wisniewski; Gazal Pour-Moezzi; Brian M. Daucher; Timothy L. Epp.

**CORRESPONDENCE ADDRESS CHANGE**

Registrant proposes to amend the following:

**Current:**

**Proposed:** Carlo F. Van den Bosch of Sheppard Mullin Richter & Hampton LLP, having an address of 650 Town Center Drive Fourth Floor Costa Mesa, California United States 92626, whose e-mail address is uspto-tm-oc@sheppardmullin.com, whose phone number is 714-424-8215 and whose fax number is 714-513-5130.

**FEE(S)**

Fee(s) in the amount of \$100 is being submitted.

**SIGNATURE(S)****Declaration Signature**

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /cfv/ Date: 06/05/2018

Signatory's Name: Carlo F. Van den Bosch

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

Signatory's Phone: 714-424-8215

**Request Signature**

Signature: /cfv/ Date: 06/05/2018

Signatory's Name: Carlo F. Van den Bosch

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

Signatory's Phone: 714-424-8215

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 owner's/holder'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 registrant in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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 registrant is NOT filing a Declaration of Use of Mark under Section 8; a Combined Declaration of Use of Mark under Sections 8 & 15; or a Combined Declaration of Use of Mark/Application for Renewal of Registration of Mark under Sections 8 & 9 in conjunction with this Section 7 Request.

Mailing Address: Carlo F. Van den Bosch  
Sheppard Mullin Richter & Hampton LLP  
Fourth Floor  
650 Town Center Drive  
Costa Mesa, California 92626

RAM Sale Number: 4306658

RAM Accounting Date: 06/06/2018

Serial Number: 85596217

Internet Transmission Date: Tue Jun 05 16:49:59 EDT 2018

TEAS Stamp: USPTO/S7R-XX.XXX.XXX.XXX-201806051649599  
95009-4306658-6106dfd93e5224d99f181e1d9e  
79a663da98d143a2ebdfa2c4d3e4fb2f2cf743f  
-DA-3920-20180605164738246878

**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 4306658



**Serial Number:** 85596217



**RAM Sale Number:** 4306658

**RAM Accounting Date:** 20180606

**Total Fees:** \$100

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>	
\$7 request		20180605	\$0	0	0	\$100

Physical Location: OUT - IN TRANSIT OUT TO WAREHOUSE

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20180605





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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Monday, March 19, 2018 01:12 AM  
**To:** uspto-tm-oc@sheppardmullin.com ; uspto-tm-oc@sheppardmullin.com  
**Subject:** Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filing Under Section 8: U.S. Trademark RN 4306658: LOVESICK (Stylized/Design)

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**U.S. Serial Number:** 85596217  
**U.S. Registration Number:** 4306658  
**U.S. Registration Date:** Mar 19, 2013  
**Mark:** LOVESICK (Stylized/Design)  
**Owner:** Hot Topic Merchandising, Inc.

Mar 19, 2018

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER  
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILING UNDER SECTION 8**

**WARNING:** Your trademark registration will be **CANCELLED** if you do not file the required document below during the specified statutory time period.

The above-identified registration registered on Mar 19, 2013. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse under §8 of the Trademark Act anytime between now and Mar 19, 2019. For an additional fee, the owner may file the declaration within the six-month grace period that ends on Sep 19, 2019. See 15 U.S.C. §1058. The current fee for filing a declaration under §8 is \$125 per class if the filing is made via the Trademark Electronic Application System ("TEAS") and \$225 if the filing is made on paper, and the additional fee for filing during the six-month grace period is \$100 per class if the filing is made via TEAS and \$200 if the filing is made on paper. 37 C.F.R. §2.6.

If the registration meets the requirements of §15 of the Trademark Act, the owner may additionally file an optional Declaration of Incontestability under §15. See 15 U.S.C. §1065. The current fee for filing a declaration under §15 is \$200 per class if the filing is made via TEAS and \$300 per class if the filing is made on paper. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through the USPTO's official website using TEAS. Official forms for filing Declarations of Use and/or Excusable Nonuse under §8 and Combined Declarations of Use and Incontestability under §§8 and 15 are available through TEAS at <https://www.uspto.gov/trademarks-application-process/filing-online/registration-maintenancerenewalcorrection-forms>.

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <https://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <https://www.uspto.gov/learning-and-resources/trademark-faqs>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

Correspondence transmitted through TEAS is considered to have been filed on the date the USPTO receives the transmission, in Eastern Time, regardless of whether that date is a Saturday, Sunday, or Federal holiday within the District of Columbia. 37 C.F.R. §2.195(a)(2).

To check the status of this registration, go to [https://tsdr.uspto.gov/#caseNumber=85596217&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85596217&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS.



## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85596217
REGISTRATION NUMBER	4306658
LAW OFFICE ASSIGNED	LAW OFFICE 102
<b>MARK SECTION</b>	
MARK	LOVESICK (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85596217/large">https://tmng-al.uspto.gov/resting2/api/img/85596217/large</a> )
<b>ATTORNEY SECTION</b>	
ORIGINAL ADDRESS	Jorge Arciniega 100638-0102 2049 Century Park East, Suite 3800 Los Angeles California 90067-3218 US (310) 277-4110 (310) 277-4730 jarciniega@mwe.com
<b>NEW ATTORNEY INFORMATION</b>	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:
NAME	Carlo F. Van den Bosch
FIRM NAME	Sheppard Mullin Richter & Hampton LLP
INTERNAL ADDRESS	Fourth Floor
STREET	650 Town Center Drive
CITY	Costa Mesa
STATE	California
COUNTRY	United States
POSTAL/ZIP CODE	92626
PHONE	714-424-8215
FAX	714-513-5130
EMAIL	uspto-tm-oc@sheppardmullin.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
NEW OTHER APPOINTED ATTORNEYS	Michelle LaVoie Wisniewski; Gazal Pour-Moezzi; Brian M. Daucher; Timothy L. Epp
<b>NEW CORRESPONDENCE ADDRESS</b>	
NAME	Carlo F. Van den Bosch

<b>FIRM NAME</b>	Sheppard Mullin Richter & Hampton LLP
<b>INTERNAL ADDRESS</b>	Fourth Floor
<b>STREET</b>	650 Town Center Drive
<b>CITY</b>	Costa Mesa
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	92626
<b>PHONE</b>	714-424-8215
<b>FAX</b>	714-513-5130
<b>EMAIL</b>	uspto-tm-oc@sheppardmullin.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/George Wehlitz/
<b>SIGNATORY NAME</b>	George Wehlitz
<b>SIGNATORY DATE</b>	06/19/2017
<b>SIGNATORY POSITION</b>	Chief Financial Officer
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Jun 19 19:00:37 EDT 2017
<b>TEAS STAMP</b>	USPTO/RAA-XX.XXX.XXX.XXX- 20170619190037420229-8529 3898-5901fdbaa7eaed654d27 c25d6228c15a797b3b3736958 50926fef1f399c9f435939-N/ A-N/A-2017061917213866556 0

---

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** LOVESICK (stylized and/or with design, see <https://tmng-al.uspto.gov/resting2/api/img/85596217/large>)

**SERIAL NUMBER:** 85596217

**REGISTRATION NUMBER:** 4306658

**The original attorney information:**

Jorge Arciniega  
100638-0102  
2049 Century Park East, Suite 3800  
Los Angeles California 90067-3218  
US  
(310) 277-4110  
(310) 277-4730  
jarciniega@mwe.com

**Original Correspondence Address :**

Jorge Arciniega  
McDermott Will & Emery LLP  
2049 Century Park East, Suite 3800  
Los Angeles California 90067-3218  
US  
(310) 277-4110  
(310) 277-4730  
jarciniega@mwe.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

**New attorney information:**

Carlo F. Van den Bosch  
Sheppard Mullin Richter & Hampton LLP  
Fourth Floor  
650 Town Center Drive  
Costa Mesa, California 92626  
United States  
714-424-8215  
714-513-5130  
uspto-tm-oc@sheppardmullin.com (authorized)

**New Other Appointed Attorneys:**

Michelle LaVoie Wisniewski; Gazal Pour-Moezzi; Brian M. Daucher; Timothy L. Epp

**The following is to be used as the correspondence address:**

Carlo F. Van den Bosch  
Sheppard Mullin Richter & Hampton LLP  
Fourth Floor  
650 Town Center Drive  
Costa Mesa, California 92626  
United States

714-424-8215  
714-513-5130

uspto-tm-oc@sheppardmullin.com (authorized)

Signature: /George Wehlitz/ Date: 06/19/2017  
Signatory's Name: George Wehlitz  
Signatory's Position: Chief Financial Officer

Serial Number: 85596217  
Internet Transmission Date: Mon Jun 19 19:00:37 EDT 2017  
TEAS Stamp: USPTO/RAA-XX.XXX.XXX.XXX-201706191900374  
20229-85293898-5901fdbaa7eae654d27c25d6  
228c15a797b3b373695850926fcf1f399c9f4359  
39-N/A-N/A-20170619172138665560

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85596217
REGISTRATION NUMBER	4306658
LAW OFFICE ASSIGNED	LAW OFFICE 102
ATTORNEY DOCKET NUMBER	100638-0102
<b>MARK SECTION</b>	
MARK	LOVESICK (stylized and/or with design, see <a href="http://tmng-al.uspto.gov/resting2/api/img/85596217/large">http://tmng-al.uspto.gov/resting2/api/img/85596217/large</a> )
<b>ATTORNEY SECTION</b>	
ORIGINAL ADDRESS	CARLO F. VAN DEN BOSCH 650 TOWN CENTER DRIVE, Fourth Floor Costa mesa California 92626 US 714-424-8215 714-513-5130 <a href="mailto:uspto-tm-oc@sheppardmullin.com">uspto-tm-oc@sheppardmullin.com</a> ; <a href="mailto:lwilliams@hottopic.com">lwilliams@hottopic.com</a>
<b>NEW ATTORNEY INFORMATION</b>	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:
NAME	Jorge Arciniega
FIRM NAME	McDermott Will & Emery LLP
STREET	2049 Century Park East, Suite 3800
CITY	Los Angeles
STATE	California
COUNTRY	United States
POSTAL/ZIP CODE	90067-3218
PHONE	(310) 277-4110
FAX	(310) 277-4730
EMAIL	<a href="mailto:jarciniega@mwe.com">jarciniega@mwe.com</a>
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
NEW OTHER APPOINTED ATTORNEYS	Ellie Hourizadeh, Han Yu; Robert W. Zelnick, Joanne Ludovici-Lint, Richard Y. Kim, John J. Dabney; Margaret M. Duncan, Jennifer M. Mikulina, Daniel N. Christus, Jeffrey R. Gargano, Matthew J. Gryzlo, Brent A. Hawkins, Peter M. Siavelis, Ulrika E. Mattsson, Wan-Shon Lo, Rita J.



Yoon, Avani C. Macaluso; Mark J. Itri, Lynne Boisineau; and Matthew E. Leno.

**NEW CORRESPONDENCE ADDRESS**

NAME	Jorge Arciniega
FIRM NAME	McDermott Will & Emery LLP
STREET	2049 Century Park East, Suite 3800
CITY	Los Angeles
STATE	California
COUNTRY	United States
POSTAL/ZIP CODE	90067-3218
PHONE	(310) 277-4110
FAX	(310) 277-4730
EMAIL	jarciniega@mwe.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	100638-0102
OTHER APPOINTED ATTORNEY	Ellie Hourizadeh, Han Yu; Robert W. Zelnick, Joanne Ludovici-Lint, Richard Y. Kim, John J. Dabney; Margaret M. Duncan, Jennifer M. Mikulina, Daniel N. Christus, Jeffrey R. Gargano, Matthew J. Gryzlo, Brent A. Hawkins, Peter M. Siavelis, Ulrika E. Mattsson, Wan-Shon Lo, Rita J. Yoon, Avani C. Macaluso; Mark J. Itri, Lynne Boisineau; and Matthew E. Leno.

**SIGNATURE SECTION**

SIGNATURE	/George Wehlitz/
SIGNATORY NAME	George Wehlitz
SIGNATORY DATE	09/02/2016
SIGNATORY POSITION	Chief Financial Officer
SIGNATORY PHONE NUMBER	(310) 551-9306

**FILING INFORMATION SECTION**

SUBMIT DATE	Fri Sep 02 16:35:33 EDT 2016
TEAS STAMP	USPTO/RAA-XX.XX.XX.XX-201 60902163533468505-7728160 8-550ad192f7148b4583616d8 cd2382591b6080f9eaada2da5 47388a347be7ba43-N/A-N/A- 20160902162803468368

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
OMB Control Number 0705-0188  
Date of this Revision: 02/18/2017

## **Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative**

To the Commissioner for Trademarks:

**MARK:** LOVESICK (stylized and/or with design, see <http://tmng-al.uspto.gov/resting2/api/img/85596217/large>)

**SERIAL NUMBER:** 85596217

**REGISTRATION NUMBER:** 4306658

**ATTORNEY DOCKET NUMBER** 100638-0102

**The original attorney information:**

CARLO F. VAN DEN BOSCH

650 TOWN CENTER DRIVE, Fourth Floor

Costa mesa California 92626

US

714-424-8215

714-513-5130

uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com

**Original Correspondence Address :**

CARLO F. VAN DEN BOSCH

Sheppard Mullin

650 TOWN CENTER DRIVE, Fourth Floor

Costa mesa California 92626

US

714-424-8215

714-513-5130

uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

**New attorney information:**

Jorge Arciniega

McDermott Will & Emery LLP

2049 Century Park East, Suite 3800

Los Angeles, California 90067-3218

United States

(310) 277-4110

(310) 277-4730

jarciniega@mwe.com (authorized)

**New Other Appointed Attorneys:**

Ellie Hourizadeh, Han Yu; Robert W. Zelnick, Joanne Ludovici-Lint, Richard Y. Kim, John J. Dabney; Margaret M. Duncan, Jennifer M.

Mikulina, Daniel N. Christus, Jeffrey R. Gargano, Matthew J. Gryzlo, Brent A. Hawkins, Peter M. Siavelis, Ulrika E. Mattsson, Wan-Shon Lo,

Rita J. Yoon, Avani C. Macaluso; Mark J. Itri, Lynne Boisineau; and Matthew E. Leno.

**The following is to be used as the correspondence address:**

Jorge Arciniega

McDermott Will & Emery LLP

2049 Century Park East, Suite 3800

Los Angeles, California 90067-3218

United States



(310) 277-4110  
(310) 277-4730  
jarciniega@mwe.com (authorized)  
The attorney docket/reference number is 100638-0102.

Signature: /George Wehlitz/ Date: 09/02/2016  
Signatory's Name: George Wehlitz  
Signatory's Position: Chief Financial Officer  
Signatory's Phone Number: (310) 551-9306

Serial Number: 85596217  
Internet Transmission Date: Fri Sep 02 16:35:33 EDT 2016  
TEAS Stamp: USPTO/RAA-XX.XX.XX.XX-201609021635334685  
05-77281608-550ad192f7148b4583616d8cd238  
2591b6080f9eaada2da547388a347be7ba43-N/A  
-N/A-20160902162803468368

# United States of America

United States Patent and Trademark Office

♥ LOVESICK

**Reg. No. 4,306,658**

**Registered Mar. 19, 2013**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

HOT TOPIC MERCHANDISING, INC. (CALIFORNIA CORPORATION)  
18305 E. SAN JOSE AVENUE  
CITY OF INDUSTRY, CA 91724

FOR: BATHING SUITS; DENIM JACKETS; LADIES' UNDERWEAR; LINGERIE; MONOKINIS;  
PANTIES, SHORTS AND BRIEFS; SCARVES; SWIM TRUNKS; UNDERWEAR, IN CLASS  
25 (U.S. CLS. 22 AND 39).

FIRST USE 8-1-2011; IN COMMERCE 8-1-2011.

OWNER OF U.S. REG. NO. 4,169,027.

THE MARK CONSISTS OF A HEART SHADED WITH A BORDER ON THE OUTSIDE NEXT  
TO THE STYLIZED WORD "LOVESICK" WHERE THE WORD "LOVE" IS UPPER CASE  
AND "SICK" IS IN LOWERCASE.

SN 85-596,217, FILED 4-12-2012.

MAYUR VAGHANI, EXAMINING ATTORNEY



*Sean Street*  
Acting 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>.

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Saturday, February 9, 2013 00:13 AM  
**To:** uspto-tm-oc@sheppardmullin.com  
**Cc:** lwilliams@hottopic.com  
**Subject:** Trademark Serial Number 85596217 : Official USPTO Notice of Acceptance of Statement of Use

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**Serial Number:** 85596217  
**Mark:** LOVESICK(STYLIZED/DESIGN)  
**Owner:** Hot Topic Merchandising, Inc.  
**Docket/Reference Number:**

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/> or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85596217>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	02/09/2013		
PUB DATE	09/18/2012		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	02/08/2013		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Bathing suits; Denim jackets; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Scarves; Swim trunks; Underwear

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	08/01/2011	FIRST USE IN COMMERCE DATE	08/01/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a heart shaded with a border on the outside next to the stylized word "LOVESICK" where the word "LOVE" is upper case and "sick" is in lowercase.
OWNER OF US REG NOS	4169027

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/09/2013	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	024
02/08/2013	REGV	O	LAW OFFICE REGISTRATION REVIEW COMPLETED	023
02/06/2013	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	022
01/29/2013	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	021
01/08/2013	IUAF	S	USE AMENDMENT FILED	020
01/29/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
01/08/2013	EISU	I	TEAS STATEMENT OF USE RECEIVED	018
11/13/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	017
09/18/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
09/18/2012	PUBO	A	PUBLISHED FOR OPPOSITION	015
08/29/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	014
08/14/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
08/13/2012	ALIE	A	ASSIGNED TO LIE	012
08/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	011
08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
08/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	007

07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006
06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005
06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
04/20/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
04/19/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	CARLO F. VAN DEN BOSCH
CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor Costa mesa CA 92626
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California



 **LOVEsick**

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	02/07/2013		
PUB DATE	09/18/2012		
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION		
STATUS DATE	02/06/2013		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Bathing suits; Denim jackets; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Scarves; Swim trunks; Underwear

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	08/01/2011	FIRST USE IN COMMERCE DATE	08/01/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a heart shaded with a border on the outside next to the stylized word "LOVESICK" where the word "LOVE" is upper case and "sick" is in lowercase.
OWNER OF US REG NOS	4169027

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/06/2013	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	022
01/29/2013	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	021
01/08/2013	IUAF	S	USE AMENDMENT FILED	020
01/29/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
01/08/2013	EISU	I	TEAS STATEMENT OF USE RECEIVED	018
11/13/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	017
09/18/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
09/18/2012	PUBO	A	PUBLISHED FOR OPPOSITION	015
08/29/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	014
08/14/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
08/13/2012	ALIE	A	ASSIGNED TO LIE	012
08/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	011
08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
08/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	007
07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006
06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005

06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
04/20/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
04/19/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

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CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor Costa mesa CA 92626
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

 **LOVEsick**



**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	01/30/2013		
PUB DATE	09/18/2012		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	01/29/2013		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a heart shaded with a border on the outside next to the stylized word "LOVESICK" where the word "LOVE" is upper case and "sick" is in lowercase.
OWNER OF US REG NOS	4169027

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
01/29/2013	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	021
01/08/2013	IUAF	S	USE AMENDMENT FILED	020
01/29/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
01/08/2013	EISU	I	TEAS STATEMENT OF USE RECEIVED	018
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09/18/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
09/18/2012	PUBO	A	PUBLISHED FOR OPPOSITION	015
08/29/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	014
08/14/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
08/13/2012	ALIE	A	ASSIGNED TO LIE	012
08/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	011
08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
08/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	007
07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006



06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005
06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
04/20/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
04/19/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	CARLO F. VAN DEN BOSCH
CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor Costa mesa CA 92626
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

 **LOVEsick**





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Sale

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By Category

By Price Range

- Under \$5 (2)

Search Suggestions: [Bathing Suits](#) | [Panda](#) | [Lovesick](#) | [Swim](#) | [Zebra](#) | [Bikini](#) | [Tie](#) | [Bones](#)

**MERCHANDISE**

**MERCHANDISE (2)**

Sort By: [Popularity](#) | [A - Z](#) | [Price](#) | [New](#) Gender: [Guy](#) | [Girl](#) | [Both](#)



**DEAL**

LOVESICK Zebra Pink Swim Bottoms

~~was \$19.50~~  
now \$4.89

30% Off

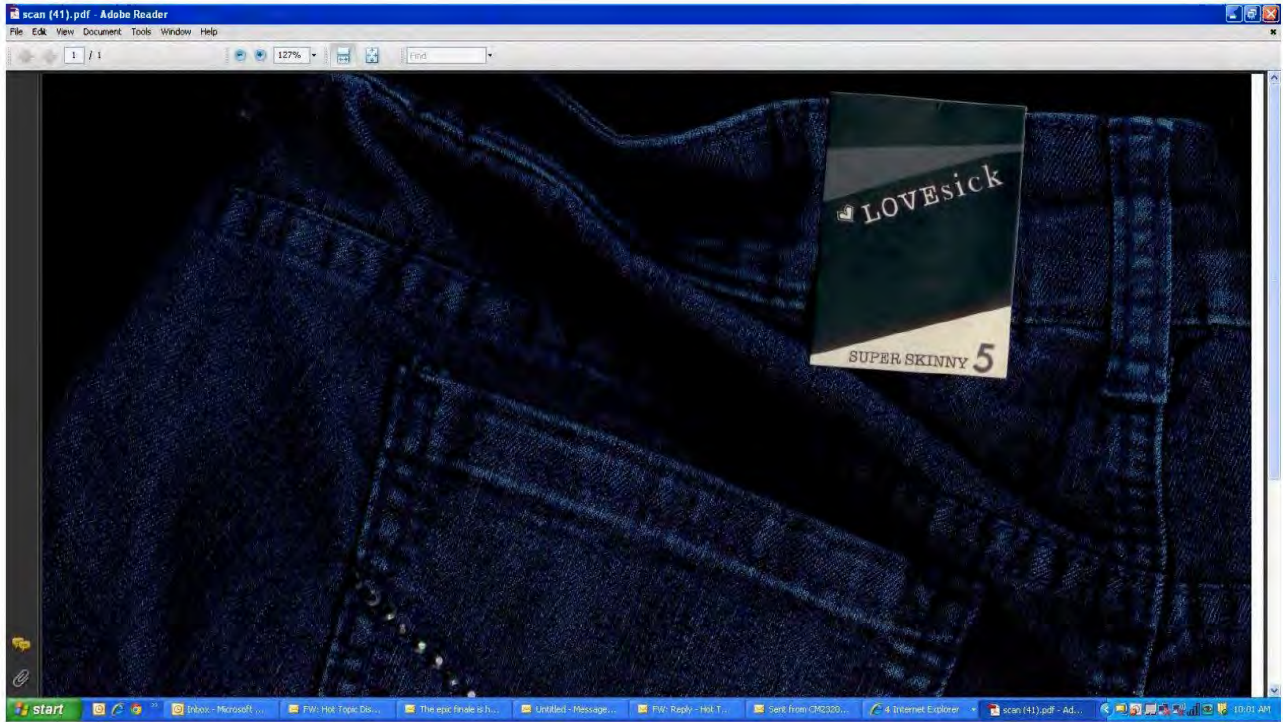


**DEAL**

LOVESICK Pink Bones Swim Bottoms

~~was \$19.50~~  
now \$4.89

30% Off





## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85596217
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 102
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85596217">http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85596217</a>
<b>LITERAL ELEMENT</b>	LOVESICK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Hot Topic Merchandising, Inc.
<b>STREET</b>	18305 E. San Jose Avenue
<b>CITY</b>	City of Industry
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	91724
<b>COUNTRY</b>	United States
<b>PHONE</b>	626-839-4681
<b>FAX</b>	626-709-1194
<b>EMAIL</b>	lwilliams@hottopic.com
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Hot Topic Merchandising, Inc.
<b>STREET</b>	18305 E. San Jose Avenue
<b>CITY</b>	City of Industry
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	91724
<b>COUNTRY</b>	United States
<b>PHONE</b>	626-839-4681
<b>FAX</b>	626-709-1194
<b>EMAIL</b>	uspto-tm-oc@sheppardmullin.com
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	025

CURRENT IDENTIFICATION	Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods
GOODS OR SERVICES DELETED FROM THE APPLICATION	Beanies; Boots; Bras; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Rain wear; Sandals; Sandals and beach shoes; Shoes; Socks and stockings; Women's hats and hoods
GOODS OR SERVICES IN USE IN COMMERCE	Bathing suits; Denim jackets; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Scarves; Swim trunks; Underwear;
FIRST USE ANYWHERE DATE	08/01/2011
FIRST USE IN COMMERCE DATE	08/01/2011
SPECIMEN FILE NAME(S)	
JPG FILE(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\855\962\85596217\xml11\SOU0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\855\962\85596217\xml11\SOU0004.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\855\962\85596217\xml11\SOU0005.JPG</a>
ORIGINAL PDF FILE	<a href="#">SPN0-652081315-174154037...LovesickCl.25use.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\855\962\85596217\xml11\SOU0003.JPG</a>
SPECIMEN DESCRIPTION	Photos of Applicant's hangtags bearing the mark and photos of images bearing the mark in connection with goods
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/lulu williams/
SIGNATORY'S NAME	Lulu Williams
SIGNATORY'S POSITION	Trademark Administrator
DATE SIGNED	01/08/2013
SIGNATORY'S PHONE NUMBER	626-839-4681
FILING INFORMATION	
SUBMIT DATE	Tue Jan 08 17:56:28 EST 2013
TEAS STAMP	USPTO/SOU-XX.XXX.XXX.X-20 130108175628378546-855962 17-490644f5d135131f96ff3a d8c06d8cf284-CC-4780-2013 0108174154037745

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** LOVESICK (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85596217>)

**SERIAL NUMBER:** 85596217

The applicant, Hot Topic Merchandising, Inc., having an address of  
18305 E. San Jose Avenue  
City of Industry, California 91724  
United States

is submitting the following allegation of use information:

For International Class 025:

Current identification: Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods

This **allegation of use** does **NOT** cover the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods/services are **permanently deleted**: Beanies; Boots; Bras; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Rain wear; Sandals; Sandals and beach shoes; Shoes; Socks and stockings; Women's hats and hoods

The mark is in use in commerce on or in connection with the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class: Bathing suits; Denim jackets; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Scarves; Swinn trunks; Underwear;

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/01/2011, and first used in commerce at least as early as 08/01/2011, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Photos of Applicant's hangtags bearing the mark and photos of images bearing the mark in connection with goods.

**JPG file(s):**

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

**Original PDF file:**

[SPN0-652081315-174154037\\_LovesickCl.25use.pdf](#)

**Converted PDF file(s) (1 page)**

[Specimen File1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /lulu williams/ Date Signed: 01/08/2013

Signatory's Name: Lulu Williams

Signatory's Position: Trademark Administrator

Signatory's Phone: 626-839-4681

RAM Sale Number: 4780

RAM Accounting Date: 01/09/2013

Serial Number: 85596217

Internet Transmission Date: Tue Jan 08 17:56:28 EST 2013

TEAS Stamp: USPTO/SOU-XX.XXX.XXX.X-20130108175628378

546-85596217-490644f5d135131f96ff3ad8c06

d8cf284-CC-4780-20130108174154037745







SHOW



SEARCH > [LOVESICK SWIM](#)

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Sale

[Clear](#)

Refine Your Search:

By Category

By Price Range

- Under \$5 (2)

Search Suggestions: [Bathing Suits](#) | [Panda](#) | [Lovesick](#) | [Swim](#) | [Zebra](#) | [Bikini](#) | [Tie](#) | [Bones](#)

**MERCHANDISE**

**MERCHANDISE (2)**

Sort By: [Popularity](#) | [A - Z](#) | [Price](#) | [New](#) Gender: [Guy](#) | [Girl](#) | [Both](#)



**DEAL**

LOVESick Zebra Pink Swim Bottoms

~~was \$19.50~~  
now \$4.89

30% Off

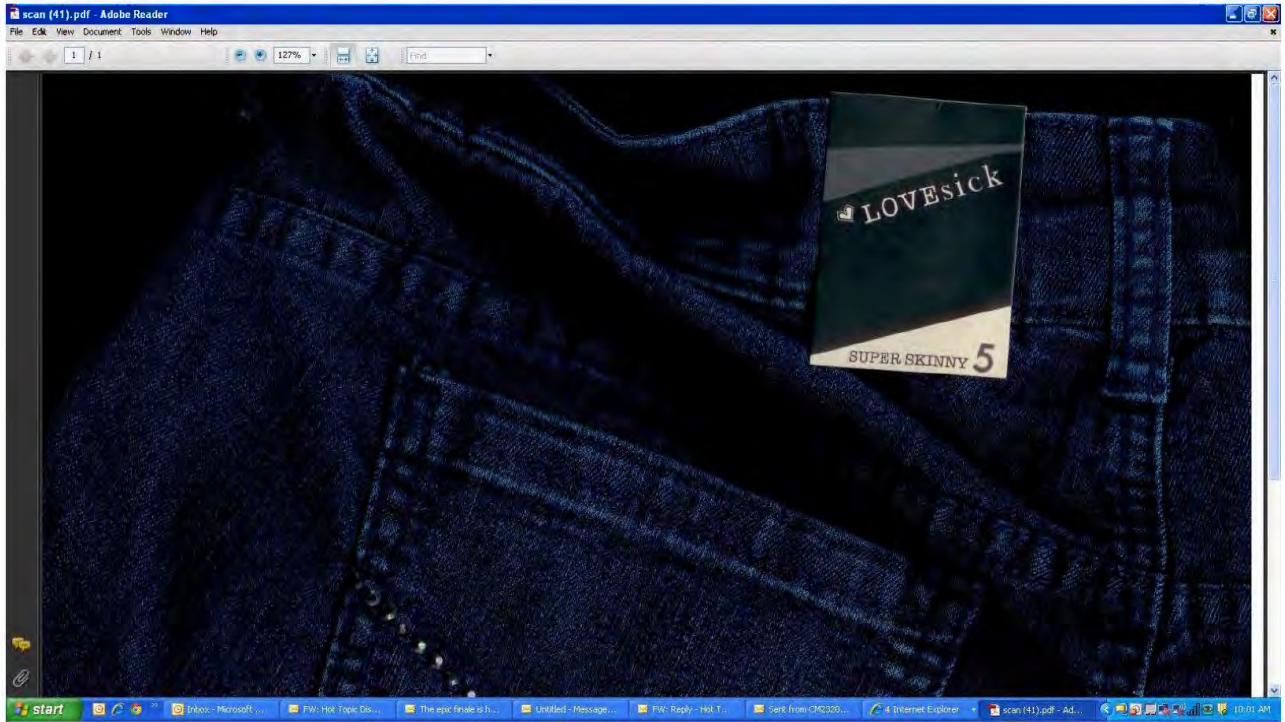


**DEAL**

LOVESick Pink Bones Swim Bottoms

~~was \$19.50~~  
now \$4.89

30% Off



**FEE RECORD SHEET**

**Serial Number:** 85596217



**RAM Sale Number:** 4780

**Total Fees:** \$100

**RAM Accounting Date:** 20130109

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20130108	\$100	1	\$100

**Transaction Date:** 20130108



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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, November 13, 2012 00:11 AM  
**To:** uspto-tm-oc@sheppardmullin.com  
**Cc:** lwilliams@hottopic.com  
**Subject:** Trademark Serial Number 85596217: Official USPTO Notice of Allowance

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Nov 13, 2012

**Serial Number:** 85596217  
**Mark:** LOVESICK(STYLIZED/DESIGN)  
**Docket/Reference Number:**

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

**SIX (6)-MONTH DEADLINE:** Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.**

**How to file SOU and/or Extension Request:**

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

**FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.**

**REVIEW APPLICATION INFORMATION FOR ACCURACY**

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

**Serial Number:** 85596217  
**Mark:** LOVESICK(STYLIZED/DESIGN)  
**Docket/Reference Number:**  
**Owner:** Hot Topic Merchandising, Inc.  
18305 E. San Jose Avenue  
City of Industry, CALIFORNIA 91724  
**Correspondence Address:** CARLO F. VAN DEN BOSCH  
Sheppard Mullin  
650 TOWN CENTER DRIVE, Fourth Floor  
Costa mesa CA 92626

**This application has the following bases, but not necessarily for all listed goods/services:**

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

025 - Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

**ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.**

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**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

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**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85596217>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 18, 2012 00:36 AM  
**To:** uspto-tm-oc@sheppardmullin.com  
**Cc:** lwilliams@hotopic.com  
**Subject:** Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85596217

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 85-596,217  
**Mark:** LOVESICK(STYLIZED/DESIGN)  
**International Class(es):** 025  
**Applicant:** Hot Topic Merchandising, Inc.  
**Docket/Reference Number:**

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Sep 18, 2012.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20120918\\_OG.pdf#page=00000812](http://www.uspto.gov/web/trademarks/tmog/20120918_OG.pdf#page=00000812)
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp)

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Aug 29, 2012

## NOTICE OF PUBLICATION

- |                                      |  |
|--------------------------------------|--|
| 1. Serial No.:<br>85-596,217         | 2. Mark:<br>LOVESICK<br>(STYLIZED/DESIGN)      |
| 3. International Class(es):<br>25    |  |
| 4. Publication Date:<br>Sep 18, 2012 | 5. Applicant:<br>Hot Topic Merchandising, Inc. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

uspto-tm-oc@sheppardmullin.com  
lwilliams@hottopic.com

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, August 29, 2012 03:29 AM  
**To:** uspto-tm-oc@sheppardmullin.com  
**Cc:** lwilliams@hottopic.com  
**Subject:** Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85596217

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85596217) is scheduled to publish in the *Official Gazette* on Sep 18, 2012. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85596217>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	08/15/2012		
PUB DATE	09/18/2012		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	08/14/2012		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a heart shaded with a border on the outside next to the stylized word "LOVESICK" where the word "LOVE" is upper case and "sick" is in lowercase.
OWNER OF US REG NOS	4169027

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/14/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
08/13/2012	ALIE	A	ASSIGNED TO LIE	012
08/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	011
08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
08/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	007
07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006
06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005
06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
04/20/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
04/19/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	CARLO F. VAN DEN BOSCH
----------	------------------------

CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor Costa mesa CA 92626
DOMESTIC REPRESENTATIVE	NONE

 **LOVEsick**



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	08/02/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	08/01/2012		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Hot Topic Merchandising, Inc.
ADDRESS	18305 E. San Jose Avenue City of Industry, CA 91724
ENTITY	03-CORPORATION
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a heart shaded with a border on the outside next to the stylized word LOVESICK where the word "LOVE" is upper case and "sick" is in lowercase.
OWNER OF US REG NOS	4169027

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	011
08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
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07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006
06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005
06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
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04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

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ATTORNEY	CARLO F. VAN DEN BOSCH
CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor

DOMESTIC REPRESENTATIVE

Costa mesa CA 92626

NONE

 **LOVEsick**

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85598217	FILING DATE	04/12/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	VAGHANI, MAYUR C	L.O. ASSIGNED	102

**PUB INFORMATION**

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STATUS DATE	08/01/2012		
LITERAL MARK ELEMENT	LOVESICK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	LOVESICK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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08/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	010
08/01/2012	GNEEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	009
08/01/2012	GNEA	F	EXAMINERS AMENDMENT E-MAILED	008
08/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	007
07/26/2012	DOCK	D	ASSIGNED TO EXAMINER	006
06/06/2012	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	005
06/06/2012	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	004
04/20/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
04/19/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	CARLO F. VAN DEN BOSCH
CORRESPONDENCE ADDRESS	CARLO F. VAN DEN BOSCH Sheppard Mullin 650 TOWN CENTER DRIVE, Fourth Floor

DOMESTIC REPRESENTATIVE

Costa mesa CA 92626

NONE



 **LOVEsick**

**To:** Hot Topic Merchandising, Inc. ([uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85596217 - LOVESICK - N/A  
**Sent:** 8/1/2012 2:56:21 PM  
**Sent As:** ECOM102@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85596217

MARK: LOVESICK

**\*85596217\***

CORRESPONDENT ADDRESS:

CARLO F. VAN DEN BOSCH  
Sheppard Mullin  
650 TOWN CENTER DRIVE, Fourth Floor  
Costa mesa CA 92626

GENERAL TRADEMARK INFORMATION:  
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Hot Topic Merchandising, Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO :  
N/A

CORRESPONDENT E-MAIL ADDRESS:  
[uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com)

**EXAMINER'S AMENDMENT**

ISSUE/MAILING DATE: **8/1/2012**

**DATABASE SEARCH:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by Carlo F. Van Den Bosch on 8/1/2012, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

**MARK DESCRIPTION REQUIREMENT**

The following description of the mark is added to the record:

The mark consists of a heart shaded **with a border** on the outside next to the stylized word LOVESICK where the word "LOVE" is upper case and "sick" is in lowercase.

*See* 37 C.F.R. §2.37; TMEP §§808 *et seq.*

**CLAIM OF OWNERSHIP OF PRIOR REGISTRATION**

The following claim of ownership is added to the record:

**Applicant is the owner of U.S. Registration No. 4169027.**

See 37 C.F.R. §2.36; TMEP §812.

The examining attorney also provided the applicant with following advisory:

**POTENTIAL SUBSTANTIVE REFUSAL**

**Potential Ornamental Refusal**

Applicant is advised that, upon consideration of an allegation of use, registration may be refused on the ground that the applied-for mark, as used on the specimen of record, is merely ornamental, and as such does not function as a trademark to identify and distinguish applicant's goods from those of others and to indicate the source of applicant's goods. Trademark Act Sections 1, 2 and 45, 15 U.S.C. §§1051-1052, 1127: see *In re David Crystal, Inc.*, 296 F.2d 771, 132 USPQ 1 (C.C.P.A. 1961); *In re Villeroy & Boch S.A.R.L.*, 5 USPQ2d 1451 (TTAB 1987); TMEP §§904.07(b), 1202.03 *et seq.*

The following factors are considered when determining whether the public would perceive the applied-for mark as a trademark or merely as a decorative or ornamental feature: the commercial impression made by the mark on the specimen, any prior registrations of the same mark for other goods and/or services, promotion of the applied-for mark as a trademark, and the practice of the relevant trade. See *In re Todd Co.*, 290 F.2d 597, 129 USPQ 408 (C.C.P.A. 1961); *In re Dimitri's Inc.*, 9 USPQ2d 1666 (TTAB 1988); *In re Paramount Pictures Corp.*, 213 USPQ 1111 (TTAB 1982); *In re Jockey Int'l, Inc.*, 192 USPQ 579 (TTAB 1976); TMEP §§1202.03 *et seq.*

/invaghani/  
Mayur Vaghani  
Examining Attorney  
Law Office 102  
Phone: (571) 272-1615  
Fax: (571) 273-9102  
mayur.vaghani@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

**To:** Hot Topic Merchandising, Inc. ([uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85596217 - LOVESICK - N/A  
**Sent:** 8/1/2012 2:56:22 PM  
**Sent As:** ECOM102@USPTO.GOV  
**Attachments:**

IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION

**USPTO LETTER (AN OFFICE ACTION) HAS ISSUED ON 8/1/2012 FOR  
SERIAL NO. 85596217**

Please follow the instructions below:

**TO READ OFFICE LETTER:** Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office letter

**PLEASE NOTE:** The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

**HELP:** For *technical* assistance in accessing the Office correspondence, please e-mail [TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office letter.

\*\*\* User:mvaghani \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	85596217[SN]
02	10292	N/A	0	0	0:02	(*luv* *lov*)[bi.ti] not dead[lid]
03	35076	N/A	0	0	0:47	*{"scz"} {"iey"} {v0:1} {"ckqx"} *[bi.ti] not dead[lid]
04	150	0	149	138	0:01	2 and 3
05	7862	N/A	0	0	0:03	021101[dc]not dead[lid]
06	3411	0	14	3411	0:03	5 and "025"[cc]

Session started 7/26/2012 7:51:52 PM

Session finished 7/26/2012 9:40:11 PM

Total search duration 0 minutes 57 seconds

Session duration 108 minutes 19 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85596217

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85596217
<b>MARK SECTION</b>	
<b>MARK</b>	LOVESICK (stylized and/or with design)
<b>NEW ATTORNEY ADDRESS</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned hereby APPOINTS the following new attorney:
<b>NAME</b>	CARLO F. VAN DEN BOSCH
<b>FIRM NAME</b>	Sheppard Mullin
<b>INTERNAL ADDRESS</b>	Fourth Floor
<b>STREET</b>	650 TOWN CENTER DRIVE
<b>CITY</b>	Costa mesa
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	92626
<b>PHONE</b>	714-424-8215
<b>FAX</b>	714-513-5130
<b>EMAIL</b>	uspto-tm-oc@sheppardmullin.com
<b>ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>NEW OTHER APPOINTED ATTORNEYS</b>	Michelle LaVoire Wisniewski; Timothy L. Epp; Brian M. Daucher
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NAME</b>	CARLO F. VAN DEN BOSCH
<b>FIRM NAME</b>	Sheppard Mullin
<b>STREET</b>	650 TOWN CENTER DRIVE, Fourth Floor
<b>CITY</b>	Costa mesa
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	92626
<b>PHONE</b>	714-424-8215
<b>FAX</b>	714-513-5130
<b>EMAIL</b>	uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com



AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
OTHER APPOINTED ATTORNEY	Michelle LaVoire Wisniewski; Timothy L. Epp; Brian M. Daucher
<b>SIGNATURE SECTION</b>	
SIGNATURE	/lulu williams/
SIGNATORY NAME	Lulu Williams
SIGNATORY DATE	06/06/2012
SIGNATORY POSITION	Trademark Administrator
SIGNATORY PHONE NUMBER	626-839-4681
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed Jun 06 19:57:12 EDT 2012
TEAS STAMP	USPTO/RAA-XX.XXX.XXX.X-20 120606195712923139-851854 70-49033fed32250546eb1b 95a5d4b89e23f-N/A-N/A-201 20606195235850236

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## **Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative**

To the Commissioner for Trademarks:  
**MARK:** LOVESICK (stylized and/or with design)  
**SERIAL NUMBER:** 85596217

**Original Correspondence Address :**

CARLO F. VAN DEN BOSCH  
650 TOWN CENTER DR  
COSTA MESA California 92626-1989  
US  
(714) 424-8215  
626-709-1194  
uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com

By submission of this request, the undersigned hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

**Newly Appointed Attorney:**

CARLO F. VAN DEN BOSCH  
Sheppard Mullin  
Fourth Floor  
650 TOWN CENTER DRIVE  
Costa mesa, California 92626  
United States  
714-424-8215  
714-513-5130  
uspto-tm-oc@sheppardmullin.com

**Other Appointed Attorneys:**

Michelle LaVoire Wisniewski; Timothy L. Epp; Brian M. Daucher

**The following is to be used as the correspondence address:**

CARLO F. VAN DEN BOSCH  
Sheppard Mullin  
650 TOWN CENTER DRIVE, Fourth Floor  
Costa mesa, California 92626  
United States  
  
714-424-8215  
714-513-5130  
uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com

Signature: /lulu williams/ Date: 06/06/2012

Signatory's Name: Lulu Williams

Signatory's Position: Trademark Administrator

Signatory's Phone Number: 626-839-4681

Serial Number: 85596217

Internet Transmission Date: Wed Jun 06 19:57:12 EDT 2012

TEAS Stamp: USPTO/RAA-XX.XXX.XXX.X-20120606195712923  
139-85185470-49033fed32250546eb1b95a5d  
4b89e23f-N/A-N/A-20120606195235850236

---

**From:** TMDesignCodeComments  
**Sent:** Friday, April 20, 2012 00:18 AM  
**To:** uspto-tm-oc@sheppardmullin.com,lwilliams@hottopic.com  
**Subject:** Notice of Design Search Code for Serial Number: 85596217

---

**ATTORNEY REFERENCE NUMBER:**

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The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You must reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

**Design search codes assigned to the referenced serial number are listed below.**  
**DESIGN SEARCH CODES:**

02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

 **LOVEsick**

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85596217

Filing Date: 04/12/2012

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

**The table below presents the data as entered.**

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT11\IMAGEOUT 11\855\962\85596217.xml1\FTK0002.JPG</a>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	LOVESICK
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of A heart shaded with black and white border on the outside next to the stylized word LOVESICK where the word "LOVE" is upper case and "sick" is in lowercase.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	800 x 450
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Hot Topic Merchandising, Inc.
*STREET	18305 E. San Jose Avenue
*CITY	City of Industry
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	91724
PHONE	626-839-4681
FAX	626-709-1194
EMAIL ADDRESS	lwilliams@hottopic.com



AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
WEBSITE ADDRESS	www.hottopic.com
<b>LEGAL ENTITY INFORMATION</b>	
* TYPE	CORPORATION
* STATE/COUNTRY OF INCORPORATION	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
* INTERNATIONAL CLASS	025
* IDENTIFICATION	Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, <b>cowboy hats, fedora hats, caps, and trucker hats</b> ; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods
* FILING BASIS	SECTION 1(b)
<b>ADDITIONAL STATEMENTS SECTION</b>	
* TRANSLATION (if applicable)	
* TRANSLITERATION (if applicable)	
* CLAIMED PRIOR REGISTRATION (if applicable)	
* CONSENT (NAME/LIKENESS) (if applicable)	
* CONCURRENT USE CLAIM (if applicable)	
MISCELLANEOUS STATEMENT	Applicant is the owner of pending trademark applications 85293898 and 852293915
<b>CORRESPONDENCE INFORMATION</b>	
* NAME	CARLO F. VAN DEN BOSCH
FIRM NAME	SHEPPARD MULLIN
* STREET	650 TOWN CENTER DRIVE
* CITY	Costa Mesa
* STATE (Required for U.S. applicants)	California
* COUNTRY	United States
* ZIP/POSTAL CODE	92626
PHONE	(714) 424-8215
* EMAIL ADDRESS	uspto-tm-oc@sheppardmullin.com;lwilliams@hottopic.com
* AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	275
* TOTAL FEE PAID	275

SIGNATURE INFORMATION	
* SIGNATURE	/lulu williams/
* SIGNATORY'S NAME	Lulu Williams
* SIGNATORY'S POSITION	Trademark Administrator
SIGNATORY'S PHONE NUMBER	626-839-4681
* DATE SIGNED	04/12/2012

---

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85596217

Filing Date: 04/12/2012

#### To the Commissioner for Trademarks:

**MARK:** LOVESICK (stylized and/or with design, see [mark](#))

The literal element of the mark consists of LOVESICK.

The applicant is not claiming color as a feature of the mark. The mark consists of A heart shaded with black and white border on the outside next to the stylized word LOVESICK where the word "LOVE" is upper case and "sick" is in lowercase.

The applicant, Hot Topic Merchandising, Inc., a corporation of California, having an address of

18305 E. San Jose Avenue  
City of Industry, California 91724  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Bathing suits; Beanies; Boots; Bras; Denim jackets; Dresses that may also be used as towels; Flip flops; Headgear, namely, cowboy hats, fedora hats, caps, and trucker hats; Ladies' underwear; Lingerie; Monokinis; Panties, shorts and briefs; Rain wear; Sandals; Sandals and beach shoes; Scarves; Shoes; Socks and stockings; Swim trunks; Underwear; Women's hats and hoods

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

Applicant is the owner of pending trademark applications 85293898 and 852293915

For informational purposes only, applicant's website address is: [www.hottopic.com](http://www.hottopic.com)

The applicant's current Correspondence Information:

CARLO F. VAN DEN BOSCH  
SHEPPARD MULLIN  
650 TOWN CENTER DRIVE  
Costa Mesa, California 92626  
(714) 424-8215(phone)  
[uspto-tm-oc@sheppardmullin.com](mailto:uspto-tm-oc@sheppardmullin.com):[lwilliams@hottopic.com](mailto:lwilliams@hottopic.com) (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /lulu williams/ Date Signed: 04/12/2012  
Signatory's Name: Lulu Williams  
Signatory's Position: Trademark Administrator

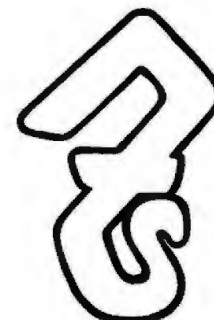
RAM Sale Number: 2002  
RAM Accounting Date: 04/13/2012

Serial Number: 85596217  
Internet Transmission Date: Thu Apr 12 15:37:59 EDT 2012  
TEAS Stamp: USPTO/FTK-XX.XXX.XXX.X-20120412153759751  
611-85596217-490419afa7ba411846f1ee6d6df  
4b89b112-CC-2002-20120412144512057060

 **LOVEsick**

Generated on: This page was generated by TSDR on 2019-05-07 23:48:34 EDT

Mark: FS



US Serial Number: 85676167

Application Filing Date: Jul. 13, 2012

US Registration Number: 4295702

Registration Date: Feb. 26, 2013

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 07, 2019

Publication Date: Dec. 11, 2012

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## Mark Information

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Mark Literal Elements: FS

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the lowercase letters of "FS" in a stylized font.

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

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## Goods and Services

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**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: SKATEBOARDS

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2009

Use in Commerce: Oct. 2009

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For: CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039



Class(es):  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Nov. 2010

Use in Commerce: Nov. 2010

---

### Basis Information (Case Level)

---

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

Currently Use: Yes  
Currently ITU: No  
Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

---

### Current Owner(s) Information

---

Owner Name: GERALD KREUDER  
Owner Address: 2 GUNTHER PLACE  
BELLMORE, NEW YORK UNITED STATES 11710  
Legal Entity Type: INDIVIDUAL  
Citizenship: UNITED STATES

---

### Attorney/Correspondence Information

---

Attorney of Record  
Attorney Name: STEWART J. BELLUS  
Docket Number: 019867  
Attorney Primary Email Address: [law@collardroe.com](mailto:law@collardroe.com)  
Attorney Email Authorized: Yes  
Correspondent  
Correspondent Name/Address: STEWART J. BELLUS  
COLLARD & ROE, P.C.  
1077 NORTHERN BLVD.  
ROSLYN, NEW YORK UNITED STATES 11576-1614  
Phone: 5163659802  
Fax: 5163659805  
Correspondent e-mail: [law@collardroe.com](mailto:law@collardroe.com)  
Correspondent e-mail Authorized: Yes  
Domestic Representative - Not Found

---

### Prosecution History

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Date	Description	Proceeding Number
Mar. 07, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 07, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Mar. 07, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jan. 29, 2019	TEAS SECTION 8 & 15 RECEIVED	
Feb. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2012	PUBLISHED FOR OPPOSITION	
Nov. 21, 2012	NOTICE OF PUBLICATION	
Nov. 06, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 06, 2012	ASSIGNED TO EXAMINER	80801
Jul. 20, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 17, 2012	NEW APPLICATION ENTERED IN TRAM	

---

### TM Staff and Location Information

---

TM Staff Information - None  
File Location  
Current Location: TMEG LAW OFFICE 104  
Date in Location: Mar. 07, 2019

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Thursday, March 7, 2019 11:01 PM  
**To:** law@collardroe.com  
**Subject:** Official USPTO Notice of Acceptance/Acknowledgement Sections 8 and 15: U.S. Trademark RN 4295702: FS (Stylized/Design); Docket/Reference No. 019867

---

**U.S. Serial Number:** 85676167  
**U.S. Registration Number:** 4295702  
**U.S. Registration Date:** Feb 26, 2013  
**Mark:** FS (Stylized/Design)  
**Owner:** GERALD KREUDER

Mar 7, 2019

### NOTICE OF ACCEPTANCE UNDER SECTION 8

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

**The registration will remain in force for the class(es) listed below, unless canceled by an order of the Commissioner for Trademarks or a Federal Court, as long as the requirements for maintaining the registration are fulfilled as they become due.**

**Class(es):**  
025. 028

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

### REQUIREMENTS FOR MAINTAINING REGISTRATION

**WARNING:** Your registration will be canceled if you do not file the documents below during the specified statutory time periods.

#### Requirements in the First Ten Years

**What and When to File:** 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. §§1058, 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. See 15 U.S.C. §§1058, 1059.

#### Grace Period Filings

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

**\*\*\*THE USPTO IS NOT REQUIRED TO SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE OWNER SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

To check the status of this registration, go to [https://tsdr.uspto.gov/#caseNumber=85676167&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85676167&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

To view this notice and other documents for this registration on-line, go to [https://tsdr.uspto.gov/#caseNumber=85676167&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85676167&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=documentSearch) NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

- \* For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <https://www.uspto.gov/trademark/> or contact the Trademark Assistance Center at 1-800-786-9199.

## Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	4295702
REGISTRATION DATE	02/26/2013
SERIAL NUMBER	85676167
<b>MARK SECTION</b>	
MARK	FS (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85676167/large">https://tmng-al.uspto.gov/resting2/api/img/85676167/large</a> )
<b>ATTORNEY SECTION (current)</b>	
NAME	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD
CITY	ROSLYN
STATE	New York
POSTAL CODE	11576-1614
COUNTRY	United States
PHONE	5163659802
FAX	5163659805
<b>ATTORNEY SECTION (proposed)</b>	
NAME	STEWART J. BELLUS
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD.
CITY	ROSLYN
STATE	New York
POSTAL CODE	11576-1614
COUNTRY	United States
PHONE	5163659802
FAX	5163659805
EMAIL	law@collardroe.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	019867
OTHER APPOINTED ATTORNEY	Sara M. Dorchak
<b>CORRESPONDENCE SECTION (current)</b>	

NAME	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHA
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD
CITY	ROSLYN
STATE	New York
POSTAL CODE	11576-1614
COUNTRY	United States
PHONE	5163659802
FAX	5163659805
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	STEWART J. BELLUS
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD.
CITY	ROSLYN
STATE	New York
POSTAL CODE	11576-1614
COUNTRY	United States
PHONE	5163659802
FAX	5163659805
EMAIL	law@collardroe.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	019867
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	025
GOODS OR SERVICES	CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\856\761\85676167\xml1\8150002.JPG</a>
SPECIMEN DESCRIPTION	PHOTO SHOWING DISPLAY OF MARK ON GOODS AND TAG
INTERNATIONAL CLASS	028
GOODS OR SERVICES	SKATEBOARDS
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT17\IMAGEOUT 17\856\761\85676167\xml1\8150003.JPG</a>
SPECIMEN DESCRIPTION	PHOTO SHOWING DISPLAY OF MARK ON GOODS
<b>OWNER SECTION (current)</b>	
NAME	GERALD KREUDER
STREET	2 GUNTHER PLACE
CITY	BELLMORE
STATE	New York

ZIP/POSTAL CODE	11710
COUNTRY	United States
<b>LEGAL ENTITY SECTION (current)</b>	
TYPE	individual
COUNTRY OF CITIZENSHIP	United States
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	2
NUMBER OF CLASSES PAID	2
COMBINED §§ 8 & 15 FILING FEE PER CLASS	650
TOTAL FEE PAID	650
<b>SIGNATURE SECTION</b>	
SIGNATURE	/sjb/
SIGNATORY'S NAME	STEWART J. BELLUS
SIGNATORY'S POSITION	AUTHORIZED ATTORNEY, MEMBER OF NEW YORK BAR
DATE SIGNED	01/29/2019
SIGNATORY'S PHONE NUMBER	5163659802
PAYMENT METHOD	CC
<b>FILING INFORMATION</b>	
SUBMIT DATE	Tue Jan 29 09:57:06 EST 2019
TEAS STAMP	USPTO/S08N15-XX.XX.XX.XXX -20190129095706644839-429 5702-620cfcbfae19c3d6c91c d7328bfcf7b8287b98730c76f 19973dda517ebb279ef8f-CC- 9788-20190129094837345378

---



**Combined Declaration of Use and Incontestability under Sections 8 & 15  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 4295702  
**REGISTRATION DATE:** 02/26/2013

**MARK:** (Stylized and/or with Design. FS (see, [mark](#)))

The owner, GERALD KREUDER, a citizen of United States, having an address of  
2 GUNTHER PLACE  
BELLMORE, New York 11710  
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 025, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) PHOTO SHOWING DISPLAY OF MARK ON GOODS AND TAG.

[Specimen File 1](#)

For International Class 028, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: SKATEBOARDS; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) PHOTO SHOWING DISPLAY OF MARK ON GOODS.

[Specimen File 1](#)

The registrant's current Attorney Information: STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK of COLLARD & ROE, P.C.

1077 NORTHERN BLVD  
ROSLYN, New York 11576-1614  
United States

The phone number is 5163659802.

The fax number is 5163659805. (not authorized)

The registrant's proposed Attorney Information: STEWART J. BELLUS of COLLARD & ROE, P.C.

1077 NORTHERN BLVD.  
ROSLYN, New York 11576-1614  
United States The docket/reference number is 019867.

The Other Appointed Attorney(s): Sara M. Dorchak.

The phone number is 5163659802.

The fax number is 5163659805.

The email address is law@collardroe.com. (authorized)

The registrant's current Correspondence Information: STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHA of COLLARD & ROE, P.C.

1077 NORTHERN BLVD  
ROSLYN, New York 11576-1614  
United States

The phone number is 5163659802.

The fax number is 5163659805. (not authorized)

The registrant's proposed Correspondence Information: STEWART J. BELLUS of COLLARD & ROE, P.C.

1077 NORTHERN BLVD.  
ROSLYN, New York 11576-1614  
United States The docket/reference number is 019867.

The phone number is 5163659802.

The fax number is 5163659805.

The email address is law@collardroe.com. (authorized)

A fee payment in the amount of \$650 will be submitted with the form, representing payment for 2 class(es), plus any additional grace period fee, if necessary.

#### Declaration

- Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
- Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
- The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under 15 U.S.C. § 1062(c), and is still in use in commerce on or in connection with all goods/services, or to indicate membership in the collective membership organization, listed in the existing registration.
- There has been no final decision adverse to the owner's claim of ownership of such mark for such goods/services, or to indicate membership in the collective membership organization, or to the owner's right to register the same or to keep the same on the register.
- There is no proceeding involving said rights pending and not finally disposed of either in the United States Patent and Trademark Office or in a court.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /sjb/ Date: 01/29/2019

Signatory's Name: STEWART J. BELLUS

Signatory's Position: AUTHORIZED ATTORNEY, MEMBER OF NEW YORK BAR

Signatory's Phone: 5163659802

#### Mailing Address (current):

COLLARD & ROE, P.C.  
1077 NORTHERN BLVD  
ROSLYN, New York 11576-1614

#### Mailing Address (proposed):

COLLARD & ROE, P.C.  
1077 NORTHERN BLVD.  
ROSLYN, New York 11576-1614

Serial Number: 85676167

Internet Transmission Date: Tue Jan 29 09:57:06 EST 2019

TEAS Stamp: USPTO/S08N15-XX.XX.XX.XXX-20190129095706



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f-CC-9788-20190129094837345378



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**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 4295702



**Serial Number:** 85676167



**RAM Sale Number:** 4295702

**RAM Accounting Date:** 20190129

**Total Fees:** \$650

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20190129	\$125	2	2	\$250
§15 affidavit	7208	20190129	\$200	2	2	\$400

Physical Location: MADCD- NO PHYSICAL FILE

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20190129





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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,295,702**

**Registered Feb. 26, 2013**

**Int. Cls.: 25 and 28**

**TRADEMARK**

**PRINCIPAL REGISTER**

GERALD KREUDER (UNITED STATES INDIVIDUAL)  
2 GUNTHER PLACE  
BELLMORE, NY 11710

FOR: CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-0-2010; IN COMMERCE 11-0-2010.

FOR: SKATEBOARDS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 10-0-2009; IN COMMERCE 10-0-2009.

THE MARK CONSISTS OF THE LOWERCASE LETTERS OF "FS" IN A STYLIZED FONT.

SER. NO. 85-676,167, FILED 7-13-2012.

JOHN WILKE, EXAMINING ATTORNEY



*Sean Street*  
Acting 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>.

Side - 1



**NOTICE OF PUBLICATION UNDER §12(a)**

**MAILING DATE: Nov 21, 2012**

**PUBLICATION DATE: Dec 11, 2012**

The mark identified below will be published in the Official Gazette on Dec 11, 2012. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Certificate of Registration.

To view the Official Gazette online or to order a paper copy, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/> any time within the five-week period after the date of publication. You may also order a printed version from the U.S. Government Printing Office (GPO) at <http://bookstore.gpo.gov> or 202-512-1800. To check the status of your application, go to <http://tarr.uspto.gov/>.

**SERIAL NUMBER: 85676167**  
**MARK: FS(STYLIZED/DESIGN)**  
**OWNER: GERALD KREUDER**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHA  
COLLARD & ROE, P.C.  
1077 NORTHERN BLVD  
ROSLYN, NY 11576-1614

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85678167	FILING DATE	07/13/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WILKE, JOHN	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	11/07/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	11/06/2012		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	GERALD KREUDER
ADDRESS	2 GUNTHER PLACE BELLMORE, NY 11710
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	SKATEBOARDS

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	11/00/2010	FIRST USE IN COMMERCE DATE	11/00/2010	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	10/00/2009	FIRST USE IN COMMERCE DATE	10/00/2009	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

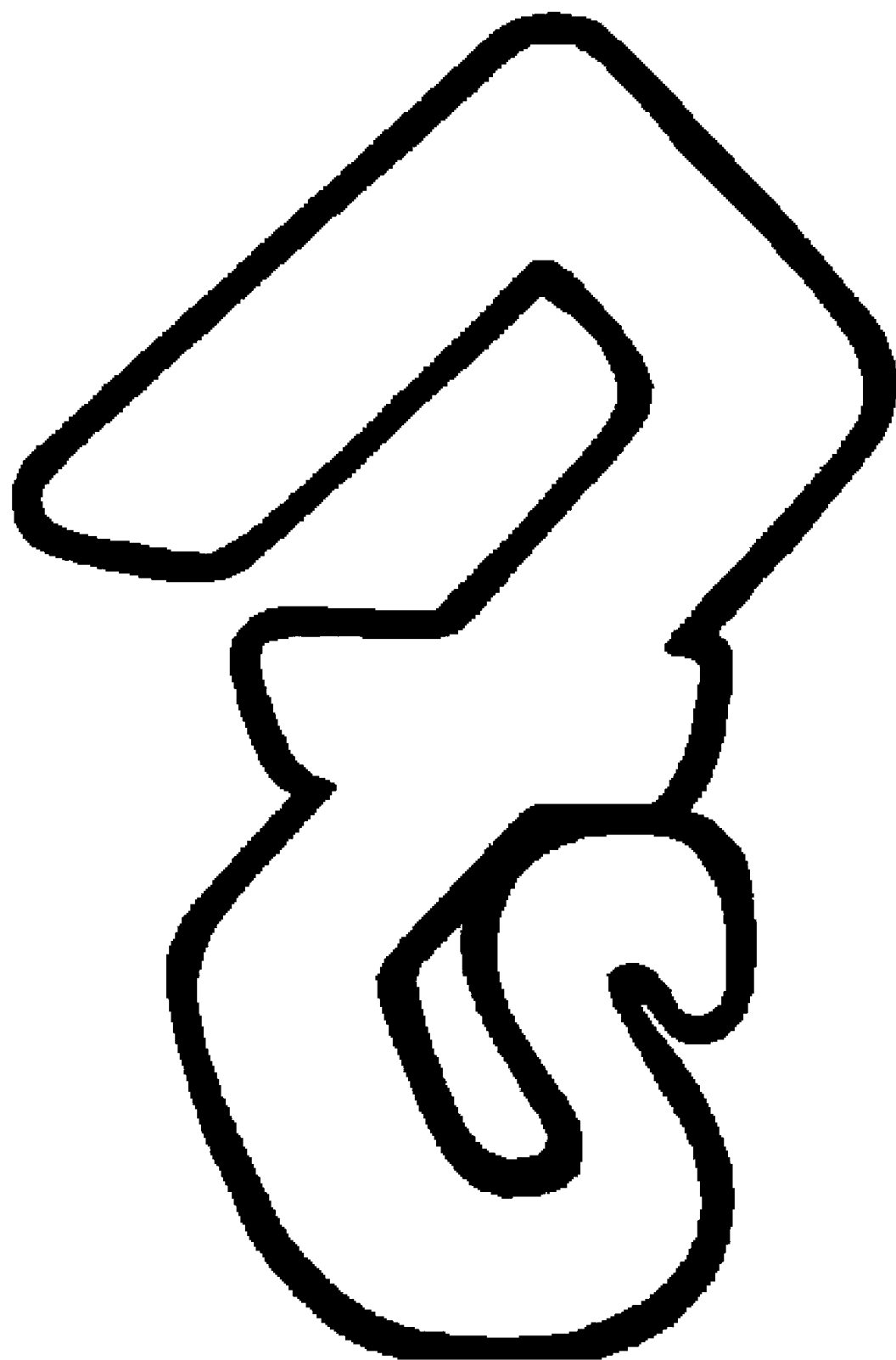
CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of The mark consists of the lowercase letters of "FS" in a stylized font.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/06/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	004
11/06/2012	DOCK	D	ASSIGNED TO EXAMINER	003
07/20/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
07/17/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK
CORRESPONDENCE ADDRESS	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA COLLARD & ROE, P.C. 1077 NORTHERN BLVD ROSLYN, NY 11576-1614
DOMESTIC REPRESENTATIVE	NONE



\*\*\* User:jwilke \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	451	N/A	0	0	0:01	"FS"[bi.ti]
02	21	13	2	8	0:03	1 and ("028 " or A or B or 200)[ic]
03	186	N/A	0	0	0:04	1 not dead [ld]
04	100	0	4	96	0:04	3 AND 028[cc]
05	194	141	2	42	0:02	"F S"[bi.ti]

Session started 11/6/2012 4:57:16 PM

Session finished 11/6/2012 4:59:49 PM

Total search duration 0 minutes 14 seconds

Session duration 2 minutes 33 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 85676167



## Trademark/Service Mark Application, Principal Register

Serial Number: 85676167  
 Filing Date: 07/13/2012

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85676167
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\856761\85676167.xml1\ APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	FS
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of The mark consists of the lowercase letters of "FS" in a stylized font.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	465 x 663
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	GERALD KREUDER
*STREET	2 GUNTHER PLACE
*CITY	BELLMORE
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	11710
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	individual
COUNTRY OF CITIZENSHIP	United States
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	028
*IDENTIFICATION	SKATEBOARDS
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/00/2009
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2009
SPECIMEN	<a href="#">\\TICRS\EXPORT16\IMAGEOUT</a>



FILE NAME(S)	<a href="#">16\856\761\85676167\xml1\ APP0003.JPG</a>
SPECIMEN DESCRIPTION	BAG USED AS PACKAGING FOR THE GOODS. APPLICANT ROUTINELY PACKAGES ITEMS SOLD IN BAG.
INTERNATIONAL CLASS	025
*IDENTIFICATION	CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/00/2010
FIRST USE IN COMMERCE DATE	At least as early as 11/00/2010
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\856\761\85676167\xml1\ APP0004.JPG</a>
SPECIMEN DESCRIPTION	BAG USED AS PACKAGING OF THE GOODS. APPLICANT ROUTINELY PACKAGES ITEMS SOLD IN BAG
<b>ATTORNEY INFORMATION</b>	
NAME	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD.
CITY	ROSLYN
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	11576
PHONE	5163659802
FAX	5163659805
<b>CORRESPONDENCE INFORMATION</b>	
NAME	STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK
FIRM NAME	COLLARD & ROE, P.C.
STREET	1077 NORTHERN BLVD.
CITY	ROSLYN
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	11576
PHONE	5163659802
FAX	5163659805
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	2
FEE PER CLASS	325
*TOTAL FEE DUE	650

<b>*TOTAL FEE PAID</b>	650
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/smd/
<b>SIGNATORY'S NAME</b>	Sara M. Dorchak
<b>SIGNATORY'S POSITION</b>	Attorney
<b>DATE SIGNED</b>	07/13/2012

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## Trademark/Service Mark Application, Principal Register

Serial Number: 85676167

Filing Date: 07/13/2012

### To the Commissioner for Trademarks:

**MARK:** FS (stylized and/or with design, see [mark](#))

The literal element of the mark consists of FS.

The mark consists of The mark consists of the lowercase letters of "FS" in a stylized font.

The applicant, GERALD KREUDER, a citizen of United States, having an address of

2 GUNTHER PLACE  
BELLMORE, New York 11710  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 028: SKATEBOARDS

In International Class 028, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 10/00/2009, and first used in commerce at least as early as 10/00/2009, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) BAG USED AS PACKAGING FOR THE GOODS. APPLICANT ROUTINELY PACKAGES ITEMS SOLD IN BAG..

[Specimen File1](#)

International Class 025: CLOTHING, NAMELY SWEATSHIRTS, HATS, AND T-SHIRTS

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 11/00/2010, and first used in commerce at least as early as 11/00/2010, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) BAG USED AS PACKAGING OF THE GOODS. APPLICANT ROUTINELY PACKAGES ITEMS SOLD IN BAG.

[Specimen File1](#)

### The applicant's current Attorney Information:

STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK of COLLARD & ROE, P.C.  
1077 NORTHERN BLVD.  
ROSLYN, New York 11576  
United States

### The applicant's current Correspondence Information:

STEWART J. BELLUS, AIMEE L. KAPLAN, SARA M. DORCHAK  
COLLARD & ROE, P.C.  
1077 NORTHERN BLVD.  
ROSLYN, New York 11576  
5163659802(phone)  
5163659805(fax)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 class(es).

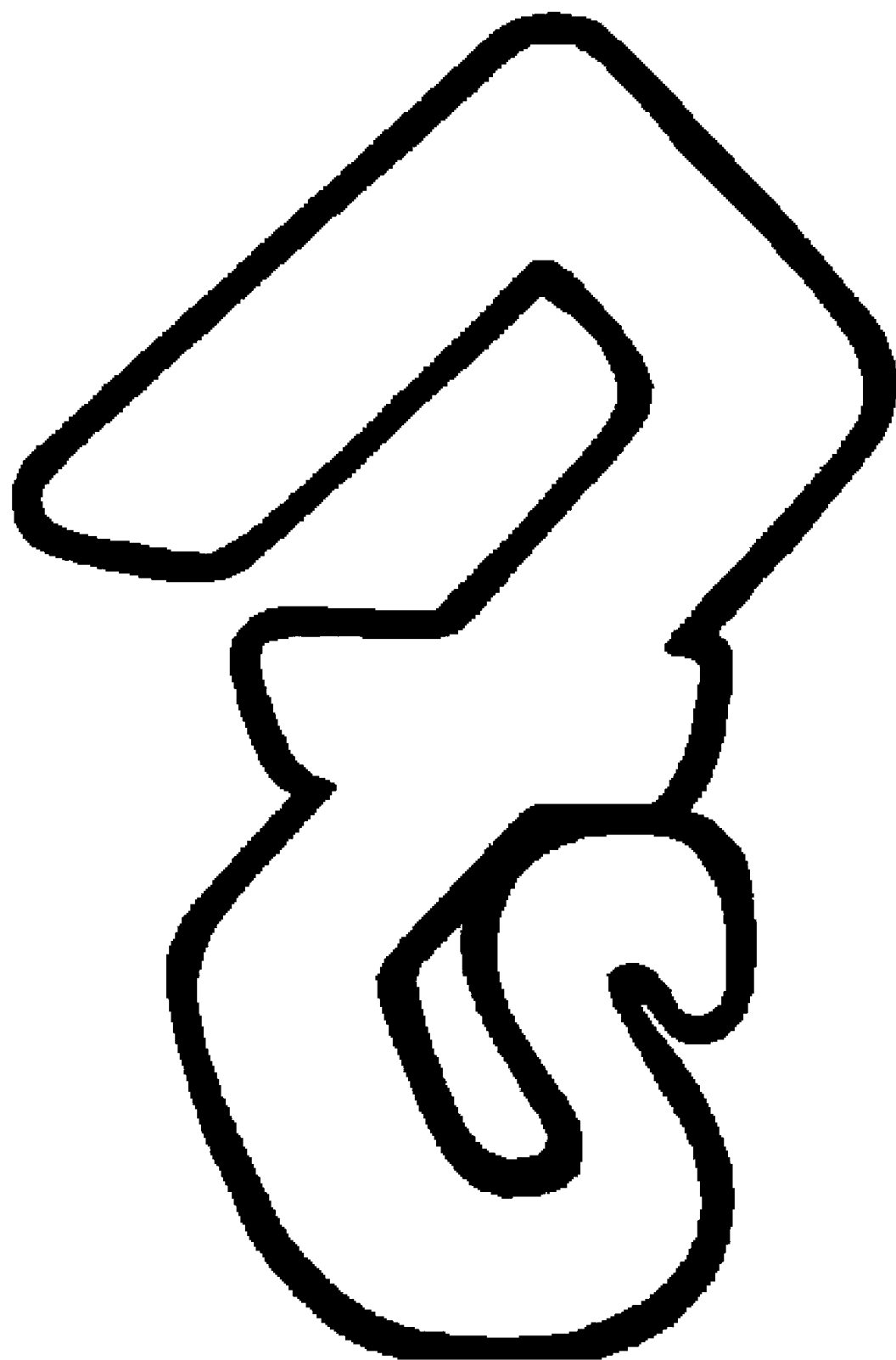
### **Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

### **Declaration Signature**

Signature: /smd/ Date: 07/13/2012  
Signatory's Name: Sara M. Dorchak  
Signatory's Position: Attorney  
RAM Sale Number: 9307  
RAM Accounting Date: 07/13/2012

Serial Number: 85676167  
Internet Transmission Date: Fri Jul 13 11:32:16 EDT 2012  
TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2012071311321619  
9941-85676167-490d565a6df6af4d3d4407b66f  
b3d773d2b-DA-9307-20120713112744979531

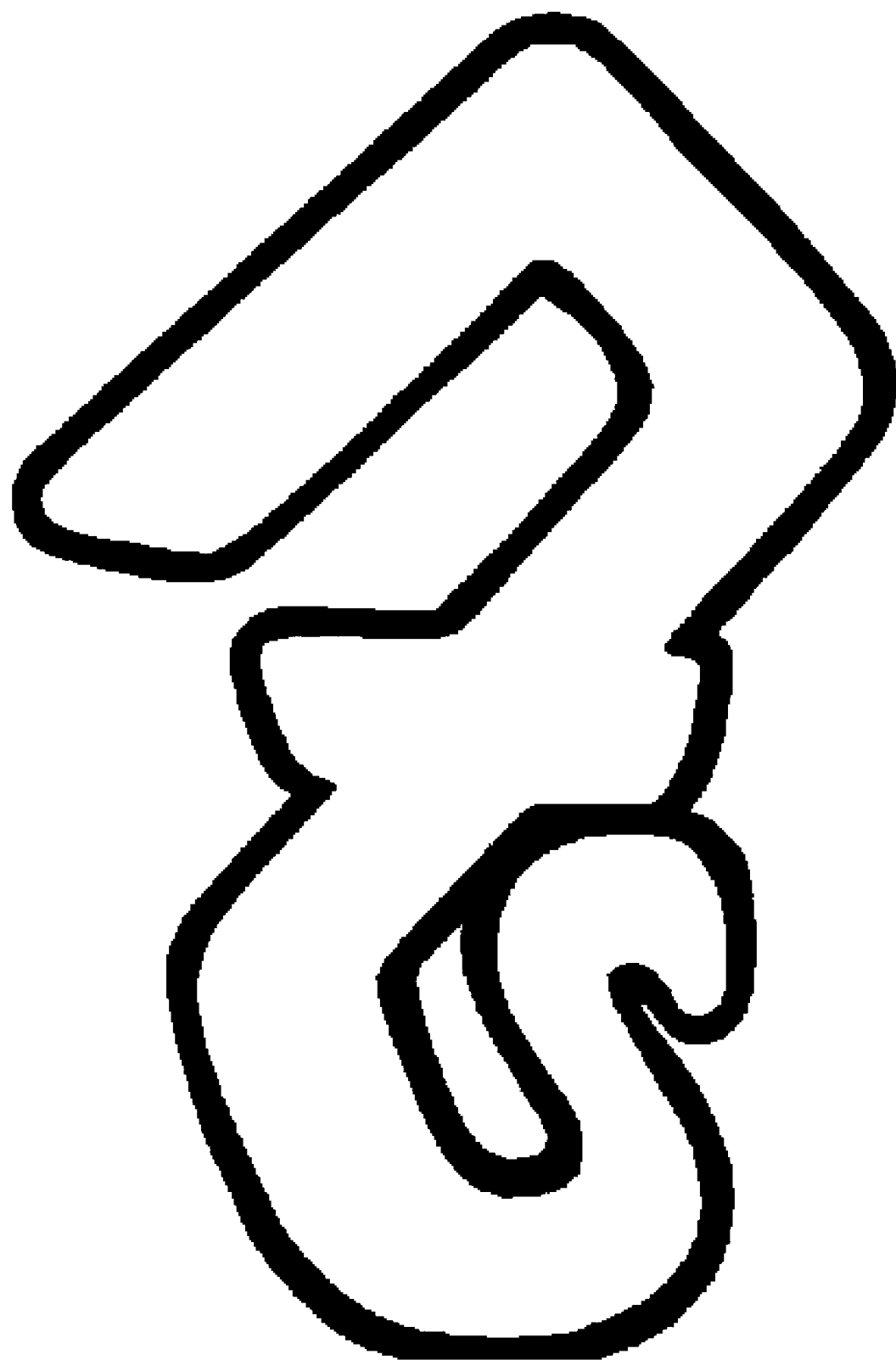


















Generated on: This page was generated by TSDR on 2019-05-07 23:46:02 EDT

Mark: AA



US Serial Number: 85724046

Application Filing Date: Sep. 08, 2012

US Registration Number: 4427746

Registration Date: Nov. 05, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 05, 2013

Publication Date: Aug. 20, 2013

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## Mark Information

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Mark Literal AA  
Elements:

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 two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.

Color Drawing: Yes

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

Design Search Code(s): 04.01.03 - Halos on objects, letters, numbers  
04.01.04 - Horns, persons having; Devils

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## Goods and Services

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**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: Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 19, 2012

Use in Commerce: Sep. 07, 2012

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## Basis Information (Case Level)

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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  
Filed No Basis: No

Currently 66A: No  
Currently No Basis: No

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## Current Owner(s) Information

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**Owner Name:** Moore, Cameron A.  
**Owner Address:** 10300 Westphalia Rd  
Upper Marlboro, MARYLAND 20774  
UNITED STATES  
**Legal Entity Type:** INDIVIDUAL **Citizenship:** UNITED STATES

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## Attorney/Correspondence Information

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### Attorney of Record

**Attorney Name:** Luke Brean  
**Attorney Primary Email Address:** [tmsupport@breanlaw.com](mailto:tmsupport@breanlaw.com) **Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Luke Brean  
Breanlaw, LLC  
P.O. Box 4120, ECM #72065  
Portland, OREGON 97208  
UNITED STATES  
**Phone:** 800-451-5815 **Fax:** 800-451-5815  
**Correspondent e-mail:** [tmsupport@breanlaw.com](mailto:tmsupport@breanlaw.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Nov. 05, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Nov. 05, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 20, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 20, 2013	PUBLISHED FOR OPPOSITION	
Jul. 31, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 12, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jul. 11, 2013	ASSIGNED TO LIE	68171
Jun. 21, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 19, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 18, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 18, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 03, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 03, 2013	NON-FINAL ACTION E-MAILED	6325
Jan. 03, 2013	NON-FINAL ACTION WRITTEN	89010
Jan. 03, 2013	ASSIGNED TO EXAMINER	89010
Sep. 19, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 12, 2012	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 05, 2013

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Monday, November 5, 2018 01:09 AM  
**To:** tmsupport@brianlaw.com ; cm00re235@gmail.com  
**Subject:** Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filing Under Section 8: U.S. Trademark RN 4427746: AA (Stylized/Design)

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**U.S. Serial Number:** 85724046  
**U.S. Registration Number:** 4427746  
**U.S. Registration Date:** Nov 5, 2013  
**Mark:** AA (Stylized/Design)  
**Owner:** Moore, Cameron A.

Nov 5, 2018

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER  
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILING UNDER SECTION 8**

**WARNING:** Your trademark registration will be **CANCELLED** if you do not file the required document below during the specified statutory time period.

The above-identified registration registered on Nov 5, 2013. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse under §8 of the Trademark Act anytime between now and Nov 5, 2019. For an additional fee, the owner may file the declaration within the six-month grace period that ends on May 5, 2020. See 15 U.S.C. §1058. The current fee for filing a declaration under §8 is \$125 per class if the filing is made via the Trademark Electronic Application System ("TEAS") and \$225 if the filing is made on paper, and the additional fee for filing during the six-month grace period is \$100 per class if the filing is made via TEAS and \$200 if the filing is made on paper. 37 C.F.R. §2.6.

If the registration meets the requirements of §15 of the Trademark Act, the owner may additionally file an optional Declaration of Incontestability under §15. See 15 U.S.C. §1065. The current fee for filing a declaration under §15 is \$200 per class if the filing is made via TEAS and \$300 per class if the filing is made on paper. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through the USPTO's official website using TEAS. Official forms for filing Declarations of Use and/or Excusable Nonuse under §8 and Combined Declarations of Use and Incontestability under §§8 and 15 are available through TEAS at <https://www.uspto.gov/trademarks-application-process/filing-online/registration-maintenancerenewalcorrection-forms>.

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <https://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <https://www.uspto.gov/learning-and-resources/trademark-faqs>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

Correspondence transmitted through TEAS is considered to have been filed on the date the USPTO receives the transmission, in Eastern Time, regardless of whether that date is a Saturday, Sunday, or Federal holiday within the District of Columbia. 37 C.F.R. §2.195(a)(2).

To check the status of this registration, go to [https://tsdr.uspto.gov/#caseNumber=85724046&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85724046&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS.



**United States of America**  
United States Patent and Trademark Office



**Reg. No. 4,427,746**

**Registered Nov. 5, 2013**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

MOORE, CAMERON A. (UNITED STATES INDIVIDUAL)  
10300 WESTPHALIA RD  
UPPER MARI BORO, MD 20774

FOR: HOODED SWEATSHIRTS; SHORT-SLEEVED OR LONG-SLEEVED T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-19-2012; IN COMMERCE 9-7-2012.

THE MARK CONSISTS OF TWO BACK-TO-BACK CAPITOL "A'S OUTLINED IN BLACK WITH WHITE IN THE MIDDLE. (BOTH ARE CURVED OUTWARD) THE "A" ON THE LEFT HAS RED DEVIL HORNS COMING OUT OF THE TOP AND A DEVIL SHAPED TAIL. THE "A" ON THE RIGHT HAS A YELLOW HALO AROUND THE TOP.

THE COLOR(S) BLACK, RED, WHITE, AND YELLOW IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 85-724,046, FILED 9-8-2012.

CAITLIN WATTS-FITZGERALD, EXAMINING ATTORNEY



*Lea Street*

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>.

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, August 20, 2013 00:25 AM  
**To:** tmsupport@brianlaw.com  
**Subject:** Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85724046

---

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 85-724,046  
**Mark:** AA(STYLIZED/DESIGN)  
**International Class(es):** 025  
**Applicant:** Moore, Cameron A.  
**Docket/Reference Number:**

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Aug 20, 2013.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20130920\\_OG.pdf#page=00000720](http://www.uspto.gov/web/trademarks/tmog/20130920_OG.pdf#page=00000720)
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp).

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jul 31, 2013

## NOTICE OF PUBLICATION

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 1. Serial No.:<br>85-724.046         | 2. Mark:<br>AA<br>(STYLIZED/DESIGN) |
| 3. International Class(es):<br>25    |                                     |
| 4. Publication Date:<br>Aug 20, 2013 | 5. Applicant:<br>Moore, Cameron A.  |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

tmsupport@breanlaw.com

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, July 31, 2013 03:23 AM  
**To:** tmsupport@brianlaw.com  
**Subject:** Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85724046

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85724046) is scheduled to publish in the *Official Gazette* on Aug 20, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85724046>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
 (Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85724046	FILING DATE	09/08/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WATTS-FITZGERALD, CAIT	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	07/13/2013		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	07/12/2013		
LITERAL MARK ELEMENT	AA		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AA
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	YES

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Moore, Cameron A.
ADDRESS	10300 Westphalia Rd Upper Marlboro, MD 20774
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	04/19/2012	FIRST USE IN COMMERCE DATE	09/07/2012	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) black, red, white, and yellow is/are claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/12/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
07/11/2013	ALIE	A	ASSIGNED TO LIE	012
06/21/2013	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	011
06/19/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
06/18/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
06/18/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
01/03/2013	GNRT	F	NON-FINAL ACTION E-MAILED	006
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
01/03/2013	DOCK	D	ASSIGNED TO EXAMINER	004
09/19/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
09/18/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
09/12/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Luke Brean
CORRESPONDENCE ADDRESS	Luke Brean Breanlaw, LLC P.O. Box 4120, ECM #72065

DOMESTIC REPRESENTATIVE

Portland OR 97208

NONE



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85724046	FILING DATE	09/08/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WATTS-FITZGERALD, CAIT	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	06/22/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/21/2013		
LITERAL MARK ELEMENT	AA		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AA
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	YES

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Moore, Cameron A.
ADDRESS	10300 Westphalia Rd Upper Marlboro, MD 20774
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	04/19/2012	FIRST USE IN COMMERCE DATE	09/07/2012	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) black, red, white, yellow is/are claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/21/2013	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	011
06/19/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
06/18/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
06/18/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
01/03/2013	GNRT	F	NON-FINAL ACTION E-MAILED	006
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
01/03/2013	DOCK	D	ASSIGNED TO EXAMINER	004
09/19/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
09/18/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
09/12/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Luke Brean
CORRESPONDENCE ADDRESS	Luke Brean Breanlaw, LLC P.O. Box 4120, ECM #72065 Portland OR 97208
DOMESTIC REPRESENTATIVE	NONE





**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85724046	FILING DATE	09/08/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WATTS-FITZGERALD, CAIT	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	06/20/2013		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	06/19/2013		
LITERAL MARK ELEMENT	AA		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AA
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	YES

**CURRENT OWNER INFORMATION**

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PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Moore, Cameron A.
ADDRESS	10300 Westphalia Rd Upper Marlboro, MD 20774
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	04/19/2012	FIRST USE IN COMMERCE DATE	09/07/2012	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	The color(s) black, red, white, yellow is/are claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/19/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
06/18/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
06/18/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
01/03/2013	GNRT	F	NON-FINAL ACTION E-MAILED	006
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
01/03/2013	DOCK	D	ASSIGNED TO EXAMINER	004
09/19/2012	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	003
09/18/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
09/12/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Luke Brean
CORRESPONDENCE ADDRESS	Luke Brean Breanlaw, LLC P.O. Box 4120, ECM #72065 Portland OR 97208
DOMESTIC REPRESENTATIVE	NONE





## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85724046
LAW OFFICE ASSIGNED	LAW OFFICE 111
<b>MARK SECTION</b>	
MARK FILE NAME	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85724046
LITERAL ELEMENT	AA
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	The color(s) black, red, white, yellow is/are claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of Two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the right has red devil horns coming out of the top and a devil shaped tail. The "A" on the left has a yellow halo around the top.
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/19/2012
FIRST USE IN COMMERCE DATE	At least as early as 09/07/2012
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/19/2012
FIRST USE IN COMMERCE DATE	At least as early as 09/07/2012
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT_16\857\240\85724046.xml5\ ROA0002.JPG
SPECIMEN DESCRIPTION	hang tags attached to shirt

<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>DESCRIPTION OF THE MARK</b> (and Color Location, if applicable)	The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.
<b>NEW ATTORNEY SECTION</b>	
<b>NAME</b>	Luke Brean
<b>FIRM NAME</b>	Breanlaw, LLC
<b>STREET</b>	P.O. Box 4120, ECM #72065
<b>CITY</b>	Portland
<b>STATE</b>	Oregon
<b>ZIP/POSTAL CODE</b>	97208
<b>COUNTRY</b>	United States
<b>PHONE</b>	800-451-5815
<b>FAX</b>	800-451-5815
<b>EMAIL</b>	tmsupport@breanlaw.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>CORRESPONDENCE SECTION</b>	
<b>ORIGINAL ADDRESS</b>	MOORE, CAMERON A.  UPPER MARLBORO Maryland (MD) US 20774-9408
<b>NEW CORRESPONDENCE SECTION</b>	
<b>NAME</b>	Luke Brean
<b>FIRM NAME</b>	Breanlaw, LLC
<b>STREET</b>	P.O. Box 4120, ECM #72065
<b>CITY</b>	Portland
<b>STATE</b>	Oregon
<b>ZIP/POSTAL CODE</b>	97208
<b>COUNTRY</b>	United States
<b>PHONE</b>	800-451-5815
<b>FAX</b>	800-451-5815
<b>EMAIL</b>	tmsupport@breanlaw.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/LB/
<b>SIGNATORY'S NAME</b>	Luke Brean
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Oregon State Bar
<b>SIGNATORY'S PHONE NUMBER</b>	800-451-5815

DATE SIGNED	06/18/2013
RESPONSE SIGNATURE	/LB/
SIGNATORY'S NAME	Luke Brean
SIGNATORY'S POSITION	Attorney of Record, Oregon State Bar
SIGNATORY'S PHONE NUMBER	800-451-5815
DATE SIGNED	06/18/2013
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Jun 18 20:10:50 EDT 2013
TEAS STAMP	USPTO/ROA-XX.XXX.XX.XX-20 130618201050647145-857240 46-5002798272e5c8099f5de8 5c59c5ffb5de7653fadae651e 37ca68f53cc95639-N/A-N/A- 20130618200656837994

PTO Form 1557 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 07/31/2017)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **85724046** AA (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85724046>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 025 for Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/19/2012 and first used in commerce at least as early as 09/07/2012 , and is now in use in such commerce.

**Proposed:** Class 025 for Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/19/2012 and first used in commerce at least as early as 09/07/2012 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of hang tags attached to shirt .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen]. [Specimen File1](#)**

#### ATTORNEY ADDRESS

Applicant proposes to amend the following:

**Proposed:**

Luke Brean of Breanlaw, LLC, having an address of  
P.O. Box 4120, ECM #72065 Portland, Oregon 97208  
United States



tmsupport@breanlaw.com  
800-451-5815  
800-451-5815

**CORRESPONDENCE ADDRESS CHANGE**

Applicant proposes to amend the following:

**Current:**

MOORE, CAMERON A.

UPPER MARLBORO  
Maryland (MD)  
US  
20774-9408

**Proposed:**

Luke Brean of Breanlaw, LLC, having an address of  
P.O. Box 4120, ECM #72065 Portland, Oregon 97208  
United States  
tmsupport@breanlaw.com  
800-451-5815  
800-451-5815

**ADDITIONAL STATEMENTS**

**Description of mark**

The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top.

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /LB/ Date: 06/18/2013  
Signatory's Name: Luke Brean  
Signatory's Position: Attorney of Record, Oregon State Bar  
Signatory's Phone Number: 800-451-5815

**Response Signature**

Signature: /LB/ Date: 06/18/2013  
Signatory's Name: Luke Brean  
Signatory's Position: Attorney of Record, Oregon State Bar  
  
Signatory's Phone Number: 800-451-5815

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.

Mailing Address: Luke Brean  
Breanlaw, LLC  
P.O. Box 4120, ECM #72065  
Portland, Oregon 97208

Serial Number: 85724046  
Internet Transmission Date: Tue Jun 18 20:10:50 EDT 2013  
TEAS Stamp: USPTO/ROA-XX.XXX.XX.XX-20130618201050647  
145-85724046-5002798272e5c8099f5de85c59c  
5ffb5de7653fadae651e37ca68f53cc95639-N/A  
-N/A-20130618200656837994





**To:** Moore, Cameron A. ([cm00re235@gmail.com](mailto:cm00re235@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85724046 - AA - N/A  
**Sent:** 1/3/2013 11:37:13 AM  
**Sent As:** ECOM111@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 85724046

**MARK:** AA

**\*85724046\***

**CORRESPONDENT ADDRESS:**

MOORE, CAMERON A.  
10300 WESTPHALIA RD  
UPPER MARLBORO, MD 20774-9408

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Moore, Cameron A.

**CORRESPONDENT'S REFERENCE/DOCKET NO. :**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

[cm00re235@gmail.com](mailto:cm00re235@gmail.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:** **1/3/2013**

**TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE:** Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. See 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**SUMMARY OF ISSUES that applicant must address:**

- Refusal Sections 1, 2 and 45 – Merely Ornamental
- Description of the Mark

## SEARCH OF OFFICE'S DATABASE OF MARKS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

## SECTIONS 1, 2 AND 45 REFUSAL – MERELY ORNAMENTAL

Registration is refused because the applied-for mark as used on the specimen of record (1) is merely a decorative or ornamental feature of applicant's clothing; and (2) does not function as a trademark to identify and distinguish applicant's clothing from that of others and to indicate the source of applicant's clothing. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; see *In re Pro-Line Corp.*, 28 USPQ2d 1141, 1142 (TTAB 1993); *In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667 (TTAB 1988); *In re Astro-Gods Inc.*, 223 USPQ 621, 623 (TTAB 1984); TMEP §§904.07(b), 1202.03 *et seq.*

With respect to clothing, consumers recognize small designs or discrete wording as trademarks, rather than as merely ornamental features, when located, for example, on the pocket or breast area of a shirt. See TMEP §1202.03(a). However, consumers typically do not perceive larger designs or slogans as trademarks, especially when such matter is displayed across the front of a t-shirt. See *In re Pro-Line Corp.*, 28 USPQ2d at 1142 (holding "BLACKER THE COLLEGE SWEETER THE KNOWLEDGE," centered in large letters across most of the upper half of a shirt, to be a primarily ornamental slogan that is not likely to be perceived as a source indicator); *In re Dimitri's Inc.*, 9 USPQ2d at 1667-68 (holding "SUMO," used in connection with stylized depictions of sumo wrestlers and displayed in large lettering across the top-center portion of t-shirts and caps, to be an ornamental feature of the goods that does not function as a trademark); TMEP §1202.03(a), (b), (f)(i), (f)(ii).

In this case, the submitted specimen shows the applied-for mark, AA with design elements, appearing directly on the upper-center area of the front of the shirt, where ornamental elements typically appear. See TMEP §1202.03(a), (b). Furthermore, the mark is displayed in a relatively large size on the clothing such that it dominates the overall appearance of the goods. Lastly, the applied-for mark appears to be a design element with little or no particular trademark significance.

Although there is no prescribed method or place for affixation of a mark to goods, the location of a mark on the goods "is part of the environment in which the [mark] is perceived by the public and . . . may influence how the [mark] is perceived." *In re Tilcon Warren Inc.*, 221 USPQ 86, 88 (TTAB 1984); see *In re Paramount Pictures Corp.*, 213 USPQ 1111, 1115 (TTAB 1982). Thus, where consumers have been conditioned to recognize trademarks in a certain location, as on the breast area of a shirt, ornamental matter placed in a different location is less likely to be perceived as an indicator of source. See TMEP §1202.03(a), (b).

Therefore, consumers would view the applied-for mark as a decorative or ornamental feature of the goods, rather than as a trademark to distinguish applicant's goods from those of others and to indicate the source of applicant's goods.

*In appropriate circumstances*, applicant may overcome this refusal by satisfying one of the following options:

- (1) Submit a different specimen (a verified "[substitute](#)" [specimen](#)) that was in actual use in commerce at least as early as the filing date of the application (or prior to the filing of an amendment to allege use; or prior to the expiration of the deadline for filing a statement of use) and that shows proper trademark use for the identified goods in International Class 25.
- (2) Amend to the [Supplemental Register](#), which is a second trademark register for marks not yet eligible for registration on the Principal Register, but which may be capable over time of functioning as source indicators.
- (3) Claim acquired distinctiveness under Trademark Act Section 2(f) by submitting [evidence](#) that the applied-for mark has become distinctive of applicant's goods; that is, proof that applicant's extensive use and promotion of the mark allowed consumers now directly to associate the mark with applicant as the source of the goods.
- (4) Submit evidence that the applied-for mark is an [indicator of secondary source](#); that is, proof that the mark is already recognized as a source indicator for *other* goods or services that applicant sells/offers.
- (5) Amend the filing basis to [intent to use under Section 1\(b\)](#), if the current filing basis is based on use in commerce under Section 1(a). This will later necessitate additional fee(s) and filing requirements.

For an overview of *all* the options referenced above and instructions on how to satisfy each option online using the Trademark Electronic



Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/ornamentalclothing.jsp>.

**Applicant must also respond to the requirement set forth below.**

#### **DESCRIPTION OF THE MARK**

The description of the mark is inaccurate because it presently states that the A on the **right** has the devil horns, and the A on the **left** has a halo. This is backwards from the drawing and specimen submitted. Applications for marks not in standard characters must include an accurate and concise description of the entire mark that identifies literal elements as well as any design elements. See 37 C.F.R. §2.37; TMEP §§808.02, 808.03(d).

Therefore, applicant must provide a more accurate description of the applied-for mark. The following is suggested:

**The mark consists of two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the left has red devil horns coming out of the top and a devil shaped tail. The "A" on the right has a yellow halo around the top..**

#### **RESPONSE GUIDELINES**

Because of the legal technicalities and strict deadlines involved in the USPTO application process, applicant may wish to hire a private attorney specializing in trademark matters to represent applicant in this process and provide legal advice. Although the undersigned trademark examining attorney is permitted to help an applicant understand the contents of an Office action as well as the application process in general, no USPTO attorney or staff is permitted to give an applicant legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06.

For attorney referral information, applicant may consult the American Bar Association's Consumers' Guide to Legal Help at <http://www.abanet.org/legalservices/findlegalhelp/home.cfm>, an attorney referral service of a state or local bar association, or a local telephone directory. The USPTO may not assist an applicant in the selection of a private attorney. 37 C.F.R. §2.11.

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Caitlin Watts-FitzGerald/  
Trademark Examining Attorney  
Law Office 111  
571-272-9015  
caitlin.watts-fitzgerald@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Moore, Cameron A. ([cm00re235@gmail.com](mailto:cm00re235@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85724046 - AA - N/A  
**Sent:** 1/3/2013 11:37:14 AM  
**Sent As:** ECOM111@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **1/3/2013** FOR U.S. APPLICATION SERIAL NO. 85724046

Your trademark application has been reviewed. The trademark examining attorney assigned by the USPTO to your application has written an official letter to which you must respond. Please follow these steps:

(1) **READ THE LETTER** by clicking on this [link](#) or going to <http://tsdr.uspto.gov/>, entering your U.S. application serial number, and clicking on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **RESPOND WITHIN 6 MONTHS** (or sooner if specified in the Office action), calculated from **1/3/2013**, using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions.

(3) **QUESTIONS** about the contents of the Office action itself should be directed to the trademark examining attorney who reviewed your application, identified below.

/Caitlin Watts-FitzGerald/  
Trademark Examining Attorney  
Law Office 111  
571-272-9015  
[caitlin.watts-fitzgerald@uspto.gov](mailto:caitlin.watts-fitzgerald@uspto.gov)

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle

private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

\*\*\* User:cwfitzgera \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	568	N/A	0	0	0:05	("A A" "AA")[BI.TT] not dead[LD]
02	1804265	N/A	0	0	0:02	"025"[cc]
03	239	0	239	220	0:01	1 and 2
04	817	294	5	523	0:02	(040103 halo)[dc]
05	736	458	3	278	0:01	(040104 devil)[dc]
06	3	0	3	3	0:01	1 and 4
07	1	0	1	1	0:01	1 and 5

Session started 1/3/2013 11:23:44 AM

Session finished 1/3/2013 11:33:14 AM

Total search duration 0 minutes 13 seconds

Session duration 9 minutes 30 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85724046

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**From:** TMDesignCodeComments  
**Sent:** Wednesday, September 19, 2012 00:17 AM  
**To:** cm00re235@gmail.com,cmoore4@stu.edu  
**Subject:** Notice of Design Search Code for Serial Number: 85724046

---

**ATTORNEY REFERENCE NUMBER:**

---

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You must reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

04.01.03 - Halos on objects, letters, numbers  
04.01.04 - Devils  
04.01.04 - Horns, persons having







## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85724046

Filing Date: 09/08/2012

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

**The table below presents the data as entered.**

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT\16\857\240\85724046.xml\FTK0002.JPG</a>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	AA
*COLOR MARK	YES
*COLOR(S) CLAIMED (If applicable)	The color(s) black, red, white, yellow is/are claimed as a feature of the mark.
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of Two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the right has red devil horns coming out of the top and a devil shaped tail. The "A" on the left has a yellow halo around the top.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	760 x 622
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Moore, Cameron A.
*STREET	10300 Westphalia Rd
*CITY	Upper Marlboro
*STATE (Required for U.S. applicants)	Maryland
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	20774
PHONE	3017582862
EMAIL ADDRESS	cm00re235@gmail.com

AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
*INTERNATIONAL CLASS	025
*IDENTIFICATION	Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/19/2012
FIRST USE IN COMMERCE DATE	At least as early as 09/07/2012
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT\16\IMAGEOUT\16\857\240\85724046.xml\ FTK0003.JPG
SPECIMEN DESCRIPTION	a baseball styled tshirt with the logo in the middle
<b>ADDITIONAL STATEMENTS SECTION</b>	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
* CONSENT (NAME/LIKENESS) (if applicable)	
* CONCURRENT USE CLAIM (if applicable)	
<b>CORRESPONDENCE INFORMATION</b>	
*NAME	Moore, Cameron A.
*STREET	10300 Westphalia Rd
* CITY	Upper Marlboro
*STATE (Required for U.S. applicants)	Maryland
* COUNTRY	United States
*ZIP/POSTAL CODE	20774
PHONE	3017582862
*EMAIL ADDRESS	cm00re235@gmail.com;cmoore4@stu.edu
* AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
<b>SIGNATURE INFORMATION</b>	
* SIGNATURE	/Cameron Moore/
* SIGNATORY'S NAME	



* SIGNATORY'S NAME	Cameron Moore
* SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	3017582862
* DATE SIGNED	09/08/2012

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## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85724046

Filing Date: 09/08/2012

#### To the Commissioner for Trademarks:

**MARK:** AA (stylized and/or with design. see [mark](#))

The literal element of the mark consists of AA.

The color(s) black, red, white, yellow is/are claimed as a feature of the mark. The mark consists of Two back-to-back capitol "A"s outlined in black with white in the middle. (both are curved outward) The "A" on the right has red devil horns coming out of the top and a devil shaped tail. The "A" on the left has a yellow halo around the top.

The applicant, Cameron A. Moore, a citizen of United States, having an address of

10300 Westphalia Rd  
Upper Marlboro, Maryland 20774  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 04/19/2012, and first used in commerce at least as early as 09/07/2012, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) a baseball styled tshirt with the logo in the middle.

[Specimen File1](#)

#### The applicant's current Correspondence Information:

Moore, Cameron A.  
10300 Westphalia Rd  
Upper Marlboro, Maryland 20774  
3017582862(phone)  
cm00re235@gmail.com;cmoore4@stu.edu (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all



statements made of his/her own knowledge are true: and that all statements made on information and belief are believed to be true.

Signature: /Cameron Moore/ Date Signed: 09/08/2012

Signatory's Name: Cameron Moore

Signatory's Position: Owner

RAM Sale Number: 8201

RAM Accounting Date: 09/10/2012

Serial Number: 85724046

Internet Transmission Date: Sat Sep 08 13:05:33 EDT 2012

TEAS Stamp: USPTO/FTK-XX.XXX.XXX.XX-2012090813053367

8386-85724046-4905ccdf0ed9ae823d44d4e301

d9d455ef6-CC-8201-20120908123730176562





Generated on: This page was generated by TSDR on 2019-05-07 23:59:35 EDT

Mark: ROOK

US Serial Number: 85751934

Application Filing Date: Oct. 11, 2012

US Registration Number: 4637678

Registration Date: Nov. 11, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Nov. 11, 2014

Publication Date: Jul. 30, 2013

Notice of Allowance Date: Sep. 24, 2013

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## Mark Information

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Mark Literal Elements: ROOK

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the word "ROOK" wherein the letter "R" is backwards.

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

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## Related Properties Information

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International Registration Number: 1148931

International Application(s) /Registration(s) Based on this Property: A0033637, A0033684/1148931

Claimed Ownership of US Registrations: 4250495

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## Goods and Services

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**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: Skateboard decks

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 09, 2013

Use in Commerce: May 09, 2013

For: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely, hats and beanies  
International Class(es): 025 - Primary Class U.S Class(es): 022, 039  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Mar. 01, 2014 Use in Commerce: Mar. 01, 2014

For: Paper products, namely, stickers  
International Class(es): 016 - Primary Class U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Jul. 05, 2012 Use in Commerce: Jul. 05, 2012

### Basis Information (Case Level)

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

### Current Owner(s) Information

Owner Name: ROOK COFFEE ROASTERS HOLDINGS, LLC  
Owner Address: 60R MONMOUTH ROAD  
OAKHURST, NEW JERSEY UNITED STATES 07732  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: NEW JERSEY

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Charles P. Guarino Docket Number: ROOK008  
Attorney Primary Email Address: [docketing@mtiplaw.com](mailto:docketing@mtiplaw.com) Attorney Email Authorized: Yes

#### Correspondent

Correspondent Name/Address: Charles P. Guarino  
Moser Taboada  
1030 Broad Street  
Suite 203  
Shrewsbury, NEW JERSEY UNITED STATES 07702  
Phone: 732-935-7100 Fax: 732-935-7122  
Correspondent e-mail: [docketing@mtiplaw.com](mailto:docketing@mtiplaw.com) [cguarino@mtiplaw.com](mailto:cguarino@mtiplaw.com) Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 30, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 30, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 16, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 03, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 09, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888

Jul. 09, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Oct. 07, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 06, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 06, 2014	ASSIGNED TO EXAMINER	70703
Oct. 02, 2014	STATEMENT OF USE PROCESSING COMPLETE	69302
Sep. 23, 2014	USE AMENDMENT FILED	69302
Sep. 23, 2014	TEAS STATEMENT OF USE RECEIVED	
Mar. 25, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 24, 2014	EXTENSION 1 GRANTED	69302
Feb. 24, 2014	EXTENSION 1 FILED	69302
Mar. 21, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Feb. 24, 2014	TEAS EXTENSION RECEIVED	
Sep. 24, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 30, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 30, 2013	PUBLISHED FOR OPPOSITION	
Jul. 22, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 22, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 10, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 27, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Jun. 27, 2013	ASSIGNED TO LIE	66121
Jun. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 02, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2013	EXAMINERS AMENDMENT -WRITTEN	83174
May 06, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 06, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 06, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 15, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 15, 2013	NON-FINAL ACTION E-MAILED	6325
Feb. 15, 2013	NON-FINAL ACTION WRITTEN	83174
Feb. 08, 2013	ASSIGNED TO EXAMINER	83174
Oct. 23, 2012	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	88889
Oct. 23, 2012	TEAS VOLUNTARY AMENDMENT RECEIVED	
Oct. 17, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 15, 2012	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 06, 2014

---

## Assignment Abstract Of Title Information

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### Summary

Total Assignments: 1

Registrant: Rook Clothing Company, LLC

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### Assignment 1 of 1

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Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6323/0360](#)

Pages: 5

Date Recorded: Apr. 30, 2018

Supporting Documents: [assignment-tm-6323-0360.pdf](#)

Assignor



**Name:** [ROOK CLOTHING COMPANY, LLC](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY

**Execution Date:** Apr. 30, 2018  
**State or Country** CALIFORNIA  
**Where Organized:**

**Name:** [ROOK COFFEE ROASTERS HOLDINGS, LLC](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY

**Assignee**

**State or Country** NEW JERSEY  
**Where Organized:**

**Address:** 60R MONMOUTH ROAD  
OAKHURST, NEW JERSEY 07732

**Correspondent**

**Correspondent Name:** CHARLES P. GUARINO

**Correspondent Address:** 1030 BROAD STREET  
SUITE 203  
SHREWSBURY, NJ 07702

**Domestic Representative - Not Found**

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
REGISTRATION NUMBER	4637678
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design. see <a href="https://tmng-al.uspto.gov/resting2/api/img/85751934/large">https://tmng-al.uspto.gov/resting2/api/img/85751934/large</a> )
<b>CORRESPONDENCE SECTION (current)</b>	
ORIGINAL ADDRESS	Charles P. Guarino Moser Taboada 1030 Broad Street Suite 203 Shrewsbury New Jersey 07702 US 732-935-7100 732-935-7122 docketing@mtiplaw.com; cguarino@mtiplaw.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	Charles P. Guarino Moser Taboada Suite 203 1030 Broad Street Shrewsbury New Jersey United States 07702 732-935-7100 732-935-7122 docketing@mtiplaw.com; cguarino@mtiplaw.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	ROOK008
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Charles P. Guarino/
SIGNATORY NAME	Charles P. Guarino
SIGNATORY DATE	06/05/2018
SIGNATORY POSITION	Attorney of record, NJ bar member
SIGNATORY PHONE NUMBER	732-945-9498
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Jun 05 18:12:24 EDT 2018

**TEAS STAMP**

USPTO/CCA-XX.XXX.XX.XXX-2  
0180605181224655784-85054  
257-61066b557394382f93c10  
8dd84d51222a687ac2a7edf97  
bcd35a6f83490012d5fe-N/A-  
N/A-20180605181122370909

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
 PTO Form 2196 (Rev. 09/2005)  
 OMB No. 0651-0056 (Exp 11/30/2020)

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
REGISTRATION NUMBER	4637678
LAW OFFICE ASSIGNED	LAW OFFICE 116
ATTORNEY DOCKET NUMBER	ROOK007
MARK SECTION	
MARK	ROOK (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85751934/large">https://tmng-al.uspto.gov/resting2/api/img/85751934/large</a> )
ATTORNEY SECTION	
ORIGINAL ADDRESS	AMANDA V. DWIGHT 1137200 2603 MAIN ST., STE. 200 IRVINE California 92614-8226 US 9495150003 9492668680 adwight@dwightlawgroup.com
NEW ATTORNEY INFORMATION	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney.
NAME	Charles P. Guarino
FIRM NAME	Moser Taboada
INTERNAL ADDRESS	Suite 203
STREET	1030 Broad Street
CITY	Shrewsbury
STATE	New Jersey
COUNTRY	United States
POSTAL/ZIP CODE	07702
PHONE	732-935-7100
FAX	732-935-7122
EMAIL	docketing@mtiplaw.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
NEW OTHER APPOINTED ATTORNEYS	Raymond R. Moser, Jr.; Leonard P. Linardakis; Alan Taboada
NEW CORRESPONDENCE ADDRESS	

NAME	Charles P. Guarino
FIRM NAME	Moser Taboada
INTERNAL ADDRESS	Suite 203
STREET	1030 Broad Street
CITY	Shrewsbury
STATE	New Jersey
COUNTRY	United States
POSTAL/ZIP CODE	07702
PHONE	732-935-7100
FAX	732-935-7122
EMAIL	docketing@mtiplaw.com; cguarino@mtiplaw.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	ROOK007
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Charles P. Guarino/
SIGNATORY NAME	Charles P. Guarino
SIGNATORY DATE	05/30/2018
SIGNATORY POSITION	Attorney of record, NJ bar member
SIGNATORY PHONE NUMBER	732-945-9498
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed May 30 15:27:53 EDT 2018
TEAS STAMP	USPTO/RAA-XX.XXX.XX.XXX-2 0180530152753963977-85751 934-610e54e5dc90d72fa2c33 bc3376f8f2a68ba8421d77ce7 42e42cce7f32f464821-N/A-N /A-20180530152242238112

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## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** ROOK (stylized and/or with design, see <https://tmng-al.uspto.gov/resting2/api/img/85751934/large>)

**SERIAL NUMBER:** 85751934

**REGISTRATION NUMBER:** 4637678

**ATTORNEY DOCKET NUMBER:** ROOK007

### The original attorney information:

AMANDA V. DWIGHT  
1137200  
2603 MAIN ST., STE. 200  
IRVINE California 92614-8226  
US  
9495150003  
9492668680  
adwight@dwightlawgroup.com

### Original Correspondence Address :

AMANDA V. DWIGHT  
DWIGHT LAW GROUP  
2603 MAIN ST., STE. 200  
IRVINE California 92614-8226  
US  
9495150003  
9492668680  
adwight@dwightlawgroup.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney. In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

### New attorney information:

Charles P. Guarino  
Moser Taboada  
Suite 203  
1030 Broad Street  
Shrewsbury, New Jersey 07702  
United States  
732-935-7100  
732-935-7122  
docketing@mtiplaw.com (authorized)

### New Other Appointed Attorneys:

Raymond R. Moser, Jr.; Leonard P. Linardakis; Alan Taboada

### The following is to be used as the correspondence address:

Charles P. Guarino  
Moser Taboada  
Suite 203  
1030 Broad Street  
Shrewsbury, New Jersey 07702  
United States  
732-935-7100



732-935-7122

docketing@mtiplaw.com:cguarino@mtiplaw.com (authorized)

The attorney docket/reference number is ROOK007.

Signature: /Charles P. Guarino/ Date: 05/30/2018

Signatory's Name: Charles P. Guarino

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

Signatory's Phone Number: 732-945-9498

Serial Number: 85751934

Internet Transmission Date: Wed May 30 15:27:53 EDT 2018

TEAS Stamp: USPTO/RAA-XX.XXX.XX.XXX-2018053015275396

3977-85751934-610e54e5dc90d72fa2c33bc337

6f8f2a68ba8421d77ce742e42cce7f32f464821-

N/A-N/A-20180530152242238112

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
REGISTRATION NUMBER	4637678
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design. see <a href="https://tmng-al.uspto.gov/resting2/api/img/85751934/large">https://tmng-al.uspto.gov/resting2/api/img/85751934/large</a> )
<b>CORRESPONDENCE SECTION (current)</b>	
ORIGINAL ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE California 92614-8226 US 9495150003 9492668680 adwight@dwightlawgroup.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	AMANDA V. DWIGHT  DWIGHT LAW GROUP 2603 MAIN ST., STE. 200 IRVINE California United States 92614-8226 9495150003 9492668680 adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	1137200
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	06/02/2017
SIGNATORY POSITION	Attorney of Record. CA Bar Member
SIGNATORY PHONE NUMBER	9495150003
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Sat Jun 03 01:36:50 EDT 2017
	USPTO/CCA-XXX.XX.XX.XXX-2

TEAS STAMP

0170603013650594147-85885  
663-5907572de61cbbe3de1f6  
b9c82f3e83187e605e9f5db96  
e59397dc7d8f6f1669081-N/A  
-N/A-20170603012654603036

## Change Of Owner's Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
REGISTRATION NUMBER	4637678
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design)
<b>OWNER SECTION (current)</b>	
NAME	Rook Clothing Company, LLC
STREET	16832 Red Hill Ave.
CITY	Irvine
STATE	California
ZIP/POSTAL CODE	92606
COUNTRY	US
EMAIL	adwight@dwrightlawgroup.com
<b>NEW OWNER ADDRESS</b>	
STREET	5445 Oceanus Dr, Ste 108
CITY	Huntington Beach,
STATE	California
ZIP/POSTAL CODE	92649
COUNTRY	United States
EMAIL	adwight@dwrightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	07/09/2015
SIGNATORY POSITION	Attorney of Record, CA Bar Member
SIGNATORY PHONE NUMBER	9495150003
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Jul 09 12:48:36 EDT 2015
TEAS STAMP	USPTO/COA-XX.X.XXX.XXX-20 150709124836236082-858892 91-5304449a791fa7a3def6b9 6164f8f4bb534ced9f13d9d1d 162d3935d42b15-N/A-N/A-20

150709124125734785

United States of America  
United States Patent and Trademark Office

ROOK

**Reg. No. 4,637,678**

**Registered Nov. 11, 2014**

**Int. Cls.: 16, 25, and 28**

**TRADEMARK**

**PRINCIPAL REGISTER**

ROOK CLOTHING COMPANY, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
16832 RED HILL AVE.  
IRVINE, CA 92606

FOR: PAPER PRODUCTS, NAMELY, STICKERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 7-5-2012; IN COMMERCE 7-5-2012.

FOR: CLOTHING, NAMELY, PANTS, DRESS SHIRTS, T-SHIRTS, JACKETS, TANK TOPS, JERSEYS, SHORTS, SWEATERS; HEADWEAR, NAMELY, HATS AND BEANIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-1-2014; IN COMMERCE 3-1-2014.

FOR: SKATEBOARD DECKS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 5-9-2013; IN COMMERCE 5-9-2013.

OWNER OF U.S. REG. NO. 4,250,495.

THE MARK CONSISTS OF THE WORD "ROOK" WHEREIN THE LETTER "R" IS BACKWARDS.

SN 85-751,934, FILED 10-11-2012.

ELLEN B. AWRICH, 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>.

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, October 7, 2014 00:11 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 85751934: ROOK (Stylized/Design): Docket/Reference No. 1137200

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NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 85751934  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company, LLC  
**Docket/Reference Number:** 1137200

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	AWRICH, ELLEN	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	10/07/2014		
PUB DATE	07/30/2013		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	10/06/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely, hats and beanies
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	016	FIRST USE DATE	07/05/2012	FIRST USE IN COMMERCE DATE	07/05/2012	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	03/01/2014	FIRST USE IN COMMERCE DATE	03/01/2014	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	05/09/2013	FIRST USE IN COMMERCE DATE	05/09/2013	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter "R" is backwards.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/07/2014	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	035
10/06/2014	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	034
10/06/2014	DOCK	D	ASSIGNED TO EXAMINER	033
10/02/2014	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	032
09/23/2014	IUAF	S	USE AMENDMENT FILED	031
09/23/2014	EISU	I	TEAS STATEMENT OF USE RECEIVED	030
03/25/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	029
03/24/2014	EX1G	S	EXTENSION 1 GRANTED	028



02/24/2014	EXT1	S	EXTENSION 1 FILED	027
03/21/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	026
02/24/2014	EEXT	I	TEAS EXTENSION RECEIVED	025
09/24/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
07/30/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
07/30/2013	PUBO	A	PUBLISHED FOR OPPOSITION	022
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	021
07/22/2013	COAR	I	TEAS CHANGE OF OWNER ADDRESS RECEIVED	020
07/10/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	019
06/27/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	018
06/27/2013	ALIE	A	ASSIGNED TO LIE	017
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	016
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

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**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	10/03/2014		
PUB DATE	07/30/2013		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	10/02/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely, hats and beanies
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	016	FIRST USE DATE	07/05/2012	FIRST USE IN COMMERCE DATE	07/05/2012	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	03/01/2014	FIRST USE IN COMMERCE DATE	03/01/2014	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	05/09/2013	FIRST USE IN COMMERCE DATE	05/09/2013	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter "R" is backwards.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/02/2014	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	032
09/23/2014	IUAF	S	USE AMENDMENT FILED	031
09/23/2014	EISU	I	TEAS STATEMENT OF USE RECEIVED	030
03/25/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	029
03/24/2014	EX1G	S	EXTENSION 1 GRANTED	028
02/24/2014	EXT1	S	EXTENSION 1 FILED	027
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02/24/2014	EEXT	I	TEAS EXTENSION RECEIVED	025

09/24/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
07/30/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
07/30/2013	PUBO	A	PUBLISHED FOR OPPOSITION	022
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	021
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07/10/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	019
06/27/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	018
06/27/2013	ALIE	A	ASSIGNED TO LIE	017
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	016
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

**STATEMENT OF USE UNDER 37 C.F.R. § 2.88**

Applicant, Rook Clothing Company LLC requests registration of the mark  (Serial No. 85751934) in the United States Patent and Trademark Office on the Principle Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods:

Class 016: Paper products, namely, stickers. Applicant has used this mark on packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 7/5/2012. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Class 025: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely hats and beanies. Applicant has used this mark on labels, packaging, and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 03/01/2014. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Class 028: Skateboard decks. Applicant has used this mark on packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 05/9/2013. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Applicant requests **deletion** of the following goods:

Class 014: Jewelry, namely, keychains

Class 025: skirts, dresses, cardigans and vests, caps, visors; footwear; and accessories, namely, belts and scarves

Class 028: Skateboard wheels; and Skateboards

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the Applicant; he believes the Applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information belief are believed to be true.

Dated: September 23, 2014



Jonathan Garcia, Member  
ROOK CLOTHING COMPANY, LLC

## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85751934
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="http://tsdr.uspto.gov/img/85751934/large">http://tsdr.uspto.gov/img/85751934/large</a>
<b>LITERAL ELEMENT</b>	ROOK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION</b>	
<b>NAME</b>	Rook Clothing Company, LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>EMAIL</b>	adwight@dwightlawgroup.com
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	014
<b>CURRENT IDENTIFICATION</b>	Jewelry, namely, keychains
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Paper products, namely, stickers
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	07/05/2012
<b>FIRST USE IN COMMERCE DATE</b>	07/05/2012
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN1-128202245-20140923172820954391 . Class_16_specimen.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	\\TICRS\EXPORT16\IMAGEOUT16\857519\85751934.xml21\SOU0002.JPG
<b>SPECIMEN DESCRIPTION</b>	Product label
<b>INTERNATIONAL CLASS</b>	025

<b>CURRENT IDENTIFICATION</b>	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES DELETED FROM THE APPLICATION</b>	skirts, dresses, cardigans and vests, caps, visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES IN USE IN COMMERCE</b>	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely hats and beanies
<b>FIRST USE ANYWHERE DATE</b>	03/01/2014
<b>FIRST USE IN COMMERCE DATE</b>	03/01/2014
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN2-128202245-20140923172820954391 . Class 25 specimen.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml21\SOU0003.JPG
<b>SPECIMEN DESCRIPTION</b>	Product label
<b>INTERNATIONAL CLASS</b>	028
<b>CURRENT IDENTIFICATION</b>	Skateboard decks; Skateboard wheels; and Skateboards
<b>GOODS OR SERVICES DELETED FROM THE APPLICATION</b>	Skateboard wheels; and Skateboards
<b>GOODS OR SERVICES IN USE IN COMMERCE</b>	Skateboard decks
<b>FIRST USE ANYWHERE DATE</b>	05/09/2013
<b>FIRST USE IN COMMERCE DATE</b>	05/09/2013
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN3-128202245-20140923172820954391 . Class 28 specimen.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml21\SOU0004.JPG
<b>SPECIMEN DESCRIPTION</b>	Product label
<b>REQUEST TO DIVIDE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES IN USE</b>	3
<b>SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">hw_128202245-172820954 . SOU ROOK hard goods - signed.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml21\SOU0005.JPG
<b>SIGNATORY'S NAME</b>	Jonathan Garcia
<b>SIGNATORY'S POSITION</b>	Member
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Tue Sep 23 17:39:49 EDT 2014
<b>TEAS STAMP</b>	USPTO/SOU-XX.X.XXX.XXX-20 140923173949942122-857519 34-5003376fe9c9cec5aab153

dfd9703bb47ceac7bbe95c0b5  
58c8bbc5696e7fe8b-CC-4502  
-20140923172820954391

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** ROOK (Stylized and/or with Design, see <http://tsdr.uspto.gov/ing/85751934/large>)

**SERIAL NUMBER:** 85751934

The applicant, Rook Clothing Company, LLC, having an address of  
16832 Red Hill Ave.  
Irvine, California 92606  
United States

is submitting the following allegation of use information:

For International Class 014:

Current identification: Jewelry, namely, keychains

All ITU goods/services in this class are to be deleted

For International Class 016:

Current identification: Paper products, namely, stickers

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 07/05/2012, and first used in commerce at least as early as 07/05/2012, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Product label.

**Original PDF file:**

[SPN1-128202245-20140923172820954391 . Class 16 specimen.pdf](#)

**Converted PDF file(s)** (1 page)

[Specimen File1](#)

For International Class 025:

Current identification: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

This **allegation of use** does **NOT** cover the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods/services are **permanently deleted**: skirts, dresses, cardigans and vests, caps, visors; footwear; and accessories, namely, belts and scarves

The mark is in use in commerce on or in connection with the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely hats and beanies

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 03/01/2014, and first used in commerce at least as early as 03/01/2014, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Product label.

**Original PDF file:**

[SPN2-128202245-20140923172820954391 . Class 25 specimen.pdf](#)

**Converted PDF file(s)** (1 page)

[Specimen File1](#)



For International Class 028:

Current identification: Skateboard decks; Skateboard wheels; and Skateboards

This **allegation of use** does **NOT** cover the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods/services are **permanently deleted**: Skateboard wheels; and Skateboards

The mark is in use in commerce on or in connection with the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class: Skateboard decks

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 05/09/2013, and first used in commerce at least as early as 05/09/2013, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Product label.

**Original PDF file:**

[SPN3-128202245-20140923172820954391 . Class 28 specimen.pdf](#)

**Converted PDF file(s)** (1 page)

[Specimen File1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for the allegation of use for 3 classes.

**Declaration**

**Original PDF file:**

[hw\\_128202245-172820954 . SOU ROOK hard goods - signed.pdf](#)

**Converted PDF file(s)** (1 page)

[Signature File1](#)

Signatory's Name: Jonathan Garcia

Signatory's Position: Member

RAM Sale Number: 85751934

RAM Accounting Date: 09/24/2014

Serial Number: 85751934

Internet Transmission Date: Tue Sep 23 17:39:49 EDT 2014

TEAS Stamp: USPTO/SOU-XX.X.XXX.XXX-20140923173949942

122-85751934-5003376fe9c9cec5aab153dfd97

03bb47ceac7bbe95c0b558c8bbc5696e7fe8b-CC

-4502-20140923172820954391








IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

**STATEMENT OF USE UNDER 37 C.F.R. § 2.88**

Applicant, Rook Clothing Company LLC requests registration of the mark  (Serial No. 85751934) in the United States Patent and Trademark Office on the Principle Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods:

Class 016: Paper products, namely, stickers. Applicant has used this mark on packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 7/5/2012. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Class 025: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, shorts, sweaters; headwear, namely hats and beanies. Applicant has used this mark on labels, packaging, and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 03/01/2014. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Class 028: Skateboard decks. Applicant has used this mark on packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as 05/9/2013. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Applicant requests **deletion** of the following goods:

Class 014: Jewelry, namely, keychains

Class 025: skirts, dresses, cardigans and vests, caps, visors; footwear; and accessories, namely, belts and scarves

Class 028: Skateboard wheels; and Skateboards

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the Applicant; he believes the Applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information belief are believed to be true.

Dated: September 23, 2014



Jonathan Garcia, Member  
ROOK CLOTHING COMPANY, LLC

**FEE RECORD SHEET**

**Serial Number:** 85751934



**RAM Sale Number:** 85751934

**Total Fees:** \$300

**RAM Accounting Date:** 20140924

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20140923	\$100	3	\$300

**Transaction Date:** 20140923





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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, March 25, 2014 00:12 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85751934: ROOK (Stylized/Design): Docket/Reference No. 1137200

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85751934  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 1137200  
**Notice of Allowance Date:** Sep 24, 2013

The USPTO issued a Notice of Allowance on **Sep 24, 2013** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit [http://www.uspto.gov/trademarks/teas/intent\\_to\\_use.jsp](http://www.uspto.gov/trademarks/teas/intent_to_use.jsp) and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will abandon the application.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85751934&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information on filing a Statement of Use or an additional extension request, if applicable, please consult the USPTO website at <http://www.uspto.gov/trademarks/>, view the video on the USPTO website entitled "Statement of Use" (click on "TMIN Trademark Information Network" to view a list of available videos), or contact the Trademark Assistance Center at 1-800-786-9199.

**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	03/25/2014		
PUB DATE	07/30/2013		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	03/24/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter "R" is backwards.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/25/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	029
03/24/2014	EX1G	S	EXTENSION 1 GRANTED	028
02/24/2014	EXT1	S	EXTENSION 1 FILED	027



03/21/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	026
02/24/2014	EEXT	I	TEAS EXTENSION RECEIVED	025
09/24/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
07/30/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
07/30/2013	PUBO	A	PUBLISHED FOR OPPOSITION	022
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	021
07/22/2013	COAR	I	TEAS CHANGE OF OWNER ADDRESS RECEIVED	020
07/10/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	019
06/27/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	018
06/27/2013	ALIE	A	ASSIGNED TO LIE	017
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	016
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

ЮОЖ

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85751934
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>MARK SECTION</b>	
<b>MARK</b>	ROOK (stylized and/or with design)
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Rook Clothing Company, LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Rook Clothing Company, LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>EMAIL</b>	adwight@dwrightlawgroup.com
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	014
<b>CURRENT IDENTIFICATION</b>	Jewelry, namely, keychains
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Paper products, namely, stickers
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	018
<b>CURRENT IDENTIFICATION</b>	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags,



	backpacks, and wallets
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	028
<b>CURRENT IDENTIFICATION</b>	Skateboard decks; Skateboard wheels; and Skateboards
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	09/24/2013
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	4
<b>SUBTOTAL AMOUNT</b>	600
<b>TOTAL AMOUNT</b>	600
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/ad/
<b>SIGNATORY'S NAME</b>	Amanda V. Dwight
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Ca Bar Member
<b>DATE SIGNED</b>	02/24/2014
<b>SIGNATORY'S PHONE NUMBER</b>	949 515 0003
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Mon Feb 24 13:50:59 EST 2014
<b>TEAS STAMP</b>	USPTO/ESU-XX.X.XXX.XXX-20 140224135059929176-857519 34-500f749cd6ee1d2e2e97f3 cbbc23262f4b54ced964221fa 5a2abfdadb9fbf517e-CC-96- 20140224134524208440

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**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** ROOK (stylized and/or with design)  
**SERIAL NUMBER:** 85751934

The applicant, Rook Clothing Company, LLC, having an address of  
16832 Red Hill Ave.  
Irvine, California 92606  
United States

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 09/24/2013.

For International Class 014:  
Current identification: Jewelry, namely, keychains

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 016:  
Current identification: Paper products, namely, stickers

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 018:  
Current identification: Bags, namely, trunks, tote bags, duffel bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets

All ITU goods/services in this class are to be deleted

For International Class 025:  
Current identification: Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 028:  
Current identification: Skateboard decks; Skateboard wheels; and Skateboards

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification

mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the first extension request.

A fee payment in the amount of \$600 will be submitted with the form, representing payment for 4 classes.

#### **Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /ad/ Date Signed: 02/24/2014  
Signatory's Name: Amanda V. Dwight  
Signatory's Position: Attorney of Record, Ca Bar Member  
Signatory's Phone: 949 515 0003

RAM Sale Number: 85751934  
RAM Accounting Date: 02/25/2014

Serial Number: 85751934  
Internet Transmission Date: Mon Feb 24 13:50:59 EST 2014  
TEAS Stamp: USPTO/ESU-XX.X.XXX.XXX-20140224135059929  
176-85751934-500f749cd6ee1d2e2e97f3cbbc2  
3262f4b54ced964221fa5a2abfdadb9bf517e-C  
C-96-20140224134524208440

**TEAS ROUTING SHEET**

**To: INTENT TO USE UNIT**

**Work Loc: INTENT TO USE SECTION**

**Doc Type: Extension Request for SOU**



**Serial Number: 85751934**



**Mark: ROOK**

**Mail Date: 2014/02/24**



**Examiner Number: 83174**



**Examiner Name:  
FRAZIER, TAMARA G**

**LIE Number: 66121**



**LIE Name:  
GINYARD, JEFFREY LAMON**

**L.O. Assigned: LAW OFFICE 116**

**Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20140224	\$150	4	\$600

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 24, 2013 00:05 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Trademark Serial Number 85751934: Official USPTO Notice of Allowance

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NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Sep 24, 2013

**Serial Number:** 85751934  
**Mark:** ROOK(STYLIZED/DESIGN)  
**Docket/Reference Number:** 1137200

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

**SIX (6)-MONTH DEADLINE:** Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.**

**How to file SOU and/or Extension Request:**

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

**FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.**

**REVIEW APPLICATION INFORMATION FOR ACCURACY**

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

**Serial Number:** 85751934  
**Mark:** ROOK(STYLIZED/DESIGN)  
**Docket/Reference Number:** 1137200  
**Owner:** Rook Clothing Company, LLC  
16832 Red Hill Ave.  
Irvine, CALIFORNIA 92606  
**Correspondence Address:** AMANDA V. DWIGHT  
DWIGHT LAW GROUP  
2020 MAIN ST STE 600  
IRVINE, CA 92614-8226

**This application has the following bases, but not necessarily for all listed goods/services:**  
Section 1(a): NO                      Section 1(b): YES                      Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

- 014 - Jewelry, namely, keychains -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 016 - Paper products, namely, stickers -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 018 - Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 025 - Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 028 - Skateboard decks; Skateboard wheels; and Skateboards -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

**ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.**

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**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85751934>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, July 30, 2013 00:31 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** 1137200 Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85751934

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TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 85-751,934  
**Mark:** ROOK(STYLIZED/DESIGN)  
**International Class(es):** 014, 016, 018, 025, 028  
**Applicant:** Rook Clothing Company, LLC  
**Docket/Reference Number:** 1137200

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Jul 30, 2013.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20130730\\_OG.pdf#page=00000246](http://www.uspto.gov/web/trademarks/tmog/20130730_OG.pdf#page=00000246)
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp).

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

## Change Of Owner's Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design)
<b>OWNER SECTION (current)</b>	
NAME	Rook Clothing Company, LLC
STREET	1919 South Susan Street
CITY	Santa Ana
STATE	California
ZIP/POSTAL CODE	92704
COUNTRY	US
<b>NEW OWNER ADDRESS</b>	
STREET	16832 Red Hill Ave.
CITY	Irvine
STATE	California
ZIP/POSTAL CODE	92606
COUNTRY	United States
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	07/22/2013
SIGNATORY POSITION	Attorney of Record, CA Bar member
SIGNATORY PHONE NUMBER	9495150003
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Mon Jul 22 15:57:33 EDT 2013
TEAS STAMP	USPTO/COA-XX.X.XXX.XXX-20 130722155733178233-857519 34-50056793dc1f18ced5d931 77878f7b3fdaf18c5684f3526 7e66c5efb84ab41138e-N/A-N /A-20130722155545625913



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jul 10, 2013

## NOTICE OF PUBLICATION

- |   |   |
|---|---|
| 1. Serial No.:<br>85-751.934                      | 2. Mark:<br>ROOK<br>(STYLIZED/DESIGN)       |
| 3. International Class(es):<br>14, 16, 18, 25, 28 |   |
| 4. Publication Date:<br>Jul 30, 2013              | 5. Applicant:<br>Rook Clothing Company, LLC |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

adwight@dwrightlawgroup.com

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, July 10, 2013 03:27 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** 1137200 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85751934

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85751934) is scheduled to publish in the *Official Gazette* on Jul 30, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85751934>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/28/2013		
PUB DATE	07/30/2013		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/27/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter R is backwards.
OWNER OF US REG NOS	4250495



**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/27/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	018
06/27/2013	ALIE	A	ASSIGNED TO LIE	017
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	016
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

ЮОЖ

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/12/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/11/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

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INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
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DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
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DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
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DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

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INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter R is backwards.
OWNER OF US REG NOS	4250495



**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	016
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

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**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/04/2013		
PUB DATE	N/A		
STATUS	647-EXAMINERS AMENDMENT - MAILED		
STATUS DATE	06/02/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the word "ROOK" wherein the letter R is backwards.
OWNER OF US REG NOS	4250495

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	015
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	014
06/02/2013	GNEA	O	EXAMINERS AMENDMENT E-MAILED	013
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	012
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

ЮОЖ



**To:** Rook Clothing Company, LLC ([adwight@dwightlawgroup.com](mailto:adwight@dwightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85751934 - ROOK - 1137200  
**Sent:** 6/2/2013 5:46:18 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85751934

MARK: ROOK

**\*85751934\***

**CORRESPONDENT ADDRESS:**

AMANDA V. DWIGHT  
DWIGHT LAW GROUP  
2020 MAIN ST STE 600  
IRVINE, CA 92614-8226

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

**APPLICANT:** Rook Clothing Company, LLC

**CORRESPONDENT'S REFERENCE/DOCKET**

**NO:**

1137200

**CORRESPONDENT E-MAIL ADDRESS:**

[adwight@dwightlawgroup.com](mailto:adwight@dwightlawgroup.com)

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE: 6/2/2013**

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by Amanda V. Dwight on May 31, 2013, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods may clarify or limit the goods, but may not add to or broaden the scope of the goods. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

**Amendment of Identification of Goods**

The identification of goods is amended to read as follows: "Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, **general purpose sport** trolley bags, gym bags, waist bags, backpacks, and wallets" in **Class 018**. See TMEP §§1402.01, 1402.01(e).

\*\*Please note, the previously issued 2(d) refusals based on U.S. Registration Nos. 0085373 and 2841110 are hereby withdrawn. Also, the prior registration claim is accepted and entered into the record.

/tfrazier/  
Tamara Frazier  
Trademark Attorney  
Law Office 116  
(571) 272-8256  
[tamara.frazier@uspto.gov](mailto:tamara.frazier@uspto.gov)

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at

<http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**To:** Rook Clothing Company, LLC ([adwight@dwrightlawgroup.com](mailto:adwight@dwrightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85751934 - ROOK - 1137200  
**Sent:** 6/2/2013 5:46:19 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **6/2/2013** FOR U.S. APPLICATION SERIAL NO.85751934

Please follow the instructions below:

(1) **TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

# NOTE TO THE FILE

SERIAL NUMBER: 85751934  
DATE: 05/31/2013  
NAME: tfrazier

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email

Left message with Attorney/Applicant

Requested Law Library search for:  
 Issued Examiner's Amendment and entered changes in TRADEUPS

**PRINT**     **DO NOT PRINT**     Added design code in TRADEUPS

Description of the mark  
 Translation statement     Re-imaged standard character drawing

Negative translation statement  
 Consent of living individual     Contacted TM MADRID ID/CLASS about misclassified definite ID

Changed TRADEUPS to:

OTHER: Consulted managing atty and colleagues on 2d issue.

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	05/07/2013
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	05/06/2013
LITERAL MARK ELEMENT	ROOK

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

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DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

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INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of The word ROOK wherein the letter R is backwards.
OWNER OF US REG NOS	4250495



**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/06/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/06/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/06/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/15/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	008
02/15/2013	GNRT	F	NON-FINAL ACTION E-MAILED	007
02/15/2013	CNRT	R	NON-FINAL ACTION WRITTEN	006
02/08/2013	DOCK	D	ASSIGNED TO EXAMINER	005
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

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## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85751934
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85751934
<b>LITERAL ELEMENT</b>	ROOK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>COLOR(S) CLAIMED (If applicable)</b>	Color is not claimed as a feature of the mark.
<b>DESCRIPTION OF THE MARK (and Color Location, if applicable)</b>	The mark consists of The word ROOK wherein the letter R is backwards.
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_128202245-143150337 . ROA - Class 28.pdf</a>
<b>CONVERTED PDF FILE(S) (7 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0004.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0005.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0006.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0007.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0008.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_128202245-143150337 . Khalek Declaration.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml6\ROA0009.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	Arguments in support of registration and Declaration of Robby Khalek in support thereof.
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>ACTIVE PRIOR REGISTRATION(S)</b>	The applicant claims ownership of U.S. Registration Number(s) 4250495.
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/ad/
<b>SIGNATORY'S NAME</b>	Amanda V. Dwight
<b>SIGNATORY'S POSITION</b>	Attorney of Record
<b>SIGNATORY'S PHONE NUMBER</b>	9495150003

DATE SIGNED	05/06/2013
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Mon May 06 14:41:51 EDT 2013
TEAS STAMP	USPTO/ROA-XX.X.XXX.XXX-20 130506144151396234-857519 34-5007234f1bb35827c9f57c 9b35129ade6b638c6d399ac75 5eab7e975c51e646235e-N/A- N/A-20130506143150337847

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0060 (Exp. 07/31/2017)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **85751934** ROOK (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85751934>) has been amended as follows:

#### EVIDENCE

Evidence in the nature of Arguments in support of registration and Declaration of Robby Khalek in support thereof, has been attached.

#### Original PDF file:

[evi\\_128202245-143150337 . ROA - Class 28.pdf](#)

#### Converted PDF file(s) ( 7 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

#### Original PDF file:

[evi\\_128202245-143150337 . Khalek Declaration.pdf](#)

#### Converted PDF file(s) ( 1 page)

[Evidence-1](#)

#### ADDITIONAL STATEMENTS

##### Claim of Active Prior Registration(s)

The applicant claims ownership of U.S. Registration Number(s) 4250495.

#### SIGNATURE(S)

##### Response Signature

Signature: /ad/ Date: 05/06/2013

Signatory's Name: Amanda V. Dwight

Signatory's Position: Attorney of Record

Signatory's Phone Number: 9495150003

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.

Serial Number: 85751934

Internet Transmission Date: Mon May 06 14:41:51 EDT 2013


TEAS Stamp: USPTO/ROA-XX.X.XXX.XXX-20130506144151396

234-85751934-5007234f1bb35827c9f57c9b351

29ade6b638c6d399ac755eab7e975c51e646235e

-N/A-N/A-20130506143150337847

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REGISTRATION OF: Rook Clothing Company, LLC  
SERIAL NUMBER: 85751934  
MARK:   
OFFICE ACTION MAILING DATE: February 15, 2013

**RESPONSE TO OFFICE ACTION DATED FEBRUARY 15, 2013**

In response to Office Action dated February 15, 2013, for the foregoing application, Applicant submits the following remarks and presents further evidence in support of its registration. For the reasons stated below and based on the documentation submitted herewith, Applicant respectfully requests reconsideration of the Examiner's refusal of the above-referenced application.

**REFUSAL: Likelihood of Confusion**


The Examining Attorney has refused registration based on a finding of likelihood of confusion with U.S. Registration Nos. 0085373 and 2841110 by Hasbro (the "Cited Marks"). Applicant respectfully submits that confusion is not likely between its mark and the Cited Marks, and requests that the Examining Attorney reconsider the refusal.

In determining whether there is likelihood of confusion, all of the probative facts in evidence, which are relevant to the factors bearing on likelihood of confusion, must be considered. A determination under Section 2(d) is based on analysis of all the facts in evidence that are relevant to the factors bearing on the likelihood of confusion issue. *In re E.I. Dupont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 U.S.P.Q. 563, 567 (CCPA 1973). In any likelihood of confusion analysis, however, the two key considerations are the similarities between the marks and the similarities between the goods. *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 912 USPQ 24 (CCPA 1976).

Because the parties' marks and goods are different, and because the marks as used by the parties have different commercial impressions, Applicant's use of its mark is not likely to cause confusion with the Cited Marks.

**1. Applicant's Mark and the Cited Marks Are Dissimilar.**

Similarity of the marks is examined on three levels: sight, sound, and meaning. The Examining Attorney must view the marks in their entirety in the form used by the parties in the mark. *TMEP* § 1207.01 (The similarity or dissimilarity of the marks must be considered "in their entireties as to appearance, sound, connotation, and commercial impression"). *In re Loew's Theaters, Inc.*, 218 U.S.P.Q. 956 (TTAB 1983), *aff'd*, 226 U.S.P.Q. 865 (Fed. Cir. 1985); *In re National Data Corp.*, 753 F.2d 1056, 224 U.S.P.Q. 749 (Fed. Cir. 1985) (Marks must be considered in the way they are used and perceived). The test, under the first *du Pont* factor, is not whether the marks can be distinguished when subjected to a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that confusion as to the source of the goods offered under the respective marks is likely to result. The proper focus is on the recollection of the average customer, who retains a general rather than a specific impression of the marks. *Winnebago Industries, Inc. v. Oliver & Winston, Inc.*, 207 USPQ 335, 344 (TTAB 1980); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106, 108 (TTAB 1975).

The Examining Attorney has dismissed the overall impression created by Applicant's mark, . Applicant's unique spelling of the word ROOK creates a commercial impression which reflects Applicant's unique and hip, action sports and street wear image. Applicant's products, including its line of skateboards, serve as platforms for high quality, eye

catching, and provocative art and design, more commonly known in the industry as “quality art.” Applicant’s products are only sold through licensed surf and skate shops. The parties’ marks are further differentiated by their unique fonts, as shown in the enclosed specimen and in Registrant’s Section 8 and 9 renewal documents (Robby Khalek Declaration (“Khalek Decl.”), ¶12):



**2. Applicant’s Products and the Cited Products are Different.**

The Examiner has determined the products are “related” because both parties offer Class 28 goods. However, the TMEP prohibits the use of broad generalities to find Applicant’s and Registrant’s products related based solely on inclusion in a loose category of “toys.” TMEP 1201.01(a)(iv); see also *Electronic Data Systems Corp. v. EDSA Micro Corp.*, 23 USPQ2d 1460, 1463 (TTAB 1992) “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.”; *McGraw-Hill v. Comstock Partners*, 743 F.Supp. 1029, 1034 (SDNY 1999) (“while [both parties] furnish products related to broad field of finance, [they] are completely unrelated as night and day.”); *Electronic Data Systems Corp. v.*





Serial No.: 85751934

*EDSA Micro Corp.*, 23 USPQ2d 1460, 1463 (TTAB 1992) (computer related products are not related “simply because each involves the use of computers”).

Just because the goods are in the same class does not mean that they are related for purposes of the likelihood of confusion analysis. *Cooper Industries, Inc. v. Repcoparts USA, Inc.*, 218 USPQ 81, 84 (TTAB 1983) (“the mere fact that the products involved in this case (or any products with significant differences in character) are sold in the same industry does not of itself provide an adequate basis to find the required ‘relatedness’”). See also *In re White Rock Distilleries Inc.*, 92 USPQ2d 1282 (TTAB 2009) (regarding alcoholic beverages); *Information Resources Inc. v. X\*Press Information Services*, 6 USPQ2d 1034, 1038 (TTAB 1988) (regarding computer hardware and software); *Hi-Country Foods Corp. v. Hi Country Beef Jerky*, 4 USPQ2d 1169, 1171 (TTAB 1987) (regarding food products).

It is the burden of the Examining Attorney to show there is a relationship between registrant's goods and applicant's goods in order to prove that there exists a likelihood of confusion. *In Re Tera Media Corporation*, Serial No. 75617075, 2004 WL 2341814 (September 16, 2004). Based on the evidence the Examiner provided, it is pure speculation the parties' goods are similar or related.<sup>1</sup>

**ROCK** skateboards are sold alongside **ROCK** apparel at licensed surf and skate shops. Applicant has been selling apparel under the **ROCK** name since at least as early as

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<sup>1</sup> We are not concerned with mere theoretical possibilities of confusion, deception, or mistake or with de minimis situations but with the practicalities of the commercial world, with which trademark laws deal. *Electronic Design & Sales, Inc. v. Electronic Data Systems Corp.*, 954 F.2d 713, 21 USPQ2d 1388, 1391 (Fed. Cir. 1992), quoting *Witco Chem. Co. v. Whitfield Chem. Co.*, 418 F.2d 1403, 1405, 164 USPQ 43, 44-45 (CCPA 1969).



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December 2007. Consumers of quality art action sports and street wear products recognize the brand **ROCK** as originating from Applicant. Indeed, Applicant has not experienced any confusion with the Cited Registrations nor has Applicant received misdirected communications intended for the owner of the Cited Registrations. (Khalek Decl. ¶13) The **ROCK** name, when used in connection with skateboard and promoted and sold alongside Applicant's **ROCK** clothing, is not likely to be confused with the Cited Registration or its owner.

The marketing and distribution channels for the parties are different and do not overlap. The Cited products, equipment for use in playing card games and toy action figures, are not the type of products commonly sold in surf and skate shops.<sup>2</sup>

The Examiner has submitted a printout from a handful of online toy stores that sell skateboards and playing cards or action figure toys. Under the Examiner's rationale, all products falling within International Class 028 can never share the same trademark. Notwithstanding the limited number of retailers that matched the Examiner's search parameters, this is contrary to established law.

"[I]t is error to deny registration simply because 'applicant sells some of its goods in some of the same fields in which opposer provides its services,' without determining who are the 'relevant persons' within each corporate customer. ... [T]he mere purchase of the goods and services of both parties by the same institution does not, by itself, establish similarity of trade channels or overlap of customers." *Electronic Design & Sales Inc. v. Electronic Data Systems Corp.*, 954 F.2d 713, 21 USPQ2d 1388, 1391 (Fed. Cir. 1992) (internal citations omitted)

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<sup>2</sup> Applicant is willing to amend its Class 028 description of goods to: "Skateboard decks; Skateboard wheels; and Skateboards, excluding playing cards, equipment for use in play card games, and toy action figures."

citing in *Astra Pharmaceutical Products, Inc. v. Beckman Instruments, Inc.*, 718 F.2d 1201, 220 USPQ 786 (1st Cir. 1983) (The separate departments of hospitals as “different markets for the parties’ respective products).

The potential for both Applicant’s and Registrant’s goods to be sold under the same roof at a toy store does not by itself support a finding of a likelihood of confusion<sup>3</sup>. *Recot, Inc. v. Becton*, 214 F.3d 1322, 54 U.S.P.Q. 1894 (Fed. Cir. 2000) (“[T]he law is that products should not be deemed related simply because they are sold in the same kind of establishments.”). For example, in *Hot Shot Quality Products, Inc. v. Sifers Chemicals, Inc.*, 452 F.2d 1080, 172 U.S.P.Q. 350 (10th Cir. 1971), the Court held that an insecticide and stain remover were not confusingly similar simply because they were both sold in supermarkets, given the wide variety of goods sold in supermarkets and that the particular goods in question were sold in different sections of supermarkets.


In addition, Applicant believes the nature of its use avoids any confusion. Courts have repeatedly held that consumers will perceive common ownership of a mark when a trademark owner begins using its mark in areas of natural expansion of its original product line. *See In re Arthur Holland, Inc.*, 192 U.S.P.Q. 494 (T.T.A.B. 1976) (finding that consumers would believe LEVI’S for cologne was a natural expansion of existing use of LEVI’S for jeans); *Tiffany & Co. v. Parfums Lamborghini*, 214 U.S.P.Q. 77 (S.D.N.Y. 1981) (finding that consumers would believe that TIFFANY in connection with perfume was a natural expansion of existing use of TIFFANY for jewelry). Further, the Court of Customs and Patent Appeals has acknowledged that consumers

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<sup>3</sup> In fact, Applicant’s products will never be sold in the same stores as Registrant’s products because Applicant’s skateboards and related parts are not of the type or quality or skateboards found in toy stores such as FAO Schwartz. Applicant’s products are not toys.



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have an expectation that the trademark owner of a mark used on widely-distributed consumer games will license the mark for numerous other collateral merchandise. *Tuxedo Monopoly v. General Mills Fun Group, Inc.*, 648 F.2d 1335, 209 U.S.P.Q. 986 (C.C.P.A. 1981) (holding that consumers would understand MONOPOLY for t-shirts as a natural expansion of existing use of MONOPOLY for a board game). Here, consumers in the action sports and street wear industry already recognize the name  as originating from Applicant for clothing. Skateboards bearing quality art are a natural expansion Applicant's original apparel line.

Finally, Applicant's skateboards and Registrant's goods, if they were sold in the same store, would be placed in different sections of the store and would appeal to different consumers.

#### **IV. CONCLUSION**

In light of the above, Applicant respectfully requests that the Examiner withdraw her refusal and approve Applicant's mark for publication.

DECLARATION OF ROBBY KHALEK

I, Robby Khalek, Managing Member of Rook Clothing Company, LLC, declare the following:

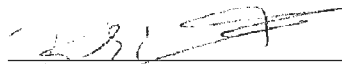
1. Rook Clothing Company, LLC, is the owner of application Serial No. 85751934 for the mark **ROOK** in connection with various goods including skateboards and related products.

2. Applicant's products, including its line of skateboards, serve as platforms for high quality, eye catching, and provocative art and design, more commonly known in the industry as "quality art." Applicant's products are only sold through licensed surf and skate shops.

3. **ROOK** skateboards are sold alongside **ROOK** apparel at licensed surf and skate shops. Applicant has been selling apparel under the **ROOK** name since at least as early as December 2007. Consumers of quality art action sports and street wear products recognize the brand **ROOK** as originating from Applicant. Applicant has not experienced any confusion with the Cited Registrations nor has Applicant received misdirected communications intended for the owner of the Cited Registrations.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Date: March 27, 2013

  
\_\_\_\_\_  
Robby Khalek

**To:** Rook Clothing Company, LLC ([adwight@dwrightlawgroup.com](mailto:adwight@dwrightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85751934 - ROOK - 1137200  
**Sent:** 2/15/2013 3:47:41 PM  
**Sent As:** ECOM116@USPTO.GOV

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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85751934

MARK: ROOK

**\*85751934\***

**CORRESPONDENT ADDRESS:**

AMANDA V. DWIGHT  
DWIGHT LAW GROUP  
2020 MAIN ST STE 600  
IRVINE, CA 92614-8226

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APPLICANT: Rook Clothing Company, LLC

CORRESPONDENT'S REFERENCE/DOCKET  
NO:

1137200

CORRESPONDENT E-MAIL ADDRESS:

adwight@dwightlawgroup.com

## OFFICE ACTION

### STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 2/15/2013**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

#### SECTION 2(d) REFUSALS – LIKELIHOOD OF CONFUSION – CLASS 028 ONLY

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in *U.S. Registration Nos. 0085373 and 2841110*. Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 *et seq.* See the enclosed registrations.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the goods of the applicant and registrant. See 15 U.S.C. §1052(d). The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). See TMEP §1207.01. However, not all of the factors are necessarily relevant or of equal weight, and any one factor may be dominant in a given case, depending upon the evidence of record. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); see *In re E. I. du Pont*, 476 F.2d at 1361-62, 177 USPQ at 567.

The following factors are the most relevant: similarity of the marks, similarity of the goods, and similarity of trade channels of the goods. See *In re Opus One, Inc.*, 60 USPQ2d 1812 (TTAB 2001); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593 (TTAB 1999); *In re Azteca Rest. Enters., Inc.*, 50 USPQ2d 1209 (TTAB 1999); TMEP §§1207.01 *et seq.*

#### Comparison of the Marks

In a likelihood of confusion determination, the marks are compared for similarities in their appearance, sound, meaning or connotation and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b). Similarity in any one of these elements may be sufficient to find a likelihood of confusion. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *In re Lamson Oil Co.*, 6 USPQ2d 1041, 1043 (TTAB 1987); see TMEP §1207.01(b).

In the instant case, applicant's mark is " **ROOK**" with a backwards "R" and "K" and registrant's marks are " **ROOK**" in standard character. As such, the marks are essentially phonetic equivalents and thus sound similar. Similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); see *In re 1st USA Realty Prof'ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007); TMEP §1207.01(b)(iv). Indeed the only difference is the way applicant presents the mark (with backwards "R" and "K").

Thus, the marks are so similar in their appearance, sound, connotation and commercial impression, that there is a likelihood of confusion. Therefore, the similarity prong of the test to determine likelihood of confusion is satisfied.

#### Comparison of the Goods

The goods of the parties need not be identical or directly competitive to find a likelihood of confusion. See *Safety-Kleen Corp. v. Dresser Indus., Inc.*, 518 F.2d 1399, 1404, 186 USPQ 476, 480 (C.C.P.A. 1975); TMEP §1207.01(a)(i). Rather, they need only be related in some manner, or the conditions surrounding their marketing are such that they would be encountered by the same purchasers under circumstances that would give rise to the mistaken belief that the goods come from a common source. *In re Total Quality Group, Inc.*, 51 USPQ2d 1474, 1476 (TTAB 1999); TMEP §1207.01(a)(i); see, e.g., *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086-87, 56 USPQ2d 1471, 1475-76 (Fed. Cir. 2000);

*In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 1566-68, 223 USPQ 1289, 1290 (Fed. Cir. 1984).

Based on the aforementioned standard, the applicant's goods are closely related to the registrant's goods because they could be marketed and sold together and/or in the same channels of trade. Specifically, the applicant's goods in class 028 are for "Skateboard decks: Skateboard wheels; and Skateboards."

The registrant's goods in '373 are for "EQUIPMENT FOR USE IN PLAYING CARD GAMES"; and in '110 for "Toy action figures, toy vehicles and toy robots convertible into other visual forms."

Please see attached evidence which illustrates that skateboards, toy figures and card games often travel in the same channels of trade and/or originate from a common source.

Please also note, where the marks of the respective parties are identical or virtually identical, the relationship between the relevant goods and/or services need not be as close to support a finding of likelihood of confusion. See *In re Shell Oil Co.*, 992 F.2d 1204, 1207, 26 USPQ2d 1687, 1689 (Fed. Cir. 1993); *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202 (TTAB 2009); *In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1636 (TTAB 2009); TMEP §1207.01(a).

Accordingly, because confusion as to source is likely, registration is refused under Trademark Act Section 2(d) based on a likelihood of confusion.

The overriding concern is not only to prevent buyer confusion as to the source of the goods, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. See *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); see *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1025 (Fed. Cir. 1988).

Although applicant's mark has been refused registration, applicant may respond to the refusals by submitting evidence and arguments in support of registration.

Applicant must respond to the requirement set forth below.

#### **Ownership of Prior Registration**

If applicant owns U.S. Registration No. 4250495 (see attached), then applicant must submit for the application record a claim of ownership of this registration. See 37 C.F.R. §2.36; TMEP §812. See the attached copy of the registration. See TMEP §812.

Applicant may use the following format to claim ownership of the registration:

**Applicant is the owner of U.S. Registration No. 4250495.**

#### **Conclusion**

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned trademark examining attorney.

/frazier/  
Tamara Frazier  
Trademark Attorney  
Law Office 116  
(571) 272-8256  
tamara.frazier@uspto.gov

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**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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  - Disney
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- Mini-Figures
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- Plush & Vinyl
- Preschool
- Robots & Robotica
- Science Fiction & Fantasy
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- Play Sets & Role Play

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Get in on the "action" with our incredible action figures including **Star Wars**, **Marvel**, and **WWE**. ToysRUs carries your favorite superhero action figures from Spider-man and Thor to Iron Man and Batman! Choose from the latest and greatest movie action figures collections: **Transformers**, G.I. Joe, Avengers figures and more! Our action figure playsets include your favorite Toy Story and Disney Pixar's Cars characters. With our additional assortment of **McFarlane sports figures**, Harry Potter collectibles and Halo action figures, ToysRUs is clearly putting the "action" in action figure!



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  - Androidz
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  - more...
- Brand**
  - Activision
  - Animal Planet
  - BDA Gamer
  - Bandai
  - Basic Fun
  - Blip Toys
  - more...
- Age**
  - Birth-12 Months
  - 12-24 Months
  - 2 Years
  - 3 & 4 Years
  - 5-7 Years
  - 8-11 Years
  - more...
- Price**
  - under \$10
  - \$10 - \$20
  - \$20 - \$30
  - \$30 - \$40
  - \$40 - \$50
  - \$50 - \$75
  - more...
- Gender**
  - Boys
  - Girls
- How To Get It**
  - Store Pickup
  - Ship it
- FREE 2-Day Shipping**
  - Eligible
- Customer Feedback**

**WHY I LIKE IT**







  - AWESOME
  - Can withstand use
  - Cool
  - Detailed
  - Durable
  - Easy to assemble
  - more...

**HOW I USE IT**

  - All ages
  - Collecting

Find action figures, toys & more to clearly putting the action in action figure!

FEATURED CATEGORIES

<p style="text-align: center; font-weight: bold; color: #0056b3;">Anime</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Battle Action Role-Play</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Cartoon &amp; Comics</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Exclusives</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>
<p style="text-align: center; font-weight: bold; color: #0056b3;">Fire, Police &amp; Military</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Horror</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Mini-Figures</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Movies, Music &amp; TV</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>
<p style="text-align: center; font-weight: bold; color: #0056b3;">Plush &amp; Vinyl</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Preschool</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Robots &amp; Robotics</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Science Fiction &amp; Fantasy</p> <div style="text-align: center;">  </div> <p style="text-align: center; font-size: small;">▶ View All Products</p>
<p style="text-align: center; font-weight: bold; color: #0056b3;">Sports</p> <div style="text-align: center;">  </div>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Video Game Characters</p> <div style="text-align: center;">  </div>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Vehicles &amp; Play Sets</p> <div style="text-align: center;">  </div>	<p style="text-align: center; font-weight: bold; color: #0056b3;">Play Sets &amp; Role Play</p> <div style="text-align: center;">  </div>

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 <p><b>Imaginarium My Corner Wooden Dollhouse</b> List Price: 99.99 Our Price: \$74.99</p>	 <p><b>Skylanders Giants Starter Pack for Nintendo Wii</b> List Price: 74.99 Our Price: \$54.99</p>	 <p><b>Imaginarium Wooden Block Set - 75-Piece</b> List Price: 16.99 Our Price: \$12.74</p>	 <p><b>Vtech InnoTab 2S Console Bundle - Blue</b> Our Price: \$99.99</p>	 <p><b>PlayStation3 Uncharted 3: Game of the Year Bundle 250GB</b> Our Price: \$269.99</p>
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**TOP SELLERS** View All • **TOP RATED** View All • **WHAT'S NEW** View All •

 <p><b>Skylanders Giants Legendary 3-Pack - Ignitor, Slam Bam, and Jet-Vac</b> List Price: 625.99 Our Price: \$18.19</p>	 <p><b>Skylanders Spyro's Adventure Character Pack - Voodoo</b> Our Price: \$10.99</p>	 <p><b>Skylanders Giants Legendary Bouncer</b> Our Price: \$15.99</p>	 <p><b>Skylanders Giants Starter Pack for Nintendo Wii</b> List Price: 674.99 Our Price: \$54.99</p>	 <p><b>Skylander's Giants Legendary Stealth Elf</b> Our Price: \$10.99</p>
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- Nerf
- TIMT
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- Lalaloopsy
- WWE
- Furby
- Adventure Time

**WHAT'S HOT**

- Lalaloopsy Kids Label
- Hot Deals & Discounts
- Clearance
- Boys Toys
- Girls Toys
- Tablets
- MPS Players
- Cameras
- Camcorders
- Video Gallery

**TOP CATEGORIES**

- Dolls & Stuffed Animals
- Tablets and Pads
- Powered Riding Toys
- Action Figures
- Bikes
- Arts & Crafts Supplies
- Kitchens
- Barbie Dolls & Accessories
- Pretend Play
- R/C Vehicles

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http://webcache.googleusercontent.com/search?q=cache:VW\_hHlHMx-ngJ:www.skatesonhaight.com/Independent-Playing-Cards-p/44641483-36895.htm+skateboards+and+playing+cards&cd=2&hl=en&ct=clink&gl=us 02/12/2013 12:40:06 PM

This is Google's cache of <http://www.skatesonhaight.com/Independent-Playing-Cards-p/44641483-36895.htm>. It is a snapshot of the page as it appeared on Feb 2, 2013 05:09:50 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

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These search terms are highlighted: **skateboards playing cards**

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- Old School Skateboards
- Skateboard Decks
- Complete Longboards
- Drop Through Longboards

Home > Skate Parts & Accessories > Skateboard Games >

**Independent Playing Cards**



**Independent Playing Cards**

List Price: \$9.99  
**Our Price: \$7.00**  
You save \$2.99!  
You'll earn 6 points

Qty:  **ADD TO CART**

Stock Status: (Out of Stock)  
Availability: Usually Ships in 24 Hours  
Product Code: 44641483-36895

Our Price: **\$7.00**  
Email me when Back-In-Stock

http://webcache.googleusercontent.com/search?q=cache:VW\_hHlHMx-ngJwww.skatesorhight.com/Independent-Playing-Cards-p/44641463-36895.htm+skateboards+and+playing+cards&cd=2&hl=en&ct=clnk&gl=us 02/12/2013 12:40:06 PM

- Longboards
- Mini Skateboards
- Skateboard Shoes
- Skateboard Clothing By Brand
- Skateboard Clothing
- T-Shirts
- Skate Parts & Accessories
- Girls clothing
- Skate Protection
- Skate & Music DVDS
- DJ Section
- Sunglasses
- Freeline Skates and Freerider
- Kahuna Creations
- Watches
- Backpacks
- Phone/Laptop Accessories
- Skurf
- Heelys Shoes
- Mountain Boards
- Roller & Ice Skates

### Independent **Playing Cards**

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Description Extended Info and Sizing Charts

#### Independent **Playing Cards**

#### Features

#### ACCESSORIES FOR THIS PRODUCT:

Element Skateboard Wax  
Cube 2 inch each  
Our Price: **\$2.69**

Add



Bones Swiss bearings 8 pack  
Our Price: **\$39.99**

Add



Triple 8 Helmets

Our Price: **\$34.95**

Add



Bones Reds Bearings

Our Price: **\$17.95**

Add



#### RELATED PRODUCTS:

Element - Nests Footbag

Our Price: **\$6.25**

Element **Darkboard BULLS**

EYE Black  
Our Price: **\$39.99**

Powell Skate Dice

Our Price: **\$7.99**


Element Footbag **TREE** Hacky


Sack - Green  
Our Price: **\$6.25**


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- T-Shirts
- Skate Parts & Accessories
- Girls clothing
- Skate Protection

You are here: Home > Complete Skateboards > Blind Skateboards  
We found 2 results matching your criteria.  
Find by Brand



# Blind Skateboards

90 per page

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Blind Skateboards Killer Kerry Complete  
BlackBlue - 7 7"  
Usually Ships in 24 Hours  
List Price: \$89.95  
Our Price: \$74.99  
You save \$14.96!  
You'll earn 60 points



more info  
ADD TO CART

Blind Skateboards Bong Cruiser Red 32  
Usually Ships in 24 Hours  
List Price: \$119.99  
Our Price: \$89.99  
You save \$30.00!  
You'll earn 80 points



more info  
ADD TO CART

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- DJ Section
- Sunglasses
- Freeline Skates and Frenider
- Kahuna Creations
- Watches
- Backpacks
- Phone/Laptop Accessories
- Skurf
- Heelys Shoes
- Mountain Boards
- Roller & Ice Skates
- New Products!
- Gift Certificates



Blind Skateboards Killer Kerry Complete Black/Blue - 7.7" - Blind completes are factory assembled with trucks, wheels, bearings, hardware and grip tape.



Blind Skateboards Bong Cruiser Red 32" - Street double kick cruiser!

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### SUNGLASSES



### SKATE T-SHIRTS



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Print: Feb 12, 2013

71059489

**DESIGN MARK**

**Serial Number**

71059489

**Status**

REGISTERED AND RENEWED

**Word Mark**

ROOK

**Standard Character Mark**

No

**Registration Number**

0085373

**Date Registered**

1912/02/13

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Owner**

HASBRO, INC. CORPORATION RHODE ISLAND 1027 NEWPORT AVENUE PAWTUCKET  
RHODE ISLAND 02862

**Goods/Services**

Class Status -- ACTIVE. IC 028. US 022. G & S: EQUIPMENT FOR USE  
IN PLAYING CARD GAMES. First Use: 1907/04/01. First Use In Commerce:  
1907/04/01.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

1911/11/02

**Examining Attorney**

UNKNOWN

**Attorney of Record**

PAUL N. VANASSE

**ROOK**

Print: Feb 12, 2013

76416548

**DESIGN MARK**

**Serial Number**

76416546

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

ROOK

**Standard Character Mark**

No

**Registration Number**

2841110

**Date Registered**

2004/05/11

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

HASBRO, INC. CORPORATION RHODE ISLAND 1027 Newport Avenue Pawtucket  
RHODE ISLAND 02862

**Goods/Services**

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Toy  
action figures, toy vehicles and toy robots convertible into other  
visual forms. First Use: 2001/10/04. First Use In Commerce:  
2001/10/04.

**Prior Registration(s)**

0085373

**Filing Date**

2002/05/31

**Examining Attorney**

POWERS, ALEXANDER L.

**Attorney of Record**

Kurt R. Benson

ROOK

**Print: Feb 12, 2013**

**85054257**

**DESIGN MARK**

**Serial Number**

85054257

**Status**

REGISTERED

**Word Mark**

ROOK

**Standard Character Mark**

No

**Registration Number**

4250495

**Date Registered**

2012/11/27

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Owner**

ROOK CLOTHING COMPANY, LLC LIMITED LIABILITY COMPANY CALIFORNIA 1919  
SOUTH SUSAN STREET SANTA ANA CALIFORNIA 927043901

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing,  
namely, t-shirts, sweat shirts, jackets, tank tops, jerseys and knits,  
namely, pullovers; headwear, namely, hats. First Use: 2007/12/00.  
First Use In Commerce: 2007/12/00.

**Description of Mark**

The mark consists of the word "ROOK", with the letter "R" facing  
backward.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

2010/06/03

**Examining Attorney**

GOODMAN, WENDY

**Print: Feb 12, 2013**

**85064257**

**Attorney of Record**  
Amanda V. Dwight



ЮОЖ



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  - 5-7 Years (24)
  - 8-11 Years (58)
  - 12-14 Years (16)
  - Big Kids (9)
- BRAND
  - Beit Sports (1)









ITEMS: 1-16 of 76    PAGE: 1 2 3 4 NEXT VIEW ALL

SORT BY: Best Selling

 <b>EMAD Concrete Carver Electric Skateboard</b> ★★★★★ <b>\$449.99</b> Free Shipping** In Stock	 <b>Rob Dyrdek's Wild Grinders Action Figure with Board - Jay Jay</b> ★★★★★ <b>\$7.99</b> Free Shipping** In Stock	 <b>Rob Dyrdek's Wild Grinders Action Figure with Board - Emo Cryz</b> ★★★★★ <b>\$7.99</b> Free Shipping** In Stock	 <b>Phineas &amp; Ferb 3 inch Basic Action Figure 2-Pack - Phineas &amp; Ferb w/ Skateboard</b> ★★★★★ <b>\$7.99</b> Free Shipping** Out of Stock
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- Bravo Sports (25)
  - Disney (2)
  - Fisher-Price (1)
  - Jada Toys (1)
  - Jaks Pacific (1)
  - [more...](#)
- PRICE**
- under \$10 (4)
  - \$10 - \$20 (12)
  - \$20 - \$30 (16)
  - \$40 - \$50 (5)
  - \$50 - \$75 (21)
  - \$75 - \$100 (9)
  - [more...](#)
- CHARACTER/THEME**
- Barbie (1)
  - Disney Fairies (1)
  - Justin Bieber (1)
  - Monster High (2)
  - Phineas & Ferb (1)
  - Power Rangers (4)
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- Eligible (6)

In Stock	In Stock	In Stock	Out of Stock Eligible
 <b>Justin Bieber Skateboard Poster</b> ***** <b>\$9.99</b> Free Shipping** Out of Stock	 <b>Teenage Mutant Ninja Turtles Basic Vehicle Sewer Spinnin' Skateboard</b> ***** <b>\$10.99</b> Free Shipping** In Stock	 <b>21 inch Disney Fairies Skateboard - Tink, Tink, Tink</b> ***** <b>\$14.98</b> Orig: \$15.99 Free Shipping** In Stock	 <b>21 inch Spider-Man Skateboard - Wall Crawler</b> ***** <b>\$16.99</b> Free Shipping** Out of Stock
 <b>21 inch Spider-Man Skateboard - Spider Sense</b> ***** <b>\$16.99</b> Free Shipping** Out of Stock	 <b>21 inch Avengers Skateboard - Assemble</b> ***** <b>\$16.99</b> Free Shipping** In Stock	 <b>21 inch Power Rangers Skateboard - Blue</b> ***** <b>\$16.99</b> Free Shipping** In Stock	 <b>21 inch Power Rangers Skateboard - Red</b> ***** <b>\$16.99</b> Free Shipping** In Stock





 <b>21 inch Avengers Skateboard - Team</b> ★★★★★ <b>\$16.99</b> Free Shipping** Out of Stock	 <b>Kryptonics 22 inch Locker Board - Paint</b> ★★★★★ <b>\$17.99</b> Free Shipping** Out of Stock	 <b>Kryptonics 22 inch Locker Board - Teeth</b> ★★★★★ <b>\$17.99</b> Free Shipping** Out of Stock	 <b>Barbie Sisters 2-Pack - Skipper and Chelsea - Skateboard</b> ★★★★★ <b>\$19.99</b> Free Shipping** Out of Stock Eligible
--	---	--	--

ITEMS: 1-16 of 76    PAGE: [PREV](#) **1** [2](#) [3](#) [4](#) [NEXT](#)    [VIEW ALL](#)    SORT BY: [Best Selling](#) ▼

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**Search Results**

Narrow by:

Your search for action figures found 2272 items

CATEGORY

- Shop by Age (12)
- Shop by Brand (10)
- Shop by Category (2265)

GENDER





- Boys (2210)
- Girls (236)

AGE

- Birth-12 Months (3)
- 12-24 Months (14)
- 2 Years (14)
- 3 & 4 Years (995)
- 5-7 Years (1758)
- 8-11 Years (936)

ITEMS: 1-16 of 2272 PAGE:

SORT BY: Best Selling

 <p><b>Beyblade Extreme Top System Stadium - Graffiti Den</b></p> <p>★★★★★</p> <p><b>\$12.99</b></p> <p>Free Shipping** In Stock</p>	 <p><b>Teenage Mutant Ninja Turtles Power Sound Action Figure - Raphael</b></p> <p>★★★★★</p> <p><b>\$12.99</b></p> <p>Free Shipping** In Stock</p>	 <p><b>Teenage Mutant Ninja Turtles Power Sound Turtle Figure - Leonardo</b></p> <p>★★★★★</p> <p><b>\$12.99</b></p> <p>Free Shipping** In Stock</p>	 <p><b>The Avengers Hawkeye Bow Toy</b></p> <p>★★★★★</p> <p><b>\$27.99</b></p> <p>Free Shipping** Out of Stock</p>
---	---	---	---





[more...](#)

**BRAND**

- 20th Century Fox (1)
- Bandai (72)
- Best Lock Construction (4)
- Bif Bang Pow! (8)
- Big Toys (49)
- Brevo Sports (2)

[more...](#)

**PRICE**

- under \$10 (817)
- \$10 - \$20 (954)
- \$20 - \$30 (285)
- \$30 - \$40 (106)
- \$40 - \$50 (40)
- \$50 - \$75 (25)

[more...](#)

**CHARACTER/THEME**

- Adventure Time (24)
- Akoe in Wonderland (3)
- Androidz (1)
- Angry Birds (5)
- Angry Birds Star Wars (6)
- Assassin's Creed (1)

[more...](#)

**FREE 2-DAY SHIPPING**

Eligible (1895)

In Stock



Teenage Mutant Ninja Turtles Secret Sewer Lair Playset



**\$119.99**

Free Shipping\*\*  
In Stock

In Stock



Teenage Mutant Ninja Turtles Power Sound Action Figure - Donatello



**\$12.99**

Free Shipping\*\*  
In Stock

In Stock



Transformers Generations Deluxe Action Figure - Onslaught



**\$14.99**

Free Shipping\*\*  
In Stock

Out of Stock  
 Eligible



Teenage Mutant Ninja Turtles Basic Figure - Donatello



**\$8.99**

Free Shipping\*\*  
In Stock



Teenage Mutant Ninja Turtles Basic Figure - Leonardo



**\$8.99**

Free Shipping\*\*  
In Stock



Teenage Mutant Ninja Turtles Basic Action Figure - Michelangelo



**\$8.99**

Free Shipping\*\*  
In Stock



The Amazing Spider-Man Mega Blaster Web Shooter With Glove Set



**\$29.99**

Free Shipping\*\*  
Out of Stock



The Avengers Action Figure - Thor











**\$19.99**

Free Shipping\*\*  
In Stock

Finnish





Eligible			
			
<b>Alien vs Predator Action Figures 2 Pack - Berserker and City Hunter</b>	<b>True Heroes AB-115 Shark Plane</b>	<b>Teenage Mutant Ninja Turtles Basic Figure - Raphael</b>	<b>Toy Story Buzz Lightyear Talking Action Figure</b>
☆☆☆☆☆	☆☆☆☆☆	☆☆☆☆☆	☆☆☆☆☆
<b>\$39.99</b>	<b>\$39.99</b>	<b>\$8.99</b>	<b>\$49.99</b>
Free Shipping** In Stock	Free Shipping** In Stock	Free Shipping** In Stock	Free Shipping** In Stock
ITEMS: 1-15 of 2272    PAGE: <a href="#">PREV</a> <a href="#">1</a> <a href="#">2</a> <a href="#">3</a> <a href="#">4</a> <a href="#">5-12</a> <a href="#">NEXT</a> <a href="#">VIEW ALL</a> SORT BY: <a href="#">Best Selling</a> ▼			
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RECENT SEARCHES: <a href="#">action figures</a>   <a href="#">skateboard</a>			
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HOME > SEARCH: CARD GAMES

## Search Results

Narrow by:

### CATEGORY

Shop by Brand (1)  
Shop by Category (245)

### GENDER

Boys (296)  
Girls (170)

### AGE

12-24 Months (1)  
2 Years (1)  
3 & 4 Years (41)  
5-7 Years (133)  
8-11 Years (140)  
12-14 Years (73)  
[more...](#)

Your search for card games found 246 items

ITEMS: 1-16 of 246 PAGE: [1](#) [2](#) [3](#) [4](#) [5-8](#) [9-12](#) [NEXT](#) [VIEW ALL](#)

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200 11.5g Hold'em Poker Chip Set with Clear Cover Aluminum Case



\$29.99

Free Shipping\*\*  
In Stock

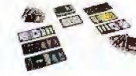


Fancy Nancy Packing for Paris Card Game



\$6.99

Free Shipping\*\*  
In Stock



Monopoly Millionaire Deal Card Game



\$6.99

Free Shipping\*\*  
In Stock



Rory's Story Cubes



\$9.99





Free Shipping\*\*  
In Stock



- BRAND**
- Aquanus (18)
  - Atlas Software (1)
  - Basic Fun (2)
  - Blue Orange (1)
  - Brianpatch (6)
  - Cadaco (1)
  - [more...](#)
- PRICE**
- under \$10 (75)
  - \$10 - \$20 (115)
  - \$20 - \$30 (20)
  - \$30 - \$40 (8)
  - \$40 - \$50 (7)
  - \$50 - \$75 (10)
  - [more...](#)
- CHARACTER/THEME**
- Baseball (4)
  - Club Penguin (1)
  - Dr. Seuss (1)
  - Elvis Presley (1)
  - Fancy Nancy (1)
  - Garfield (1)
  - [more...](#)
- FREE 2-DAY SHIPPING**
- Eligible (39)


In Stock	In Stock 	In Stock	In Stock
★★★★★	★★★★★	★★★★★	★★★★★
<b>\$19.99</b> Free Shipping** In Stock	<b>\$29.99</b> Free Shipping** In Stock	<b>\$7.99</b> Free Shipping** In Stock	<b>\$19.99</b> In Stock
★★★★★	★★★★★	★★★★★	★★★★★
<b>\$36.99</b> Free Shipping** In Stock 	<b>\$19.99</b> In Stock	<b>\$16.99</b> Free Shipping** In Stock	<b>\$14.99</b> Free Shipping** In Stock 






Eligible		Eligible	
			
<b>Big Deck Giant Playing Cards</b>	<b>2008 Baseball Collector's Box Set - First Edition</b>	<b>Go Figure Crazy Critters Card Game</b>	<b>On The Double Card Game</b>
★ ★ ★ ★ ★	★ ★ ★ ★ ★	★ ★ ★ ★ ★	★ ★ ★ ★ ★
<b>\$12.99</b>	<b>\$11.99</b>	<b>\$8.99</b>	<b>\$12.99</b>
Free Shipping** Out of Stock	Free Shipping** In Stock Eligible	Free Shipping** Out of Stock	Free Shipping** In Stock
ITEMS: 1-16 of 245	PAGE: <a href="#">PREV</a> <a href="#">1</a> <a href="#">2</a> <a href="#">3</a> <a href="#">4</a> <a href="#">5-12</a> <a href="#">NEXT</a>	<a href="#">VIEW ALL</a>	SORT BY: <a href="#">Best Selling</a> ▼

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**To:** Rook Clothing Company, LLC ([adwight@dwrightlawgroup.com](mailto:adwight@dwrightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85751934 - ROOK - 1137200  
**Sent:** 2/15/2013 3:47:42 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **2/15/2013** FOR U.S. APPLICATION SERIAL NO. 85751934

Please follow the instructions below:

(1) **TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **2/15/2013** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

(3) **QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

\*\*\* User: Tfrazier \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	3940204	N/A	0	0	0:05	dead[id]
02	40	21	19	18	0:01	"rook"[bi.ti]
03	19	0	19	18	0:02	"rook"[bi.ti] not 1
04	23596	N/A	0	0	0:05	*r{"ou":2}{"ckqx"}*[bi.ti] not (1 3)
05	1836	N/A	0	0	0:04	*r{"ou"}{"ou"}{"ckqx"}*[bi.ti] not (1 3)
06	1159	N/A	0	0	0:05	5 and ("014" "016" "018" "025" "028") [cc]
07	639	N/A	0	0	0:03	5 and ("014" "016" "018" "025" "028" "035" a b 200) [ic]
08	130	0	130	101	0:03	r{"ou"} {"ou"} {"ckqx"}*[bi.ti] not (1 3)

Session started 2/12/2013 12:17:55 PM

Session finished 2/12/2013 12:59:07 PM

Total search duration 0 minutes 28 seconds

Session duration 41 minutes 12 seconds

Default NEAR limit=1ADJ limit=1

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**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85751934	FILING DATE	10/11/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	TM ATTORNEY NOT ASSIGNED	L.O. ASSIGNED	NONE

**PUB INFORMATION**

RUN DATE	10/25/2012		
PUB DATE	N/A		
STATUS	630-NEW APPLICATION - RECORD INITIALIZED NOT ASSIGNED TO EXAMINER		
STATUS DATE	10/17/2012		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company, LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of The word ROOK wherein the letter R is backwards.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/23/2012	TAEA	I	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	004
10/23/2012	PARI	I	TEAS VOLUNTARY AMENDMENT RECEIVED	003
10/17/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
10/15/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

ЮОЖ



## Voluntary Amendment

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85751934
<b>MARK SECTION</b>	
MARK FILE NAME	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85751934
LITERAL ELEMENT	ROOK
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
<b>GOODS AND/OR SERVICES SECTION (014)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (016)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (018)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (025)(current)</b>	
INTERNATIONAL CLASS	025
<b>DESCRIPTION</b>	
Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (025)(proposed)</b>	
INTERNATIONAL CLASS	025
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests;</del> <u>Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests;</u> <del>caps, beanies, and visors;</del> <u>hats, caps, beanies, and visors;</u> footwear; and accessories, namely, belts and scarves	
<b>FINAL DESCRIPTION</b>	
Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (028)(no change)</b>	
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Amanda Dwight/
SIGNATORY'S NAME	Amanda V. Dwight
SIGNATORY'S POSITION	Attorney of record, CA bar member
SIGNATORY'S PHONE NUMBER	9495150003
DATE SIGNED	10/23/2012
AUTHORIZED SIGNATORY	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Tue Oct 23 18:21:00 EDT 2012
TEAS STAMP	USPTO/PRA-XX.X.XXX.XXX-20 121023182100447632-857519 34-49093323bf641e3d2ed08e 2a666080d8a-N/A-N/A-20121 023181733588858

PTO Form 1986 (Rev 5/2006)  
OMB No 0551-0050 (Exp 07/31/2017)

### Voluntary Amendment

#### To the Commissioner for Trademarks:

Application serial no. **85751934** ROOK (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85751934>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 025 for Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### Proposed:

**Tracked Text Description:** ~~Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests;~~ Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; ~~caps, beanies, and visors;~~ hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

Class 025 for Clothing, namely, pants, dress shirts, t-shirts, jackets, tank tops, jerseys, skirts, dresses, shorts, sweaters, cardigans, and vests; hats, caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### SIGNATURE(S)

##### Voluntary Amendment Signature

Signature: /Amanda Dwight/ Date: 10/23/2012

Signatory's Name: Amanda V. Dwight

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

Signatory's Phone Number: 9495150003



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.

Serial Number: 85751934

Internet Transmission Date: Tue Oct 23 18:21:00 EDT 2012

TEAS Stamp: USPTO/PRA-XX.X.XXX.XXX-20121023182100447

632-85751934-49093323bf641e3d2ed08e2a666

080d8a-N/A-N/A-20121023181733588858

## Trademark/Service Mark Application, Principal Register

Serial Number: 85751934  
 Filing Date: 10/11/2012

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85751934
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\857519\85751934.xml1\APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	ROOK
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of The word ROOK wherein the letter R is backwards.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	511 x 140
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Rook Clothing Company, LLC
*STREET	1919 South Susan Street
*CITY	Santa Ana
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92704
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	014
*IDENTIFICATION	Jewelry, namely, keychains
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	016
*IDENTIFICATION	Paper products, namely, stickers
FILING BASIS	SECTION 1(b)

INTERNATIONAL CLASS	018
*IDENTIFICATION	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	025
*IDENTIFICATION	Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	028
*IDENTIFICATION	Skateboard decks; Skateboard wheels; and Skateboards
FILING BASIS	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
NAME	Amanda V. Dwight
ATTORNEY DOCKET NUMBER	1137200
FIRM NAME	Dwight Law Group
STREET	2020 Main Street, Suite 600
CITY	Irvine
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	92614
PHONE	9495150003
FAX	9492668680
EMAIL ADDRESS	adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>CORRESPONDENCE INFORMATION</b>	
NAME	Amanda V. Dwight
FIRM NAME	Dwight Law Group
STREET	2020 Main Street, Suite 600
CITY	Irvine
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	92614
PHONE	9495150003
FAX	9492668680
EMAIL ADDRESS	adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	

NUMBER OF CLASSES	5
FEE PER CLASS	325
*TOTAL FEE DUE	1625
*TOTAL FEE PAID	1625
<b>SIGNATURE INFORMATION</b>	
ORIGINAL PDF FILE	<a href="#">hw_128202245-164702444 . ROOK 2 Declaration.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\857\519\85751934\xml1\APP0003.JPG</a>
SIGNATORY'S NAME	Robby Khalek
SIGNATORY'S POSITION	Member

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## Trademark/Service Mark Application, Principal Register

Serial Number: 85751934

Filing Date: 10/11/2012

### To the Commissioner for Trademarks:

**MARK:** ROOK (stylized and/or with design, see [mark](#))

The literal element of the mark consists of ROOK.

The applicant is not claiming color as a feature of the mark. The mark consists of The word ROOK wherein the letter R is backwards.

The applicant, Rook Clothing Company, LLC, a limited liability company legally organized under the laws of California, having an address of  
1919 South Susan Street  
Santa Ana, California 92704  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 014: Jewelry, namely, keychains

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

International Class 016: Paper products, namely, stickers

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

International Class 018: Bags, namely, trunks, tote bags, duffel bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets

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

International Class 025: Clothing, namely, pants, dress shirts, skirts, dresses, shorts, sweaters, cardigans, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

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

International Class 028: Skateboard decks; Skateboard wheels; and Skateboards

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

The applicant's current Attorney Information:

Amanda V. Dwight of Dwight Law Group  
2020 Main Street, Suite 600  
Irvine, California 92614  
United States

The attorney docket/reference number is 1137200.

The applicant's current Correspondence Information:

Amanda V. Dwight  
Dwight Law Group  
2020 Main Street, Suite 600  
Irvine, California 92614

9495150003(phone)  
9492668680(fax)  
adwight@dwrightlawgroup.com (authorized)

A fee payment in the amount of \$1625 has been submitted with the application, representing payment for 5 class(es).

#### **Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

#### **Declaration Signature**

Signature: Not Provided Date: Not Provided  
Signatory's Name: Robby Khalek  
Signatory's Position: Member  
RAM Sale Number: 4519  
RAM Accounting Date: 10/12/2012

Serial Number: 85751934  
Internet Transmission Date: Thu Oct 11 17:13:52 EDT 2012  
TEAS Stamp: USPTO/BAS-XX.X.XXX.XXX-20121011171352142  
339-85751934-4908c7a84050bd195199265de22  
24d73c-CC-4519-2012101116470244465



ЮОЖ

Mark: ROOK (stylized)  
Applicant: Rook Clothing Company LLC

#### POWER OF ATTORNEY

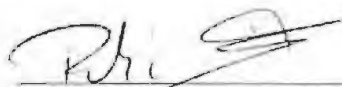
Applicant hereby appoints Dwight Law Group and its attorney Amanda V. Dwight with offices at 2020 Main Street, Suite 600, Irvine, California, 92614, phone number (949) 515-0003, fax number (949) 266-8680, to prosecute this application to registration, with full power of substitution and revocation, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration

#### DECLARATION OF APPLICANT

The undersigned being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the sole and exclusive owner of the trademark sought to be registered, or, if the application is being filed under 15 U.S.C. § 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her knowledge are true and all statements made on information and belief are believed to be true.

Date:

10/10/12



Robby Khalek  
Member  
Rook Clothing Company LLC  
APPLICANT

ЮОЖ

Generated on: This page was generated by TSDR on 2019-05-08 00:00:23 EDT

Mark: ROOK



US Serial Number: 85889291

Application Filing Date: Mar. 28, 2013

US Registration Number: 4656924

Registration Date: Dec. 16, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 16, 2014

Publication Date: Aug. 06, 2013

Notice of Allowance Date: Oct. 01, 2013

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## Mark Information

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Mark Literal Elements: ROOK

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 the letters "R" and "O", wherein the letter "R" is backwards, above the letters "O" and "K", all inside two sickles with overlapping handles.

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

Design Search Code(s): 14.07.04 - Agricultural implements (non-motorized), sickles, scythes; Sickles; Scythes

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## Related Properties Information

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Claimed Ownership of US Registrations: 4250495

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## Goods and Services

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**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: Clothing, namely, t-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 2011

Use In Commerce: Jul. 2011

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## Basis Information (Case Level)

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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	

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## Current Owner(s) Information

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**Owner Name:** Rook Clothing Company LLC

**Owner Address:** 5445 Oceanus Dr, Ste 108  
Huntington Beach,, CALIFORNIA 92649  
UNITED STATES

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** CALIFORNIA  
**Where Organized:**

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## Attorney/Correspondence Information

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<b>Attorney Name:</b> Amanda V. Dwight	<b>Attorney of Record</b>
<b>Attorney Primary Email Address:</b> <a href="mailto:adwight@dwightlawgroup.com">adwight@dwightlawgroup.com</a>	<b>Docket Number:</b> 1137200
	<b>Attorney Email Authorized:</b> Yes
<b>Correspondent Name/Address:</b> AMANDA V. DWIGHT DWIGHT LAW GROUP 2603 MAIN ST., STE. 200 IRVINE, CALIFORNIA 92614-8226 UNITED STATES	<b>Correspondent</b>
<b>Phone:</b> 9495150003	<b>Fax:</b> 9492668680
<b>Correspondent e-mail:</b> <a href="mailto:adwight@dwightlawgroup.com">adwight@dwightlawgroup.com</a>	<b>Correspondent e-mail Authorized:</b> Yes

Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Jun. 03, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 09, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 09, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 16, 2014	REGISTERED-PRINCIPAL REGISTER	
Nov. 08, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 07, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 07, 2014	ASSIGNED TO EXAMINER	83188
Oct. 10, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 09, 2014	STATEMENT OF USE PROCESSING COMPLETE	76538
Oct. 03, 2014	USE AMENDMENT FILED	76538
Oct. 09, 2014	EXTENSION 2 GRANTED	76538
Oct. 01, 2014	EXTENSION 2 FILED	76538
Oct. 03, 2014	TEAS STATEMENT OF USE RECEIVED	
Oct. 03, 2014	NOTICE OF REVIVAL - E-MAILED	
Oct. 03, 2014	EXTENSION RECEIVED WITH TEAS PETITION	
Oct. 03, 2014	PETITION TO REVIVE-GRANTED	88889
Oct. 03, 2014	TEAS PETITION TO REVIVE RECEIVED	
Apr. 17, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 16, 2014	EXTENSION 1 GRANTED	76538
Mar. 18, 2014	EXTENSION 1 FILED	76538

Apr. 11, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Mar. 18, 2014	TEAS EXTENSION RECEIVED	
Oct. 01, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 06, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 06, 2013	PUBLISHED FOR OPPOSITION	
Jul. 22, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 22, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 17, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 28, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jun. 28, 2013	ASSIGNED TO LIE	70997
Jun. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 02, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2013	EXAMINERS AMENDMENT -WRITTEN	83174
May 30, 2013	ASSIGNED TO EXAMINER	83174
Apr. 04, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Apr. 03, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 01, 2013	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 07, 2014



## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85889291
REGISTRATION NUMBER	4656924
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85889291/large">https://tmng-al.uspto.gov/resting2/api/img/85889291/large</a> )
<b>CORRESPONDENCE SECTION (current)</b>	
ORIGINAL ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE California 92614-8226 US 9495150003 9492668680 adwight@dwightlawgroup.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	AMANDA V. DWIGHT  DWIGHT LAW GROUP 2603 MAIN ST., STE. 200 IRVINE California United States 92614-8226 9495150003 9492668680 adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	1137200
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	06/02/2017
SIGNATORY POSITION	Attorney of Record, CA Bar Member
SIGNATORY PHONE NUMBER	9495150003
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Sat Jun 03 01:36:50 EDT 2017
	USPTO/CCA-XXX.XX.XX.XXX-2

TEAS STAMP

0170603013650594147-85885  
663-5907572de61cbbe3de1f6  
b9c82f3e83187e605e9f5db96  
e59397dc7d8f6f1669081-N/A  
-N/A-20170603012654603036

## Change Of Owner's Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85889291
REGISTRATION NUMBER	4656924
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design)
<b>OWNER SECTION (current)</b>	
NAME	Rook Clothing Company LLC
STREET	16832 Red Hill Ave.
CITY	Irvine
STATE	California
ZIP/POSTAL CODE	92606
COUNTRY	US
EMAIL	adwight@dwightlawgroup.com
<b>NEW OWNER ADDRESS</b>	
STREET	5445 Oceanus Dr, Ste 108
CITY	Huntington Beach,
STATE	California
ZIP/POSTAL CODE	92649
COUNTRY	United States
EMAIL	adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	07/09/2015
SIGNATORY POSITION	Attorney of Record, CA Bar Member
SIGNATORY PHONE NUMBER	9495150003
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Jul 09 12:48:36 EDT 2015
TEAS STAMP	USPTO/COA-XX.X.XXX.XXX-20 150709124836236082-858892 91-5304449a791fa7a3def6b9 6164f8f4bb534ced9f13d9d1d 162d3935d42b15-N/A-N/A-20

150709124125734785

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,656,924**

**Registered Dec. 16, 2014**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

ROOK CLOTHING COMPANY LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
16832 RED HILL AVE.  
IRVINE, CA 92606

FOR: CLOTHING, NAMELY, T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-0-2011; IN COMMERCE 7-0-2011.

OWNER OF U.S. REG. NO. 4,250,495.

THE MARK CONSISTS OF THE LETTERS "R" AND "O", WHEREIN THE LETTER "R" IS BACKWARDS. ABOVE THE LETTERS "O" AND "K", ALL INSIDE TWO SICKLES WITH OVERLAPPING HANDLES.

SN 85-889,291, FILED 3-28-2013.

RENEE SERVANCE, 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>.



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Saturday, November 8, 2014 00:12 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 85889291: ROOK (Stylized/Design): Docket/Reference No. 1137200

---

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 85889291  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company LLC  
**Docket/Reference Number:** 1137200

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	11/08/2014		
PUB DATE	08/06/2013		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	11/07/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	07/00/2011	FIRST USE IN COMMERCE DATE	07/00/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters "R" and "O", wherein the letter "R" is backwards, above the letters "O" and "K", all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/08/2014	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	035
11/07/2014	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	034
11/07/2014	DOCK	D	ASSIGNED TO EXAMINER	033
10/10/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	032
10/09/2014	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	031
10/03/2014	IUAF	S	USE AMENDMENT FILED	030
10/09/2014	EX2G	S	EXTENSION 2 GRANTED	029
10/01/2014	EXT2	S	EXTENSION 2 FILED	028
10/03/2014	EISU	I	TEAS STATEMENT OF USE RECEIVED	027
10/03/2014	NREV	E	NOTICE OF REVIVAL - E-MAILED	026
10/03/2014	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	025
10/03/2014	PETG	O	PETITION TO REVIVE-GRANTED	024
10/03/2014	PROA	I	TEAS PETITION TO REVIVE RECEIVED	023
04/17/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	022
04/16/2014	EX1G	S	EXTENSION 1 GRANTED	021
03/18/2014	EXT1	S	EXTENSION 1 FILED	020
04/11/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
03/18/2014	EEXT	I	TEAS EXTENSION RECEIVED	018
10/01/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	017

08/06/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
08/06/2013	PUBO	A	PUBLISHED FOR OPPOSITION	015
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	014
07/22/2013	COAR	I	TEAS CHANGE OF OWNER ADDRESS RECEIVED	013
07/17/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	012
06/28/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
06/28/2013	ALIE	A	ASSIGNED TO LIE	010
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California





**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	10/10/2014		
PUB DATE	08/06/2013		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	10/09/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	07/00/2011	FIRST USE IN COMMERCE DATE	07/00/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters "R" and "O", wherein the letter "R" is backwards, above the letters "O" and "K", all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/10/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	032
10/09/2014	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	031
10/03/2014	IUAF	S	USE AMENDMENT FILED	030
10/09/2014	EX2G	S	EXTENSION 2 GRANTED	029
10/01/2014	EXT2	S	EXTENSION 2 FILED	028
10/03/2014	EISU	I	TEAS STATEMENT OF USE RECEIVED	027
10/03/2014	NREV	E	NOTICE OF REVIVAL - E-MAILED	026
10/03/2014	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	025
10/03/2014	PETG	O	PETITION TO REVIVE-GRANTED	024
10/03/2014	PROA	I	TEAS PETITION TO REVIVE RECEIVED	023
04/17/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	022
04/16/2014	EX1G	S	EXTENSION 1 GRANTED	021
03/18/2014	EXT1	S	EXTENSION 1 FILED	020
04/11/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
03/18/2014	EEXT	I	TEAS EXTENSION RECEIVED	018
10/01/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	017
08/06/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
08/06/2013	PUBO	A	PUBLISHED FOR OPPOSITION	015
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	014

07/22/2013	COAR	I	TEAS CHANGE OF OWNER ADDRESS RECEIVED	013
07/17/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	012
06/28/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
06/28/2013	ALIE	A	ASSIGNED TO LIE	010
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEI	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, October 10, 2014 00:12 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85889291: ROOK (Stylized/Design): Docket/Reference No. 1137200

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85889291  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company LLC  
**Extension Request Number:** 2  
**Docket/Reference Number:** 1137200  
**Notice of Allowance Date:** Oct 1, 2013

The USPTO issued a Notice of Allowance on **Oct 1, 2013** for the trademark application identified above. Applicant's **SECOND** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit [http://www.uspto.gov/trademarks/teas/intent\\_to\\_use.jsp](http://www.uspto.gov/trademarks/teas/intent_to_use.jsp) and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will abandon the application.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information on filing a Statement of Use or an additional extension request, if applicable, please consult the USPTO website at <http://www.uspto.gov/trademarks/>, view the video on the USPTO website entitled "Statement of Use" (click on "TMIN Trademark Information Network" to view a list of available videos), or contact the Trademark Assistance Center at 1-800-786-9199.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

STATEMENT OF USE UNDER 37 C.F.R. § 2.88



Applicant, Rook Clothing Company LLC requests registration of the mark (Serial No. 85889291) in the United States Patent and Trademark Office on the Principle Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods:

Class 025: Clothing, namely, t-shirts. Applicant has used this mark on labels, packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as July 2011. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Applicant requests **deletion** of the following goods:

Class 016: Paper products, namely, stickers

Class 025: pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the Applicant; he believes the Applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information belief are believed to be true.

Dated: September 26, 2014

Jonathan Garcia  
Member  
ROOK CLOTHING COMPANY, LLC



## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85889291
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="http://tsdr.uspto.gov/img/85889291/large">http://tsdr.uspto.gov/img/85889291/large</a>
<b>LITERAL ELEMENT</b>	ROOK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION</b>	
<b>NAME</b>	Rook Clothing Company LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>EMAIL</b>	adwight@dwightlawgroup.com
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Paper products, namely, stickers
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES DELETED FROM THE APPLICATION</b>	pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES IN USE IN COMMERCE</b>	Clothing, namely, t-shirts
<b>FIRST USE ANYWHERE DATE</b>	07/00/2011
<b>FIRST USE IN COMMERCE DATE</b>	07/00/2011
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN1-128202245-20141003124955695951 . Rook Logo Cl 25 specimen.pdf</a>

CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\858\892\85889291\xml19\SOU0002.JPG</a>
SPECIMEN DESCRIPTION	product label
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	350
<b>SIGNATURE SECTION</b>	
	/ad/
SIGNATORY'S NAME	Amanda V. Dwight
SIGNATORY'S POSITION	Attorney of Record, CA Bar Member
DATE SIGNED	10/03/2014
SIGNATORY'S PHONE NUMBER	9495150003
ORIGINAL PDF FILE	<a href="#">hw_128202245-124955695_Statement_of_Use_ROOK_Logo_-_Signed.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\858\892\85889291\xml19\SOU0003.JPG</a>
SIGNATORY'S NAME	Jonathan Garcia
SIGNATORY'S POSITION	Member
<b>FILING INFORMATION</b>	
SUBMIT DATE	Fri Oct 03 12:59:21 EDT 2014
TEAS STAMP	USPTO/PSE-XX.X.XXX.XXX-20 141003125921068631-858892 91-5009ee93ca5c76d3a79c24 8d80acc2ecbb3de3ac8f1c8c8 263db2e5e33eb8f6f1-CC-104 74-20141003124955695951

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**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** ROOK (Stylized and/or with Design, see <http://tsdr.uspto.gov/ing/85889291/large>)

**SERIAL NUMBER:** 85889291

The applicant, Rook Clothing Company LLC, having an address of  
16832 Red Hill Ave.  
Irvine, California 92606  
United States

is submitting the following allegation of use information:

For International Class 016:

Current identification: Paper products, namely, stickers

All ITU goods/services in this class are to be deleted

For International Class 025:

Current identification: Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

This **allegation of use** does **NOT** cover the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods/services are **permanently deleted**: pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

The mark is in use in commerce on or in connection with the following goods/services listed in either the application or Notice of Allowance or as subsequently modified for this specific class: Clothing, namely, t-shirts

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 07/00/2011, and first used in commerce at least as early as 07/00/2011, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) product label.

**Original PDF file:**

[SPN1-128202245-20141003124955695951 . Rook Logo\\_C1\\_25\\_specimen.pdf](#)

**Converted PDF file(s)** (1 page)

[Specimen File 1](#)

A fee payment in the amount of \$100 will be

A fee payment in the amount of \$150 will be

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

**Declaration**

**Original PDF file:**

[hw\\_128202245-124955695 . Statement of Use ROOK Logo - Signed.pdf](#)

**Converted PDF file(s)** (1 page)

[Signature File1](#)

Signatory's Name: Jonathan Garcia  
Signatory's Position: Member

RAM Sale Number: 85889291  
RAM Accounting Date: 10/03/2014

Serial Number: 85889291  
Internet Transmission Date: Fri Oct 03 12:59:21 EDT 2014  
TEAS Stamp: USPTO/PSE-XX.X.XXX.XXX-20141003125921068  
631-85889291-5009ee93ca5c76d3a79c248d80a  
cc2ecbb3de3ac8f1c8c8263db2e5e33eb8f6f1-C  
C-10474-20141003124955695951



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

STATEMENT OF USE UNDER 37 C.F.R. § 2.88



Applicant, Rook Clothing Company LLC requests registration of the mark (Serial No. 85889291) in the United States Patent and Trademark Office on the Principle Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods:

Class 025: Clothing, namely, t-shirts. Applicant has used this mark on labels, packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as July 2011. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Applicant requests **deletion** of the following goods:

Class 016: Paper products, namely, stickers

Class 025: pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the Applicant; he believes the Applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information belief are believed to be true.

Dated: September 26, 2014

Jonathan Garcia  
Member  
ROOK CLOTHING COMPANY, LLC



**FEE RECORD SHEET**

**Serial Number:** 85889291



**RAM Sale Number:** 85889291

**Total Fees:** \$350

**RAM Accounting Date:** 20141003

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
*** UNKNOWN ***	7005	20141003			\$100
Extension Request for SOU	7004	20141003	\$150	1	\$150
Statement of Use (SOU)	7003	20141003	\$100	1	\$100

**Transaction Date:** 20141003



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, October 3, 2014 11:01 PM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Revival: U.S. Trademark SN 85889291; ROOK (Stylized/Design); Docket/Reference No. 1137200

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Oct 3, 2014

**NOTICE OF REVIVAL**

**U.S. Serial Number:** 85889291  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company LLC  
**Docket/Reference Number:** 1137200

**Revival Date:** Oct 3, 2014

The above-referenced application has been **REVIVED** and will be forwarded to the appropriate section of the Office for further action.

- \* If the application was abandoned for failure to file a timely response to an Office action, the application will be forwarded to the examining attorney; or
- \* If a notice of appeal was submitted with the petition, the application will be forwarded to the Trademark Trial and Appeal Board to institute the appeal; or
- \* If the application was abandoned for failure to file a timely statement of use or a request for extension of time to file a statement of use, the application will be forwarded to the intent to use unit.

To check the current status of your application, please wait approximately three (3) weeks and then either go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.



## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85889291
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>DATE OF NOTICE OF ABANDONMENT</b>	00/00/0000
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tsdr.uspto.gov/img/85889291/large
<b>LITERAL ELEMENT</b>	ROOK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>PETITION</b>	
<b>PETITION STATEMENT</b>	Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.
<b>NOTICE OF ALLOWANCE</b>	Notice of Allowance was received by applicant.
<b>STATEMENT OF USE</b>	
<b>OWNER SECTION</b>	
<b>NAME</b>	Rook Clothing Company LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>EMAIL</b>	adwight@dwrightlawgroup.com
<b>GOODS AND/OR SERVICES SECTION FOR STATEMENT OF USE</b>	
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Paper products, namely, stickers
<b>GOODS OR SERVICES</b>	DELETE ENTIRE CLASS OR PROCESS ACCORDING TO REQUEST TO DIVIDE
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

GOODS OR SERVICES DELETED FROM THE APPLICATION OR INCLUDED IN A REQUEST TO DIVIDE	pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
GOODS OR SERVICES IN USE IN COMMERCE	Clothing, namely, t-shirts
FIRST USE ANYWHERE DATE	07/00/2011
FIRST USE IN COMMERCE DATE	07/00/2011
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPN1-128202245-20141003124955695951_Rook Logo CI 25 specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\858\892\85889291\xml17\PSE0002.JPG</a>
SPECIMEN DESCRIPTION	product label
<b>EXTENSION OF TIME TO FILE A STATEMENT OF USE</b>	
EXTENSION PERIOD(S)	2
ALLOWANCE MAIL DATE	10/01/2013
<b>PAYMENT SECTION</b>	
PETITION FEE	100
NUMBER OF CLASSES IN USE	1
EXTENSION FEE	150
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	350
<b>SIGNATURE SECTION</b>	
PETITION SIGNATURE	/ad/
SIGNATORY'S NAME	Amanda V. Dwight
SIGNATORY'S POSITION	Attorney of Record, CA Bar Member
DATE SIGNED	10/03/2014
SIGNATORY'S PHONE NUMBER	9495150003
ORIGINAL PDF FILE	<a href="#">hw_128202245-124955695_Statement of Use ROOK Logo - Signed.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\858\892\85889291\xml17\PSE0003.JPG</a>
SIGNATORY'S NAME	Jonathan Garcia
SIGNATORY'S POSITION	Member
<b>FILING INFORMATION</b>	
SUBMIT DATE	Fri Oct 03 12:59:21 EDT 2014
TEAS STAMP	USPTO/PSE-XX.X.XXX.XXX-20 141003125921068631-858892 91-5009ee93ca5c76d3a79c24 8d80acc2ecbb3de3ac8f1c8c8 263db2e5e33eb8f6f1-CC-104 74-20141003124955695951





## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

To the Commissioner for Trademarks:

**MARK:** ROOK (Stylized and/or with Design, see <http://tsdr.uspto.gov/ing/85889291/large>)

**SERIAL NUMBER:** 85889291

### PETITION

Signatory has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.

Notice of Allowance was received by applicant.

### EXTENSION OF TIME AND STATEMENT OF USE

The applicant, Rook Clothing Company LLC, having an address of  
16832 Red Hill Ave.  
Irvine, California 92606  
United States

requests revival of the application identified above, submits extension(s) of time and Statement of Use. The Notice of Allowance mailing date was 10/01/2013.

The applicant is filing extension number(s): 2

For International Class 016:

Current identification: Paper products, namely, stickers

This **allegation of use** does **not** cover this specific class. This **entire class** is to be permanently **deleted** from the application.

For International Class 025:

Current identification: Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

This **allegation of use** does **NOT** cover the following goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; these goods/services are being **permanently deleted**: pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

The mark is in use in commerce on or in connection with the following goods/services listed in the Notice of Allowance or as subsequently modified for this specific class: Clothing, namely, t-shirts The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 07/00/2011, and first used in commerce at least as early as 07/00/2011, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) product label.

### Original PDF file:

[SPN1-128202245-20141003124955695951 . Rook Logo C1 25 specimen.pdf](#)

**Converted PDF file(s)** (1 page)

[Specimen File1](#)

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the petition fee.

A fee payment in the amount of \$150 will be submitted with the form, representing payment for the extension fee.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

A fee payment in the total amount of \$350 will be submitted.

**Petition**

Signature: /ad/ Date Signed: 10/03/2014  
Signatory's Name: Amanda V. Dwight  
Signatory's Position: Attorney of Record, CA Bar Member  
Signatory's Phone: 9495150003

**Declaration**

**Original PDF file:**

[hw\\_128202245-124955695 . Statement of Use ROOK Logo - Signed.pdf](#)

**Converted PDF file(s)** (1 page)

[Signature File1](#)

Signatory's Name: Jonathan Garcia  
Signatory's Position: Member

Serial Number: 85889291  
Internet Transmission Date: Fri Oct 03 12:59:21 EDT 2014  
TEAS Stamp: USPTO/PSE-XX.X.XXX.XXX-20141003125921068  
631-85889291-5009ee93ca5c76d3a79c248d80a  
cc2ecbb3de3ac8f1c8c8263db2e5e33eb8f6f1-C  
C-10474-20141003124955695951



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

**STATEMENT OF USE UNDER 37 C.F.R. § 2.88**



Applicant, Rook Clothing Company LLC requests registration of the mark (Serial No. 85889291) in the United States Patent and Trademark Office on the Principle Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods:

Class 025: Clothing, namely, t-shirts. Applicant has used this mark on labels, packaging and in various other ways customary in the trade for Applicant's goods in commerce and in interstate commerce on or in connection with the foregoing goods since at least as early as July 2011. The mark is now in use in connection with said goods and a specimen showing the mark as used and payment in the amount of \$100 are submitted herewith.

Applicant requests **deletion** of the following goods:

Class 016: Paper products, namely, stickers

Class 025: pants, sweat shirts, tank tops, jerseys, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the Applicant; he believes the Applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information belief are believed to be true.

Dated: September 26, 2014

Jonathan Garcia  
Member  
ROOK CLOTHING COMPANY, LLC

RAM SALE NUMBER: 85889291  
RAM ACCOUNTING DATE: 20141003

INTERNET TRANSMISSION DATE:  
2014/10/03

SERIAL NUMBER:  
85/889291

Description	Fee Code	Transaction	Total Fees Paid
POA	7005	2014/10/03	100
ESU	7004	2014/10/03	150
SOU	7003	2014/10/03	100

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Thursday, April 17, 2014 00:12 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85889291: ROOK (Stylized/Design): Docket/Reference No. 1137200

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85889291  
**Mark:** ROOK (Stylized/Design)  
**Owner:** Rook Clothing Company LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 1137200  
**Notice of Allowance Date:** Oct 1, 2013

The USPTO issued a Notice of Allowance on **Oct 1, 2013** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit [http://www.uspto.gov/trademarks/teas/intent\\_to\\_use.jsp](http://www.uspto.gov/trademarks/teas/intent_to_use.jsp) and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will abandon the application.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85889291&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information on filing a Statement of Use or an additional extension request, if applicable, please consult the USPTO website at <http://www.uspto.gov/trademarks/>, view the video on the USPTO website entitled "Statement of Use" (click on "TMIN Trademark Information Network" to view a list of available videos), or contact the Trademark Assistance Center at 1-800-786-9199.



**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	04/17/2014		
PUB DATE	08/06/2013		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	04/16/2014		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters "R" and "O", wherein the letter "R" is backwards, above the letters "O" and "K", all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/17/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	022
04/16/2014	EX1G	S	EXTENSION 1 GRANTED	021
03/18/2014	EXT1	S	EXTENSION 1 FILED	020
04/11/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
03/18/2014	EEXT	I	TEAS EXTENSION RECEIVED	018
10/01/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	017
08/06/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	016
08/06/2013	PUBO	A	PUBLISHED FOR OPPOSITION	015
07/22/2013	CHAN	I	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	014
07/22/2013	CQAR	I	TEAS CHANGE OF OWNER ADDRESS RECEIVED	013
07/17/2013	NONP	E	NOTIFICATION QF NOTICE OF PUBLICATION E-MAILED	012
06/28/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011

06/28/2013	ALIE	A	ASSIGNED TO LIE	010
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	16832 Red Hill Ave. Irvine, CA 92606
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California





## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85889291
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>MARK SECTION</b>	
<b>MARK</b>	ROOK (stylized and/or with design)
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Rook Clothing Company LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Rook Clothing Company LLC
<b>STREET</b>	16832 Red Hill Ave.
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92606
<b>COUNTRY</b>	United States
<b>EMAIL</b>	adwight@dwightlawgroup.com
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	014
<b>CURRENT IDENTIFICATION</b>	Jewelry, namely, keychains
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Paper products, namely, stickers
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	018
<b>CURRENT IDENTIFICATION</b>	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags,

	backpacks, and wallets
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	028
<b>CURRENT IDENTIFICATION</b>	Skateboard decks; Skateboard wheels; and Skateboards
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	10/01/2013
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2
<b>SUBTOTAL AMOUNT</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/ad/
<b>SIGNATORY'S NAME</b>	Amanda V. Dwight
<b>SIGNATORY'S POSITION</b>	Attorney of Record, CA Bar Member
<b>DATE SIGNED</b>	03/18/2014
<b>SIGNATORY'S PHONE NUMBER</b>	949 515 0003
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Tue Mar 18 15:21:12 EDT 2014
<b>TEAS STAMP</b>	USPTO/ESU-XX.X.XXX.XXX-20 140318152112986031-858892 91-5003f8c1a73d15097cf3af 0a1f457160ab6afb7d8e7b9d2 e446c1b5fece9e6597-CC-186 3-20140318151750748672



**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** ROOK (stylized and/or with design)  
**SERIAL NUMBER:** 85889291

The applicant, Rook Clothing Company LLC, having an address of  
16832 Red Hill Ave.  
Irvine, California 92606  
United States

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 10/01/2013.

For International Class 014:  
Current identification: Jewelry, namely, keychains

All ITU goods/services in this class are to be deleted

For International Class 016:  
Current identification: Paper products, namely, stickers

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 018:  
Current identification: Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets

All ITU goods/services in this class are to be deleted

For International Class 025:  
Current identification: Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 028:  
Current identification: Skateboard decks; Skateboard wheels; and Skateboards

All ITU goods/services in this class are to be deleted

This is the first extension request.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 2 classes.

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /ad/    Date Signed: 03/18/2014  
Signatory's Name: Amanda V. Dwight  
Signatory's Position: Attorney of Record, CA Bar Member  
Signatory's Phone: 949 515 0003

RAM Sale Number: 85889291  
RAM Accounting Date: 03/19/2014

Serial Number: 85889291  
Internet Transmission Date: Tue Mar 18 15:21:12 EDT 2014  
TEAS Stamp: USPTO/ESU-XX.X.XXX.XXX-20140318152112986  
031-85889291-5003f8c1a73d15097cf3af0a1f4  
57160ab6afb7d8e7b9d2e446c1b5fece9e6597-C  
C-1863-20140318151750748672

**TEAS ROUTING SHEET**

**To: INTENT TO USE UNIT**

**Work Loc: INTENT TO USE SECTION**

**Doc Type: Extension Request for SOU**



**Serial Number: 85889291**



**Mark: ROOK**

**Mail Date: 2014/03/18**



**Examiner Number: 83174**



**Examiner Name:  
FRAZIER, TAMARA G**

**LIE Number: 70997**



**LIE Name:  
TURNER, KIMBERLY**

**L.O. Assigned: LAW OFFICE 116**

**Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20140318	\$150	2	\$300



**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85889291>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, August 6, 2013 00:40 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** 1137200 Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85889291

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TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 85-889,291  
**Mark:** ROOK(STYLIZED/DESIGN)  
**International Class(es):** 014, 016, 018, 025, 028  
**Applicant:** Rook Clothing Company LLC  
**Docket/Reference Number:** 1137200

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Aug 06, 2013.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20130806\\_OG.pdf#page=00000318](http://www.uspto.gov/web/trademarks/tmog/20130806_OG.pdf#page=00000318)
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/trm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/trm_og_faqs.jsp).

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



## Change Of Owner's Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85889291
LAW OFFICE ASSIGNED	LAW OFFICE 116
<b>MARK SECTION</b>	
MARK	ROOK (stylized and/or with design)
<b>OWNER SECTION (current)</b>	
NAME	Rook Clothing Company LLC
STREET	1919 South Susan Street
CITY	Santa Ana
STATE	California
ZIP/POSTAL CODE	92704
COUNTRY	US
<b>NEW OWNER ADDRESS</b>	
STREET	16832 Red Hill Ave.
CITY	Irvine
STATE	California
ZIP/POSTAL CODE	92606
COUNTRY	United States
<b>SIGNATURE SECTION</b>	
SIGNATURE	/ad/
SIGNATORY NAME	Amanda V. Dwight
SIGNATORY DATE	07/22/2013
SIGNATORY POSITION	Attorney of Record. CA Bar member
SIGNATORY PHONE NUMBER	9495150003
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Mon Jul 22 15:57:33 EDT 2013
TEAS STAMP	USPTO/COA-XX.X.XXX.XXX-20 130722155733178233-857519 34-50056793dc1f18ced5d931 77878f7b3fdaf18c5684f3526 7e66c5efb84ab41138e-N/A-N /A-20130722155545625913



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jul 17, 2013

## NOTICE OF PUBLICATION

1. Serial No.:  
85-889.291
2. Mark:  
ROOK  
(STYLIZED/DESIGN)
3. International Class(es):  
14, 16, 18, 25, 28
4. Publication Date:  
Aug 6, 2013
5. Applicant:  
Rook Clothing Company LLC

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

adwight@dwrightlawgroup.com

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, July 17, 2013 03:34 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** 1137200 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85889291

---

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85889291) is scheduled to publish in the *Official Gazette* on Aug 6, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85889291>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
 (Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/29/2013		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/28/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely, sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters "R" and "O", wherein the letter "R" is backwards, above the letters "O" and "K", all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495



**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/28/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
06/28/2013	ALIE	A	ASSIGNED TO LIE	010
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE





**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/12/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/11/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	014
DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	014	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters R and O, wherein the letter R is backwards, above the letters O and K, all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/11/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE





**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85889291	FILING DATE	03/28/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRAZIER, TAMARA G	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/04/2013		
PUB DATE	N/A		
STATUS	647-EXAMINERS AMENDMENT - MAILED		
STATUS DATE	06/02/2013		
LITERAL MARK ELEMENT	ROOK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	ROOK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Rook Clothing Company LLC
ADDRESS	1919 South Susan Street Santa Ana, CA 92704
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

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DESCRIPTION TEXT	Jewelry, namely, keychains
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Paper products, namely, stickers
INTERNATIONAL CLASS	018
DESCRIPTION TEXT	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, general purpose sport trolley bags, gym bags, waist bags, backpacks, and wallets
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboard decks; Skateboard wheels; and Skateboards

### GOODS AND SERVICES CLASSIFICATION

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INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	018	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

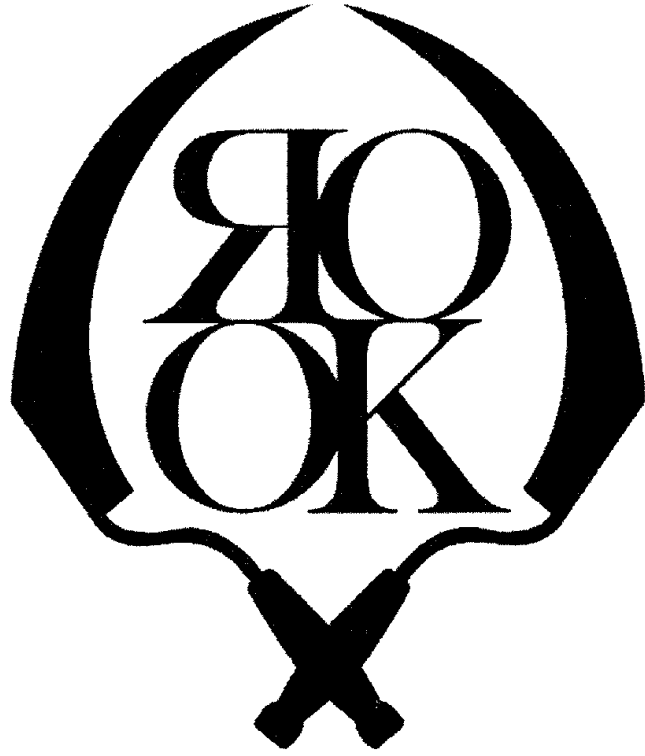
CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the letters R and O, wherein the letter R is backwards, above the letters O and K, all inside two sickles with overlapping handles.
OWNER OF US REG NOS	4250495

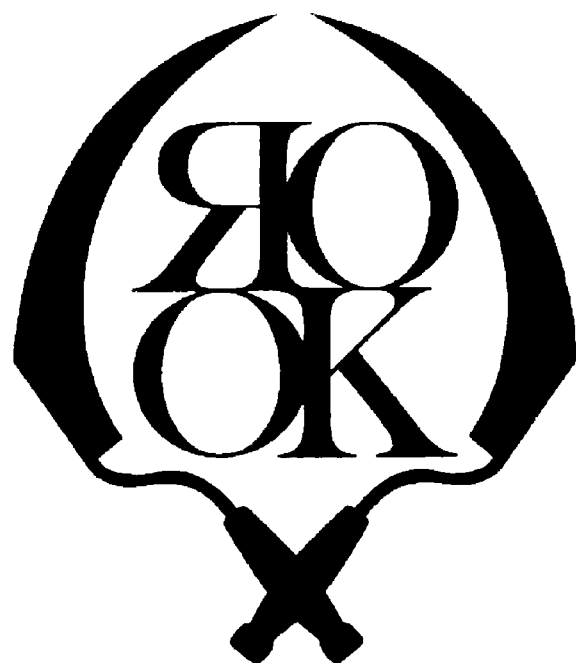
**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/02/2013	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
06/02/2013	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
06/02/2013	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
06/02/2013	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
05/30/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/04/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
04/03/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/01/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Amanda V. Dwight
CORRESPONDENCE ADDRESS	AMANDA V. DWIGHT DWIGHT LAW GROUP 2020 MAIN ST STE 600 IRVINE, CA 92614-8226
DOMESTIC REPRESENTATIVE	NONE





**To:** Rook Clothing Company LLC ([adwight@dwightlawgroup.com](mailto:adwight@dwightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85889291 - ROOK - 1137200  
**Sent:** 6/2/2013 5:45:11 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85889291

MARK: ROOK

**\*85889291\***

**CORRESPONDENT ADDRESS:**

AMANDA V. DWIGHT  
DWIGHT LAW GROUP  
2020 MAIN ST STE 600  
IRVINE, CA 92614-8226

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

**APPLICANT:** Rook Clothing Company LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

1137200

**CORRESPONDENT E-MAIL ADDRESS:**

[adwight@dwightlawgroup.com](mailto:adwight@dwightlawgroup.com)

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE: 6/2/2013**

**DATABASE SEARCH:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by Amanda V. Dwight on May 31, 2013, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods may clarify or limit the goods, but may not add to or broaden the scope of the goods. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

**Amendment of Identification of Goods**

The identification of goods is amended to read as follows: "Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, **general purpose sport** trolley bags, gym bags, waist bags, backpacks, and wallets" in **Class 018**. See TMEP §§1402.01, 1402.01(e).

/tfrazier/  
Tamara Frazier  
Trademark Attorney  
Law Office 116  
(571) 272-8256

tamara.frazier@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**To:** Rook Clothing Company LLC ([adwight@dwrightlawgroup.com](mailto:adwight@dwrightlawgroup.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85889291 - ROOK - 1137200  
**Sent:** 6/2/2013 5:45:12 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **6/2/2013** FOR U.S. APPLICATION SERIAL NO.85889291

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

\*\*\* User: Tfrazier \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	4006261	N/A	0	0	0:02	dead[id]
02	41	21	20	20	0:01	"rook"[bi.ti]
03	23928	N/A	0	0	0:03	*r{"ou":2}{"ckqx"}*[bi.ti] not (1 2)
04	1880	N/A	0	0	0:02	*r{"ou"}{"ou"}{"ckqx"}*[bi.ti] not (1 2)
05	1180	N/A	0	0	0:01	4 and ("014" "016" "018" "025" "028")[cc]
06	1369	N/A	2	2	0:02	4 and ("014" "016" "018" "025" "028" "035" a b 200)[cc]
07	134	0	134	115	0:02	r{"ou"}{"ou"}{"ckqx"}*[bi.ti] not (1 2)
08	69	0	2	69	0:01	{140704 sickles}[dc] not (1 2 7)
09	1767	N/A	0	0	0:02	("rook" "r ook" "rø ok" "roo k" "r o o k" *rook*)[bi.ti] not (1 2 8)
10	1119	N/A	0	0	0:01	9 and ("014" "016" "018" "025" "028")[cc]
11	1299	N/A	8	8	0:02	9 and ("014" "016" "018" "025" "028" "035" a b 200)[cc]

Session started 5/31/2013 12:24:46 PM

Session finished 5/31/2013 12:53:02 PM

Total search duration 0 minutes 19 seconds

Session duration 28 minutes 16 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TICRS as Serial Number: 85889291

# NOTE TO THE FILE

SERIAL NUMBER: 85889291  
DATE: 05/31/2013  
NAME: tfrazier

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email  
  
 Left message with Attorney/Applicant

Requested Law Library search for:  
 Issued Examiner's Amendment and entered changes in TRADEUPS

PRINT  DO NOT PRINT  Added design code in TRADEUPS  
 Description of the mark  
 Translation statement  Re-imaged standard character drawing  
 Negative translation statement  
 Consent of living individual  Contacted TM MADRID ID/CLASS about misclassified definite ID  
 Changed TRADEUPS to:

OTHER: Consulted managing atty and colleagues on 2d issue.

Sent to TICRS as Serial Number: 85751934

---

**From:** TMDesignCodeComments  
**Sent:** Thursday, April 4, 2013 00:19 AM  
**To:** adwight@dwrightlawgroup.com  
**Subject:** Notice of Design Search Code for Serial Number: 85889291

---

**Docket/Reference Number:** 1137200

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85889291>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

14.07.04 - Agricultural implements (non-motorized), sickles, scythes  
14.07.04 - Scythes  
14.07.04 - Sickles

## Trademark/Service Mark Application, Principal Register

Serial Number: 85889291  
 Filing Date: 03/28/2013

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85889291
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\858\892\85889291\xml1\APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	ROOK
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the letters R and O, wherein the letter R is backwards, above the letters O and K, all inside two sickles with overlapping handles.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	2046 x 1744
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Rook Clothing Company LLC
*STREET	1919 South Susan Street
*CITY	Santa Ana
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92704
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	014
*IDENTIFICATION	Jewelry, namely, keychains
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	016
*IDENTIFICATION	Paper products, namely, stickers

FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	018
*IDENTIFICATION	Bags, namely, trunks, tote bags, duffle bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	025
*IDENTIFICATION	Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	028
*IDENTIFICATION	Skateboard decks; Skateboard wheels; and Skateboards
FILING BASIS	SECTION 1(b)
<b>ADDITIONAL STATEMENTS SECTION</b>	
PRIOR REGISTRATION(S)	The applicant claims ownership of U.S. Registration Number(s) 4250495.
<b>ATTORNEY INFORMATION</b>	
NAME	Amanda V. Dwight
ATTORNEY DOCKET NUMBER	1137200
FIRM NAME	Dwight Law Group
STREET	2020 Main Street, Suite 600
CITY	Irvine
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	92614
PHONE	9495150003
FAX	9492668680
EMAIL ADDRESS	adwight@dwightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>CORRESPONDENCE INFORMATION</b>	
NAME	Amanda V. Dwight
FIRM NAME	Dwight Law Group
STREET	2020 Main Street, Suite 600
CITY	Irvine
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	92614
PHONE	9495150003
FAX	9492668680



EMAIL ADDRESS	adwight@dwrightlawgroup.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	5
FEE PER CLASS	325
*TOTAL FEE DUE	1625
*TOTAL FEE PAID	1625
<b>SIGNATURE INFORMATION</b>	
ORIGINAL PDF FILE	<a href="#">hw_128202245-142329974 . Rook Logo Dec.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\858\892\85889291\xml1\APP0003.JPG</a>
SIGNATORY'S NAME	Robby Khalek
SIGNATORY'S POSITION	Member

---

## Trademark/Service Mark Application, Principal Register

Serial Number: 85889291

Filing Date: 03/28/2013

### To the Commissioner for Trademarks:

**MARK:** ROOK (stylized and/or with design, see [mark](#))

The literal element of the mark consists of ROOK.

The applicant is not claiming color as a feature of the mark. The mark consists of the letters R and O, wherein the letter R is backwards, above the letters O and K, all inside two sickles with overlapping handles.

The applicant, Rook Clothing Company LLC, a limited liability company legally organized under the laws of California, having an address of  
1919 South Susan Street  
Santa Ana, California 92704  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 014: Jewelry, namely, keychains

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

International Class 016: Paper products, namely, stickers

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

International Class 018: Bags, namely, trunks, tote bags, duffel bags, clutch bags, shoulder bags, messenger bags, trolley bags, gym bags, waist bags, backpacks, and wallets

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

International Class 025: Clothing, namely, pants, sweat shirts, tank tops, jerseys, t-shirts, dress shirts, skirts, dresses, shorts, and knits, namely sweaters, cardigans, pullovers, and vests; caps, beanies, and visors; footwear; and accessories, namely, belts and scarves

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

International Class 028: Skateboard decks; Skateboard wheels; and Skateboards

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

The applicant claims ownership of U.S. Registration Number(s) 4250495.

The applicant's current Attorney Information:

Ananda V. Dwight of Dwight Law Group  
2020 Main Street, Suite 600  
Irvine, California 92614  
United States

The attorney docket/reference number is 1137200.

The applicant's current Correspondence Information:

Amanda V. Dwight  
Dwight Law Group

2020 Main Street, Suite 600  
Irvine, California 92614  
9495150003(phone)  
9492668680(fax)  
adwight@dwightlawgroup.com (authorized)

A fee payment in the amount of \$1625 has been submitted with the application, representing payment for 5 class(es).

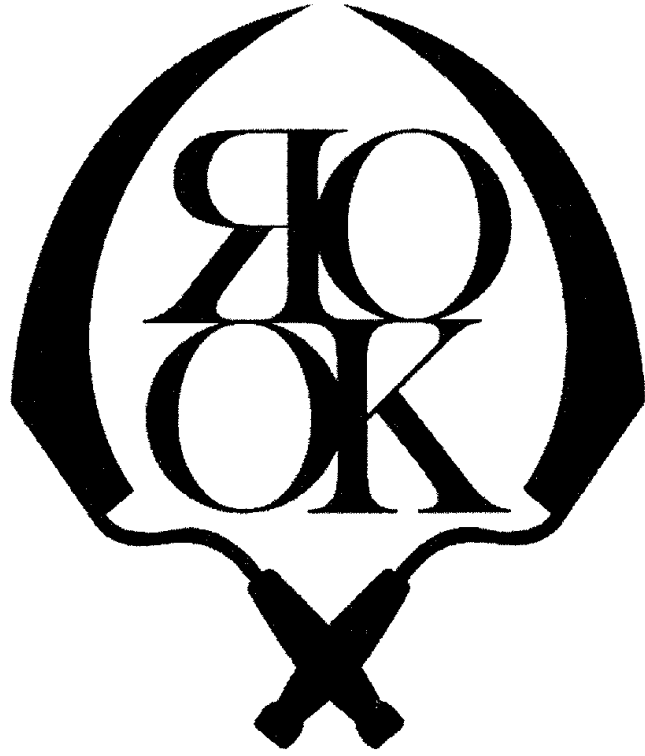
#### **Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

#### **Declaration Signature**

Signature: Not Provided Date: Not Provided  
Signatory's Name: Robby Khalek  
Signatory's Position: Member  
RAM Sale Number: 85889291  
RAM Accounting Date: 03/29/2013

Serial Number: 85889291  
Internet Transmission Date: Thu Mar 28 15:07:42 EDT 2013  
TEAS Stamp: USPTO/BAS-XX.X.XXX.XXX-20130328150742040  
265-85889291-5006a8eba2ba67095281fa67943  
cc688aab7ab78c141a33358cc97a49ebb9e775-C  
C-1737-20130328142329974091



Mark: ROOK & Design  
Applicant: Rook Clothing Company LLC

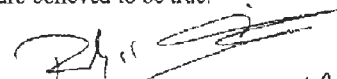
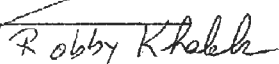
#### POWER OF ATTORNEY

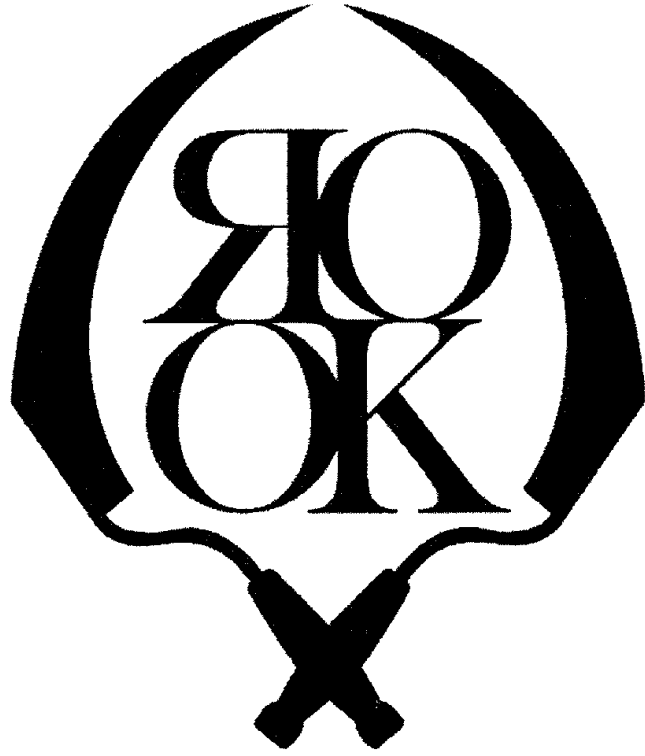
Applicant hereby appoints Dwight Law Group and its attorney Amanda V. Dwight with offices at 2020 Main Street, Suite 600, Irvine, California, 92614, phone number (949) 515-0003, fax number (949) 266-8680, to prosecute this application to registration, with full power of substitution and revocation, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

#### DECLARATION OF APPLICANT

The undersigned being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the sole and exclusive owner of the trademark sought to be registered, or, if the application is being filed under 15 U.S.C. § 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her knowledge are true and all statements made on information and belief are believed to be true.

Date: March 22, 2013

  
~~Jon Garcia~~   
Member  
Rook Clothing Company LLC  
APPLICANT





Generated on: This page was generated by TSDR on 2019-05-07 23:48:53 EDT

Mark: FS



US Serial Number: 85908926

Application Filing Date: Apr. 19, 2013

US Registration Number: 4677243

Registration Date: Jan. 27, 2015

Register: Principal

Mark Type: Trademark

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

Status Date: Jan. 27, 2015

Publication Date: Nov. 11, 2014

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## Mark Information

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Mark Literal Elements: FS

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of a stylized form of a capital letter "S" intertwined with a stylized form of the letter "F".

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

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## Goods and Services

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**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: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 20, 2013

Use in Commerce: Feb. 20, 2013

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## Basis Information (Case Level)

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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  
Filed No Basis: No

Currently 66A: No  
Currently No Basis: No

---

## Current Owner(s) Information

---

**Owner Name:** FRANKIESCOTT, LLC  
**Owner Address:** 357 South Street  
East Aurora, NEW YORK 14052  
UNITED STATES  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** NEW YORK

---

## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Matthew J. Beck

### Correspondent

**Correspondent Name/Address:** MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP  
701 Seneca Street, Suite 750  
BUFFALO, NEW YORK 14210  
UNITED STATES

**Phone:** 716-855-1111

**Fax:** 716-855-0327

**Correspondent e-mail:** [mjbeck@dhpglaw.com](mailto:mjbeck@dhpglaw.com) [gpp@dhpglaw.com](mailto:gpp@dhpglaw.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Apr. 14, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 20, 2015	UNDELIVERABLE MAIL - CORRESP. REMAILED	48420
Jan. 27, 2015	REGISTERED-PRINCIPAL REGISTER	
Nov. 11, 2014	PUBLISHED FOR OPPOSITION	
Oct. 22, 2014	NOTICE OF PUBLICATION	
Oct. 09, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Oct. 02, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 01, 2014	EXAMINER'S AMENDMENT ENTERED	74221
Oct. 01, 2014	EXAMINERS AMENDMENT MAILED	
Sep. 30, 2014	EXAMINERS AMENDMENT -WRITTEN	82107
Feb. 18, 2014	FINAL REFUSAL MAILED	
Feb. 14, 2014	FINAL REFUSAL WRITTEN	82107
Jan. 22, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	74221
Jan. 22, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	74221
Jan. 13, 2014	ASSIGNED TO LIE	74221
Dec. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 07, 2013	NON-FINAL ACTION MAILED	
Oct. 04, 2013	NON-FINAL ACTION WRITTEN	82107
Sep. 13, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 13, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 13, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 01, 2013	NON-FINAL ACTION MAILED	
Aug. 01, 2013	NON-FINAL ACTION WRITTEN	82107
Jul. 29, 2013	ASSIGNED TO EXAMINER	82107
Apr. 27, 2013	NOTICE OF PSEUDO MARK MAILED	
Apr. 26, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 23, 2013	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 27, 2015

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85908926
<b>REGISTRATION NUMBER</b>	4677243
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 109
<b>MARK SECTION</b>	
<b>MARK</b>	FS (stylized and/or with design)
<b>CORRESPONDENCE SECTION (current)</b>	
<b>ORIGINAL ADDRESS</b>	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO New York 14202-3750 US 716-855-1111 716-855-0327 mjbeck@dhpqlaw.com;tdrew@dhpqlaw.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NEW ADDRESS</b>	DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 701 Seneca Street, Suite 750 BUFFALO New York United States 14210 716-855-1111 716-855-0327 mjbeck@dhpqlaw.com:gpp@dhpqlaw.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Matthew J. Beck/
<b>SIGNATORY NAME</b>	Matthew J. Beck
<b>SIGNATORY DATE</b>	04/14/2015
<b>SIGNATORY POSITION</b>	Attorney
<b>SIGNATORY PHONE NUMBER</b>	716-855-1111
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Apr 14 11:57:17 EDT 2015
<b>TEAS STAMP</b>	USPTO/CCA-X.XXX.XX.XXX-20 150414115717734169-859089 26-5306cce140c9ebc6a1f180 2b33446edef11e36bca3b3224 f3035059256f4c63e2-N/A-N/

A-20150414115052498356



Please note that U.S. Customs & Border Protection (CBP), a bureau of the Department of Homeland Security, maintains a trademark recordation system for marks registered at the United States Patent and Trademark Office. Parties who register their marks on the Principal Register may record these marks with CBP, to assist CBP in its efforts to prevent the importation of goods that infringe registered marks. The recordation database includes information regarding all recorded marks, including images of these marks. CBP officers monitor imports to prevent the importation of goods bearing infringing marks, and can access the recordation database at each of the 317 ports of entry.

CBP's Intellectual Property Rights e-Recordation (IPRR) system, located at <https://apps.cbp.gov/e-recordations/>, allows right holders to electronically file IPR recordation applications, thus significantly reducing the amount of time normally required to process paper applications. Some additional benefits of the system include:

- Elimination of paper applications and supporting documents.
- Copies of the certificate issued by the registering agency (U.S. Patent and Trademark Office or the Copyright Office) are retained by the right holder, not submitted to CBP.
- Payment by credit card (preferred), check or money order.
- Ability to upload images of the protected work or trademark, thus obviating the need to send samples to CBP.
- Reduced time from filing of the application to enforcement by field personnel.

Information about how to obtain a recordation, and about CBP's Intellectual Property Rights border enforcement program, is available at CBP's web site, [www.cbp.gov](http://www.cbp.gov).

02-18-2015

U.S. Department of Homeland Security



**INFORMATION FROM THE USPTO CONCERNING COURTESY E-MAIL  
REMINDERS OF TRADEMARK REGISTRATION MAINTENANCE DEADLINES  
AND WARNING ABOUT UNOFFICIAL SOLICITATIONS**

**E-mail Authorization and Current E-mail Address Required to Receive Courtesy E-mail Reminders of Registration Maintenance Deadlines**

As a courtesy to registration owners who authorize e-mail communication and maintain a current e-mail address with the United States Patent and Trademark Office (USPTO), the USPTO will issue courtesy e-mail reminders when your deadline approaches to file the necessary maintenance filings to keep your registration active. No reminders will be sent by regular mail. If you have authorized receipt of correspondence by e-mail, please make sure that you have added the USPTO to your "approved senders list" and/or that your server will accept USPTO e-mail and not treat it as junk mail.

The Trademark Electronic Application System (TEAS) Change of Correspondence Address and Change of Owner Address Forms (available through [USPTO.gov](http://USPTO.gov)) should be used to update and add e-mail address information. If an attorney represented you prior to registration but the representation is not ongoing, please use the same form to remove the attorney e-mail address(es) and provide your own, so that the reminders come directly to you.

**Beware of Unofficial Trademark Solicitations**

The USPTO's e-mail reminders will direct you to make the necessary filings and pay the associated fees online through TEAS, and will not request any fees by mail. Please be aware that private companies not associated with the USPTO often use trademark application and registration information from the USPTO's databases to mail or e-mail trademark-related solicitations. These may include offers: (1) for legal services; (2) for trademark monitoring services; (3) to record trademarks with U.S. Customs and Border Protection; and (4) to "register" trademarks in a private registry.

These companies may use names that resemble the USPTO name, including, for example, one or more of the terms "United States," "U.S.," "Trademark," "Patent," "Registration," "Office," or "Agency." Some companies attempt to make their solicitations mimic the look of official government documents by using official government data that is publicly available from USPTO records. Many refer to other government agencies and sections of the U.S. Code. Most require "fees" to be paid. **All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov."**

If you receive a trademark-related solicitation that you believe is deceptive, you may file an online consumer complaint with the Federal Trade Commission ("FTC"), at [www.FTC.gov](http://www.FTC.gov). In addition, the USPTO encourages recipients of deceptive trademark-related solicitations to contact their states' consumer protection authorities.

For additional information, please visit the page on the [USPTO.gov](http://USPTO.gov) website entitled "**WARNING: Non-USPTO Solicitations That May Resemble Official USPTO Communications.**"

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,677,243**

**Registered Jan. 27, 2015**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

FRANKIE-SCOTT, LLC (NEW YORK LIMITED LIABILITY COMPANY)  
357 SOUTH STREET  
EAST AURORA, NY 14052

FOR: ATHLETIC APPAREL, NAMELY, SHIRTS, PANTS, JACKETS, FOOTWEAR, HATS AND CAPS, ATHLETIC UNIFORMS, HOODIE SWEATSHIRTS FOR MEN AND WOMEN; MEN'S AND WOMEN'S JACKETS, COATS, TROUSERS, VESTS; WOMEN'S CLOTHING, NAMELY, SHIRTS, DRESSES, SKIRTS, BLOUSES; WOMEN'S HATS AND HOODS; WOMEN'S SHOES, WOMEN'S TOPS, NAMELY, CAMIS; WOMEN'S UNDERWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-20-2013; IN COMMERCE 2-20-2013.

THE MARK CONSISTS OF A STYLIZED FORM OF A CAPITAL LETTER "S" INTERTWINED WITH A STYLIZED FORM OF THE LETTER "F".

SER. NO. 85-908,926, FILED 4-19-2013.

ROBERT STRUCK, 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.\*

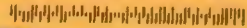
**Grace Period Filings\***

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>**



United States Patent and Trademark Office  
 Commissioner for Trademarks  
 P.O. Box 1451  
 Alexandria, VA 22313-1451  
 If Undeliverable Return in Ten Days

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OFFICIAL BUSINESS  
 PENALTY FOR PRIVATE USE, \$300

4577243 85908926 01/27/15  
 MATTHEW J. BECK  
 DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP  
 350 MAIN ST STE 1800  
 BUFFALO, NY 14202-3750

DUKE350 142023047-1114 02/03/13  
 FORWARD TIME EXP RTN TO SEND  
 DUKE HOLZMAN PHOTIADIS & GRESENS  
 701 SENECA ST STE D  
 BUFFALO NY 14210-1351  
 RETURN TO SENDER

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,677,243**

**Registered Jan. 27, 2015**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

FRANKIESCOTT, LLC (NEW YORK LIMITED LIABILITY COMPANY)  
357 SOUTH STREET  
EAST AURORA, NY 14052

FOR: ATHLETIC APPAREL, NAMELY, SHIRTS, PANTS, JACKETS, FOOTWEAR, HATS AND CAPS, ATHLETIC UNIFORMS; HOODED SWEATSHIRTS FOR MEN AND WOMEN; MEN'S AND WOMEN'S JACKETS, COATS, TROUSERS, VESTS; WOMEN'S CLOTHING, NAMELY, SHIRTS, DRESSES, SKIRTS, BLOUSES; WOMEN'S HATS AND HOODS; WOMEN'S SHOES; WOMEN'S TOPS, NAMELY, CAMIS; WOMEN'S UNDERWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-20-2013; IN COMMERCE 2-20-2013.

THE MARK CONSISTS OF A STYLIZED FORM OF A CAPITAL LETTER "S" INTERTWINED WITH A STYLIZED FORM OF THE LETTER "F".

SIFR. NO. 85-908,926, FILED 4-19-2013.

ROBERT STRUCK, 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.

**\*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 United States Patent and Trademark Office (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>.

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Side - 1



**NOTICE OF PUBLICATION UNDER §12(a)**

**MAILING DATE: Oct 22, 2014**

**PUBLICATION DATE: Nov 11, 2014**

The mark identified below will be published in the Official Gazette on Nov 11, 2014. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Certificate of Registration.

To view the Official Gazette online or to order a paper copy, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/> any time within the five-week period after the date of publication. You may also order a printed version from the U.S. Government Printing Office (GPO) at <http://bookstore.gpo.gov> or 202-512-1800. To check the status of your application, go to <http://tarr.uspto.gov/>.

**SERIAL NUMBER: 85908926**  
**MARK: FS(STYLIZED/DESIGN)**  
**OWNER: FRANKIESCOTT, LLC**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
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MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP  
350 MAIN ST STE 1800  
BUFFALO, NY 14202-3750

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85908926	FILING DATE	04/19/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	STRUCK, ROBERT J	L.O. ASSIGNED	109

**PUB INFORMATION**

RUN DATE	10/10/2014		
PUB DATE	11/11/2014		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	10/09/2014		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	FRANKIESCOTT, LLC
ADDRESS	357 South Street East Aurora, NY 14052
ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	8-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a stylized form of a capital letter "S" intertwined with a stylized form of the letter "F".
PSEUDO MARK	FRANKIE SCOTT

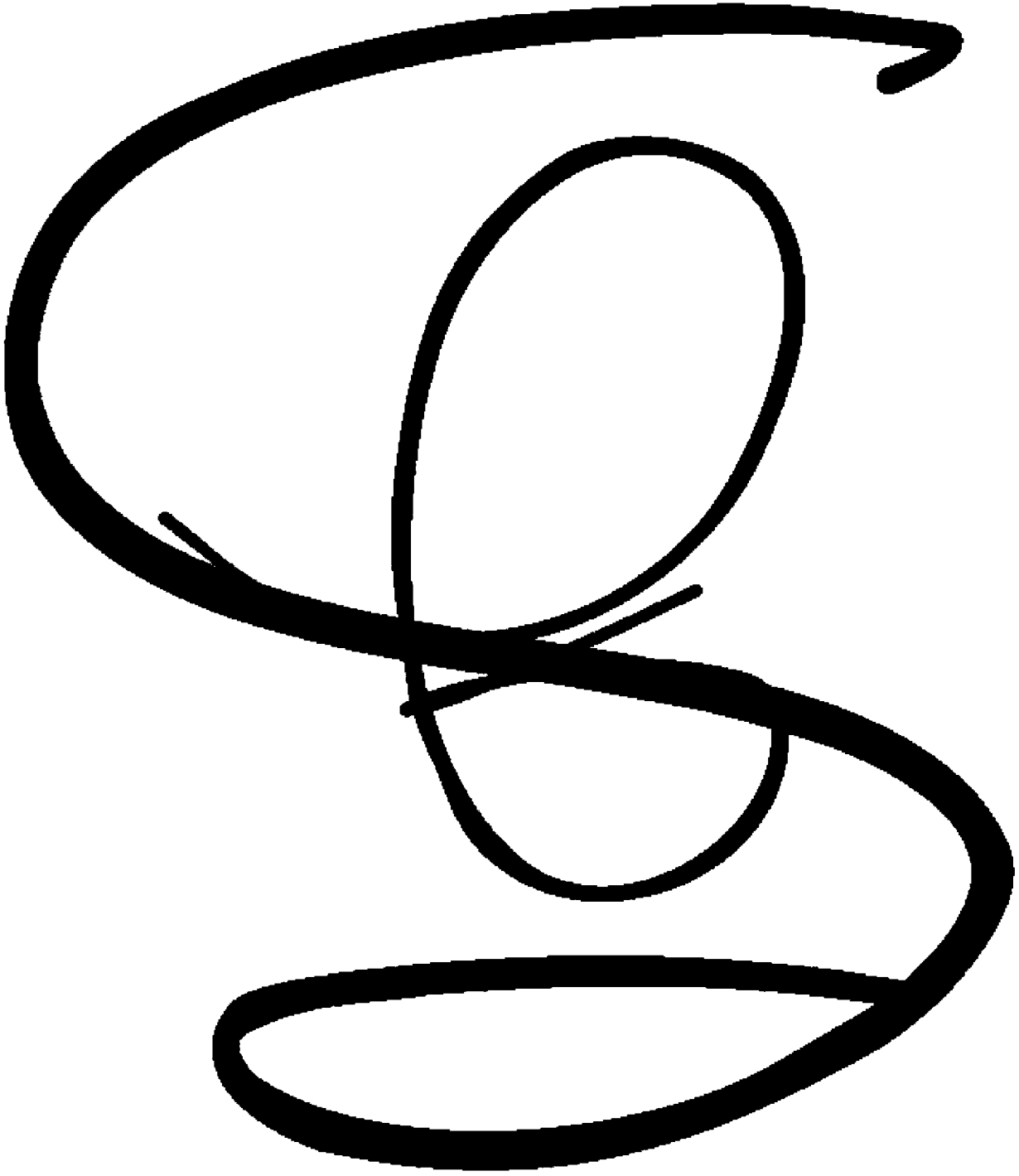
### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/09/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	022
10/02/2014	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	021
10/01/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
10/01/2014	CNEA	O	EXAMINERS AMENDMENT MAILED	019
09/30/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	018
02/18/2014	CNFR	O	FINAL REFUSAL MAILED	017
02/14/2014	CNFR	R	FINAL REFUSAL WRITTEN	016
01/22/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	015
01/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	014
01/13/2014	ALIE	A	ASSIGNED TO LIE	013
12/20/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	012
10/07/2013	CNRT	O	NON-FINAL ACTION MAILED	011
10/04/2013	CNRT	R	NON-FINAL ACTION WRITTEN	010
09/13/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
09/13/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/13/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007

08/01/2013	CNRT	F	NON-FINAL ACTION MAILED	006
08/01/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
07/29/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/27/2013	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
04/26/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/23/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Matthew J. Beck
CORRESPONDENCE ADDRESS	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750
DOMESTIC REPRESENTATIVE	NONE



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85908926	FILING DATE	04/19/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	STRUCK, ROBERT J	L.O. ASSIGNED	109

**PUB INFORMATION**

RUN DATE	10/03/2014		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	10/02/2014		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	FRANKIESCOTT, LLC
ADDRESS	357 South Street East Aurora, NY 14052
ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a stylized form of a capital letter "S" intertwined with a stylized form of the letter "F".
PSEUDO MARK	FRANKIE SCOTT

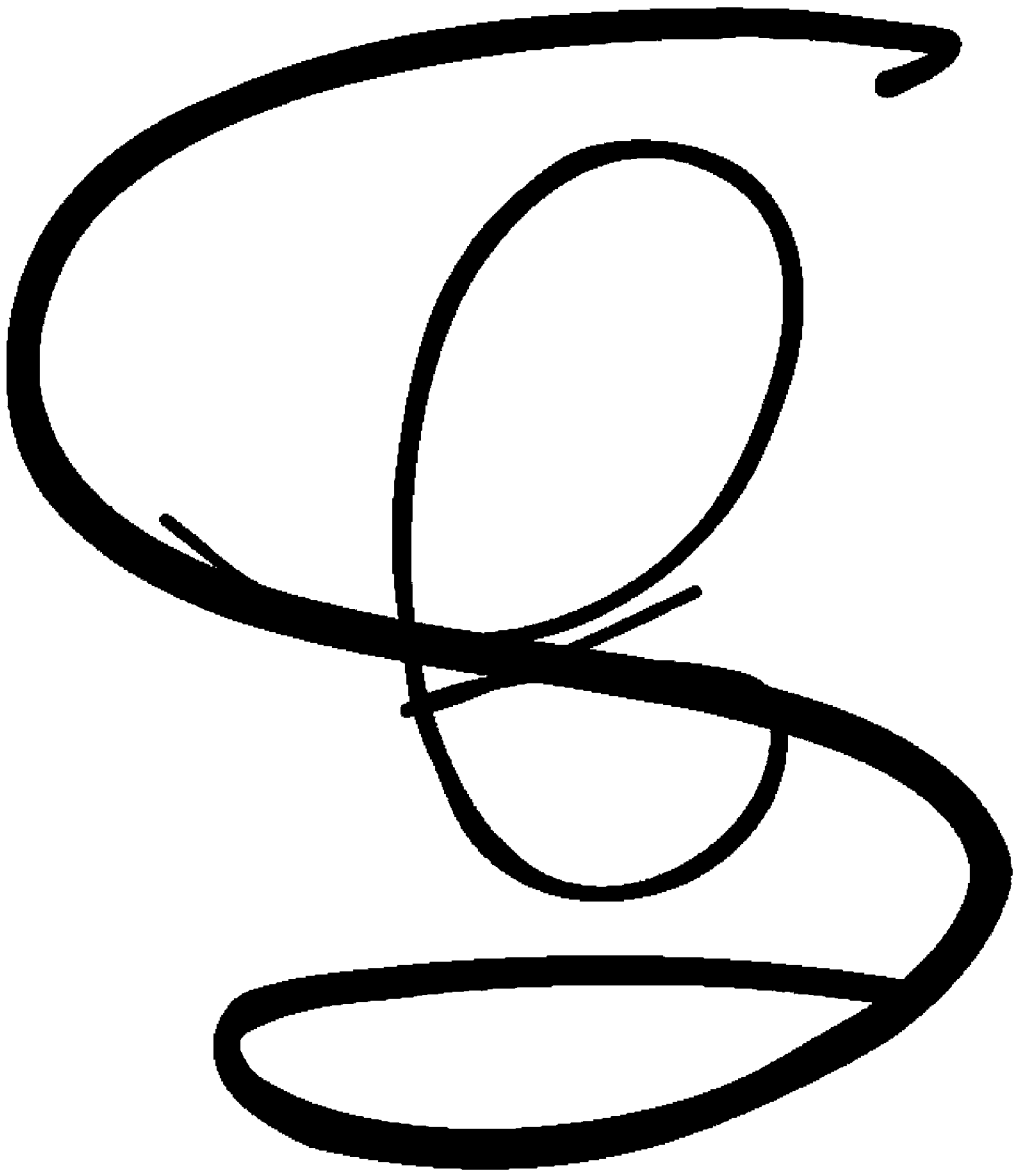
### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/02/2014	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	021
10/01/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
10/01/2014	CNEA	O	EXAMINERS AMENDMENT MAILED	019
09/30/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	018
02/18/2014	CNFR	O	FINAL REFUSAL MAILED	017
02/14/2014	CNFR	R	FINAL REFUSAL WRITTEN	016
01/22/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	015
01/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	014
01/13/2014	ALIE	A	ASSIGNED TO LIE	013
12/20/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	012
10/07/2013	CNRT	O	NON-FINAL ACTION MAILED	011
10/04/2013	CNRT	R	NON-FINAL ACTION WRITTEN	010
09/13/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
09/13/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/13/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
08/01/2013	CNRT	F	NON-FINAL ACTION MAILED	006

08/01/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
07/29/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/27/2013	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
04/26/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/23/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Matthew J. Beck
CORRESPONDENCE ADDRESS	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750
DOMESTIC REPRESENTATIVE	NONE



**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85908926	FILING DATE	04/19/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	STRUCK, ROBERT J	L.O. ASSIGNED	109

**PUB INFORMATION**

RUN DATE	10/02/2014		
PUB DATE	N/A		
STATUS	647-EXAMINERS AMENDMENT - MAILED		
STATUS DATE	10/01/2014		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York

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INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a stylized form of a capital letter "S" intertwined with a stylized form of the letter "F".
PSEUDO MARK	FRANKIE SCOTT

### PROSECUTION HISTORY

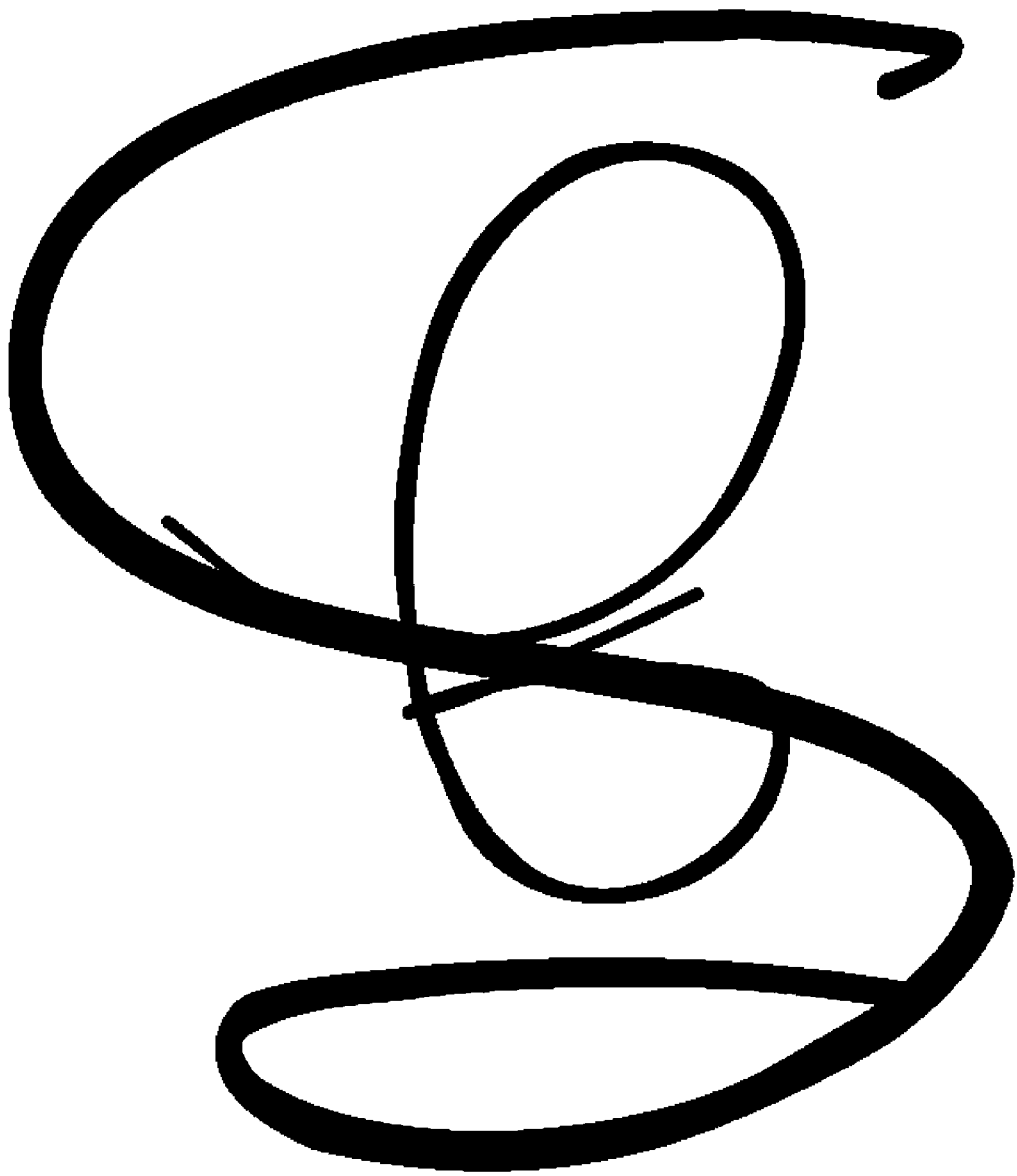
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/01/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
10/01/2014	CNEA	O	EXAMINERS AMENDMENT MAILED	019
09/30/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	018
02/18/2014	CNFR	O	FINAL REFUSAL MAILED	017
02/14/2014	CNFR	R	FINAL REFUSAL WRITTEN	016
01/22/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	015
01/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	014
01/13/2014	ALIE	A	ASSIGNED TO LIE	013
12/20/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	012
10/07/2013	CNRT	O	NON-FINAL ACTION MAILED	011
10/04/2013	CNRT	R	NON-FINAL ACTION WRITTEN	010

09/13/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
09/13/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/13/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
08/01/2013	CNRT	F	NON-FINAL ACTION MAILED	006
08/01/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
07/29/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/27/2013	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
04/28/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/23/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Matthew J. Beck
CORRESPONDENCE ADDRESS	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750
DOMESTIC REPRESENTATIVE	NONE





UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85908926  MARK: FS	  <b>*85908926*</b>
CORRESPONDENT ADDRESS: MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750	CLICK HERE TO RESPOND TO THIS LETTER: <a href="http://www.uspto.gov/trademarks/index.jsp">http://www.uspto.gov/trademarks/index.jsp</a>
APPLICANT: FRANKIESCOTT, LLC	
CORRESPONDENT'S REFERENCE/DOCKET NO: N/A CORRESPONDENT E-MAIL ADDRESS:	

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE:**

PARTIAL ABANDONMENT – APPLICATION HAS BEEN AMENDED

The above-referenced application is abandoned in part because applicant failed to file a response to the final Office action dated February 14, 2014. See 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a); TMEP §718.02(a). To avoid partial abandonment, a response or notice of appeal was due within six months from the date on which the USPTO sent the previous Office action; however, no response or notice of appeal was received within this time period. See TMEP §715.01.

The final Office action included refusal(s) and/or requirement(s) that applied to only a portion of the application; therefore, only that portion of the application is abandoned. See 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a); TMEP §718.02(a).

The portion of the identification that was the subject of the refusal(s) and/or requirement(s) will be deleted from the application. The application will proceed with the following identification:

“Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms: Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear” in International Class 025.

If applicant's failure to respond was unintentional, applicant may file a petition to revive the portion of the application that abandoned. 37 C.F.R. §2.66(a); TMEP §§718.02(a), 1714.01(d). The petition must be filed within two months of the date of issuance of this letter and may be filed online at [http://www.uspto.gov/trademarks/teas/petition\\_forms.jsp](http://www.uspto.gov/trademarks/teas/petition_forms.jsp). See 37 C.F.R. §2.66(a)(1); TMEP §§718.02(a), 1714.01(a), (d). A \$100 fee for such a petition is required. See 37 C.F.R. §2.6(a)(15).

/Robert J. Struck/  
Robert J. Struck  
Trademark Examining Attorney  
Law Office 109  
Robert.Struck@uspto.gov  
571-272-1513

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85908926

MARK: FS

**\*85908926\***

**CORRESPONDENT ADDRESS:**

MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP  
350 MAIN ST STE 1800  
BUFFALO, NY 14202-3750

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** FRANKIESCOTT, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO. :**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:**

**THIS IS A FINAL ACTION.**

This Office action is in response to applicant's communication filed on December 20, 2013.

**FINAL ACTION**

In the Office action dated October 4, 2013, the Examining Attorney refused registration for the goods in Class 25 because the mark is merely ornamental. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127. In addition, the Examining Attorney refused the specimens for Class 35 because they did not show use in connection with retail store services. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127. In its response, applicant submitted substitute specimens. The substitute specimens are accepted and added to the record. The ornamental refusal is hereby withdrawn.

**SPECIMENS OF USE**

*THIS REFUSAL ONLY APPLIES TO THE SERVICES LISTED IN CLASS 35.*

For the reasons below, the refusal of registration because applicant has not shown use of the mark in commerce in connection with the services is maintained and made **FINAL**.

In the previous Office action, the Examining Attorney refused the specimens for Class 35 because they did not show use in connection with any services. In its response, applicant submitted substitute specimens. The substitute specimens, however, are not acceptable to show use in connection with retail store services because the mark appears only as a trademark on clothing. The specimens do not show the mark in use in connection with any services.

Thus, the refusal to register the applied-for mark because applicant has failed to provide evidence of use of the mark in commerce is now made final. 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a), 2.64(a); TMEP §§904, 904.07.

The specimens do not show the applied-for mark in use in commerce in connection with any of the services specified in International Class 35. 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each international class of goods and/or services identified in the application or amendment to allege use. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

Examples of specimens for services may include advertising and marketing materials, brochures, photographs of business signage and billboards, and website printouts that show the mark used in the actual sale, rendering, or advertising of the services. See TMEP §§1301.04 *et seq.*

Applicant may respond to this refusal by satisfying one of the following:

(1) Submit a different specimen (a verified “substitute” specimen) that (a) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use and (b) shows the mark in actual use in commerce for the services identified in International Class 35.

(2) Amend the filing basis to intent to use under Section 1(b), for which no specimen is required. This option will later necessitate additional fee(s) and filing requirements such as providing a specimen at a subsequent date.

For an overview of *both* response options referenced above and instructions on how to satisfy either option online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/specimen.jsp>.

To submit a verified specimen online using the Trademark Electronic Application System (TEAS), applicant should do the following: (1) answer “yes” to the TEAS response form wizard question to “submit a new or substitute specimen,” (2) attach a jpg or pdf file of the specimen, (3) describe what the specimen consists of, and (4) select the statement that “The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application.” These steps appear on different pages of the TEAS response form.

For the reasons below, the refusal of registration because applicant has not shown use of the mark in commerce in connection with the services is maintained and made **FINAL**.

### **PARTIAL ABANDONMENT ADVISORY**

Applicant must respond within six months of the date of issuance of this final Office action or the following class to which the final refusal(s) and/or requirement(s) apply will be **deleted** from the application by Examiner’s Amendment: Class 35. 37 C.F.R. §2.65(a); see 15 U.S.C. §1062(b).

The application will then proceed for Class 25 only.

### **OPTIONS**

Applicant may respond by providing one or both of the following:

(1) A response that fully satisfies all outstanding requirements:

(2) An appeal to the Trademark Trial and Appeal Board, with the appeal fee of \$100 per class.

37 C.F.R. §2.64(a); TMEP §714.04; see 37 C.F.R. §2.6(a)(18); TBMP ch. 1200.

In certain rare circumstances, an applicant may respond by filing a petition to the Director pursuant to 37 C.F.R. §2.63(b)(2) to review procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; see 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail

communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Robert J. Struck/  
Robert J. Struck  
Trademark Examining Attorney  
Law Office 109  
Robert.Struck@uspto.gov  
571-272-1513

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85908926	FILING DATE	04/19/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	STRUCK, ROBERT J	L.O. ASSIGNED	109

**PUB INFORMATION**

RUN DATE	01/23/2014		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	01/22/2014		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	FRANKIESCOTT, LLC
ADDRESS	357 South Street East Aurora, NY 14052
ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a stylized form of a capital letter "S" intertwined with a stylized form of the letter "F".
PSEUDO MARK	FRANKIE SCOTT

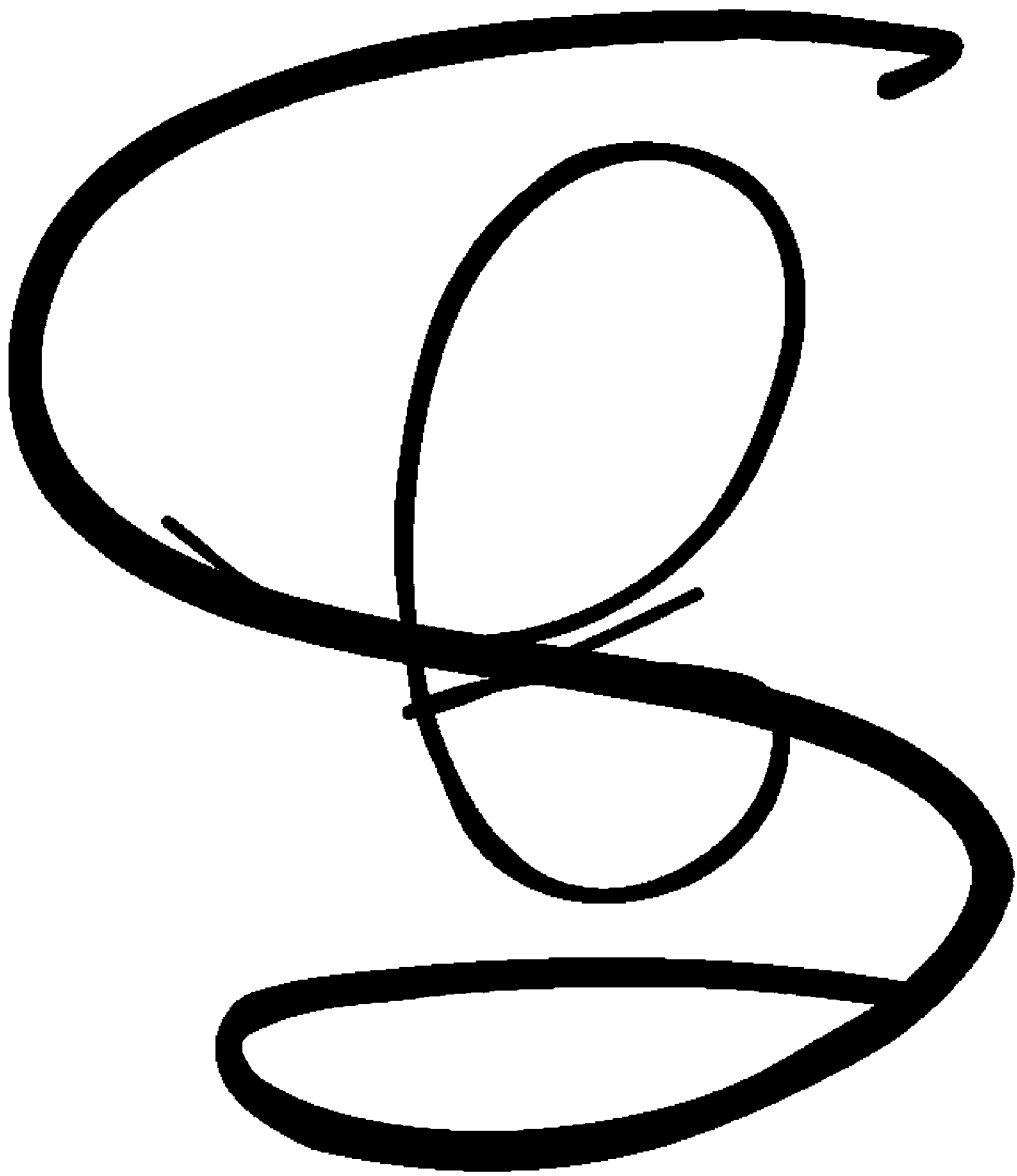
### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
01/22/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	015
01/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	014
01/13/2014	ALIE	A	ASSIGNED TO LIE	013
12/20/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	012
10/07/2013	CNRT	O	NON-FINAL ACTION MAILED	011
10/04/2013	CNRT	R	NON-FINAL ACTION WRITTEN	010
09/13/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
09/13/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/13/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
08/01/2013	CNRT	F	NON-FINAL ACTION MAILED	006
08/01/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005

07/29/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/27/2013	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
04/26/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/23/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Matthew J. Beck
CORRESPONDENCE ADDRESS	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750
DOMESTIC REPRESENTATIVE	NONE



## Response to Office Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85908926
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 109
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85908926
<b>LITERAL ELEMENT</b>	FS
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>GOODS AND/OR SERVICES SECTION (025)(current)</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>DESCRIPTION</b>	
Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/20/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/20/2013
<b>GOODS AND/OR SERVICES SECTION (025)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>DESCRIPTION</b>	
Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/20/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/20/2013
<b>STATEMENT TYPE</b>	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
<b>SPECIMEN FILE NAME(S)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml8\ ROA0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml8\ ROA0003.JPG</a>



SPECIMEN DESCRIPTION	a photograph of apparel with the design affixed to the left breast of the shirt, and a photograph of the apparel in a retail store.
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml8\ ROA0004.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml8\ ROA0005.JPG</a>
SPECIMEN DESCRIPTION	a photograph of apparel with the design in a retail store and a photograph of the outside of the retail outlet wherein the apparel is sold.
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/Joseph Wright652/
SIGNATORY'S NAME	Joseph Wright
SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	716-984-5673
DATE SIGNED	12/20/2013
RESPONSE SIGNATURE	/Theresa A. Drew/
SIGNATORY'S NAME	Theresa A. Drew
SIGNATORY'S POSITION	Attorney
SIGNATORY'S PHONE NUMBER	716-855-1111
DATE SIGNED	12/20/2013



AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Dec 20 13:14:21 EST 2013
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0131220131421750233-85908 926-5007cbbb3178a6c71bbfc d8fef7cf63cf3c2569982672f b3d55b84b9e49f3ae12-N/A-N /A-20131219141241578801

PTO Form 1557 (Rev 9/2005)  
OMB No. 0651-0060 (Exp. 07/31/2017)

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **85908926** FS (Stylized and/or with Design, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85908926>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 025 for Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce.

**Proposed:** Class 025 for Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of a photograph of apparel with the design affixed to the left breast of the shirt, and a photograph of the apparel in a retail store. .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen]. [Specimen File1](#)

[Specimen File2](#)

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

**Current:** Class 035 for Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce.

**Proposed:** Class 035 for Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013, and is now in use in such commerce. Applicant hereby submits one(or more) specimen(s) for Class 035. The specimen(s) submitted consists of a photograph of apparel with the design in a retail store and a photograph of the outside of the retail outlet wherein the apparel is sold.

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** [for an application based on Section 1(a), Use in Commerce] OR **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. OR **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen]. [Specimen File1](#)  
[Specimen File2](#)

## SIGNATURE(S)

### Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Joseph Wright652/ Date: 12/20/2013

Signatory's Name: Joseph Wright

Signatory's Position: Owner

Signatory's Phone Number: 716-984-5673

### Response Signature

Signature: /Theresa A. Drew/ Date: 12/20/2013

Signatory's Name: Theresa A. Drew

Signatory's Position: Attorney

Signatory's Phone Number: 716-855-1111

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.

Serial Number: 85908926

Internet Transmission Date: Fri Dec 20 13:14:21 EST 2013

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2013122013142175

0233-85908926-5007cbbb3178a6c71bbfcd8fef

7cf63cf3c2569982672fb3d55b84b9e49f3ae12-

N/A-N/A-20131219141241578801























UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85908926

MARK: FS

**\*85908926\***

**CORRESPONDENT ADDRESS:**

MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS,  
LLP  
350 MAIN ST STE 1800  
BUFFALO, NY 14202-3750

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** FRANKIESCOTT, LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:**

This Office action is in response to applicant's communication filed on September 13, 2013.

In the Office action dated August 1, 2013, the Examining Attorney refused the specimens because they consisted of printer's proofs. In its response, applicant submitted substitute specimens. The refusal of the specimens for Class 35 is continued and maintained because the substitute specimens do not reference any services.

Applicant, however, must respond to the following new issue.

**SECTIONS 1, 2 AND 45 REFUSAL – MARK IS ORNAMENTAL**

*THE REFUSAL ONLY APPLIES TO THE GOODS LISTED IN CLASS 25.*

Registration is refused because the applied-for mark as used on the specimen of record (1) is merely a decorative or ornamental feature of the goods; and (2) does not function as a trademark to indicate the source of applicant's goods and to identify and distinguish them from others. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; see *In re Villeroy & Boch S.A.R.L.*, 5 USPQ2d 1451, 1454 (TTAB 1987); TMEP §§904.07(b), 1202.03 *et seq.*

The use of the applied-for mark on the specimen is merely ornamental because the mark appears in a large font on the front of a t-shirt. Consumers would not recognize the mark as indicating the source of applicant's clothing .

When evaluating a mark that appears to be ornamental, the size, location, dominance, and significance of the alleged mark as applied to the goods are all relevant factors in determining the commercial impression of the applied-for mark. See, e.g., *In re Lululemon Athletica Can. Inc.*, 105 USPQ2d 1684, 1687 (TTAB 2013) (quoting *In re Right-On Co.*, 87 USPQ2d 1152, 1156 (TTAB 2008)); *In re Dimitri's Inc.*, 9 USPQ2d 1666,

1667 (TTAB 1988); TMEP §1202.03(a).

*In appropriate circumstances*, applicant may overcome this refusal by satisfying one of the following options:

- (1) Submit a different specimen (a verified “substitute” specimen) that (a) was in actual use in commerce at least as early as the filing date of the application (or prior to the filing of an amendment to allege use) and (b) shows proper trademark use for each international class identified in the application or amendment to allege use.
- (2) Amend to the Supplemental Register, which is a second trademark register for marks not yet eligible for registration on the Principal Register, but which may become capable over time of functioning as source indicators.
- (3) Claim acquired distinctiveness under Trademark Act Section 2(f) by submitting evidence that the applied-for mark has become distinctive of applicant’s goods: that is, proof that applicant’s extensive use and promotion of the mark has allowed consumers now directly to associate the mark with applicant as the source of the goods.
- (4) Submit evidence that the applied-for mark is an indicator of secondary source: that is, proof that the mark is already recognized as a source indicator for *other* goods or services that applicant sells/offers.
- (5) Amend the filing basis to intent to use under Section 1(b). This option will later necessitate additional fee(s) and filing requirements.

For an overview of *all* response options referenced above and instructions on how to satisfy each option online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/ornamental.jsp>.

#### **RESPONSE GUIDELINES**

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant’s only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to live status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §§2.6, 2.66(b)(1).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

/Robert J. Struck/  
Robert J. Struck  
Trademark Examining Attorney  
Law Office 109



Robert.Struck@uspto.gov  
571-272-1513

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85908926	FILING DATE	04/19/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	STRUCK, ROBERT J	L.O. ASSIGNED	109

**PUB INFORMATION**

RUN DATE	09/14/2013		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	09/13/2013		
LITERAL MARK ELEMENT	FS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FS
MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	FRANKIESCOTT, LLC
ADDRESS	357 South Street East Aurora, NY 14052
ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/20/2013	FIRST USE IN COMMERCE DATE	02/20/2013	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

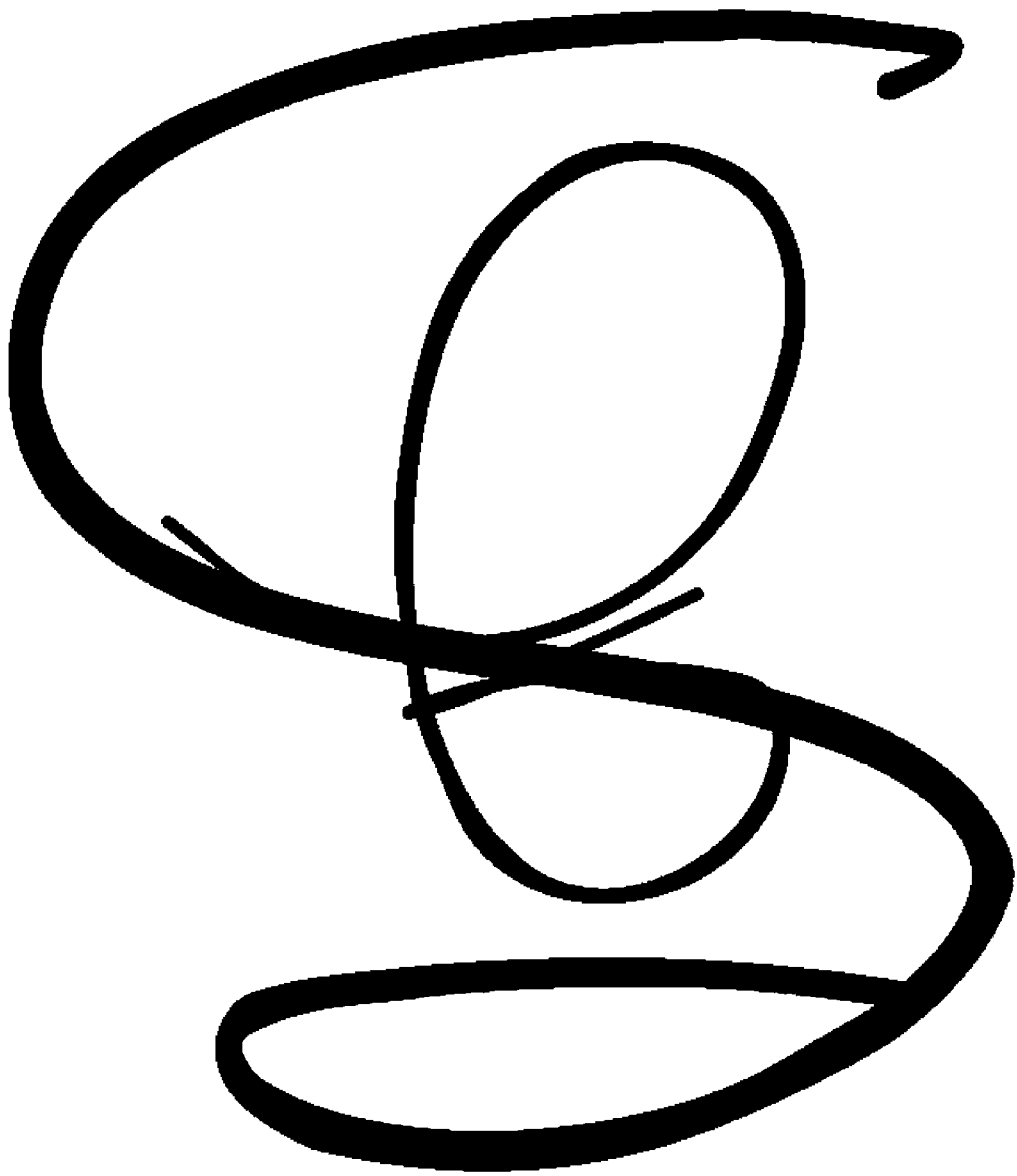
CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a stylized form of a capital letter S intertwined with a stylized form of the letter f.
PSEUDO MARK	FRANKIE SCOTT

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/13/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
09/13/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
09/13/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
08/01/2013	CNRT	F	NON-FINAL ACTION MAILED	006
08/01/2013	CNRT	R	NON-FINAL ACTION WRITTEN	005
07/29/2013	DOCK	D	ASSIGNED TO EXAMINER	004
04/27/2013	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
04/26/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
04/23/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Matthew J. Beck
CORRESPONDENCE ADDRESS	MATTHEW J. BECK DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP 350 MAIN ST STE 1800 BUFFALO, NY 14202-3750
DOMESTIC REPRESENTATIVE	NONE



## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85908926
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 109
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85908926
<b>LITERAL ELEMENT</b>	FS
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml5\ ROA0002.JPG
<b>DESCRIPTION OF EVIDENCE FILE</b>	a photograph showing the mark on actual goods, a shirt.
<b>GOODS AND/OR SERVICES SECTION (025)(current)</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>DESCRIPTION</b>	
Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/20/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/20/2013
<b>GOODS AND/OR SERVICES SECTION (025)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>DESCRIPTION</b>	
Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/20/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/20/2013
<b>STATEMENT TYPE</b>	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is



	a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml5\ ROA0003.JPG
SPECIMEN DESCRIPTION	a photograph showing the mark on actual goods, a shirt.
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml5\ ROA0004.JPG
SPECIMEN DESCRIPTION	a photograph showing the mark on actual goods, a shirt.
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/wright652/
SIGNATORY'S NAME	Joseph Wright
SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	716-984-5673
DATE SIGNED	09/12/2013
RESPONSE SIGNATURE	/Theresa A. Drew/
SIGNATORY'S NAME	Theresa A. Drew
SIGNATORY'S POSITION	Attorney
SIGNATORY'S PHONE NUMBER	716-855-1111

DATE SIGNED	09/13/2013
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Sep 13 08:38:34 EDT 2013
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0130913083834861549-85908 926-500f9c496f765a67d5d59 3b8f699537d6dd5529574628a 1cf87bcfd847866c82350-N/A -N/A-20130912085244200291

PTO Form 1957 (Rev 9/2006)  
OMB No. 0651-0050 (Exp. 07/31/2017)

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **85908926** FS (Stylized and/or with Design. see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85908926>) has been amended as follows:

#### EVIDENCE

Evidence in the nature of a photograph showing the mark on actual goods, a shirt. has been attached. [Evidence-1](#)

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 025 for Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms: Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce.

**Proposed:** Class 025 for Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms: Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests; Women's clothing, namely, shirts, dresses, skirts, blouses; Women's hats and hoods; Women's shoes; Women's tops, namely, camis; Women's underwear

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce. Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of a photograph showing the mark on actual goods, a shirt. .

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen]. [Specimen File1](#)

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

**Current:** Class 035 for Retail apparel stores; Retail clothing boutiques: Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013 , and is now in use in such commerce.

**Proposed:** Class 035 for Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/20/2013 and first used in commerce at least as early as 02/20/2013, and is now in use in such commerce. Applicant hereby submits one(or more) specimen(s) for Class 035. The specimen(s) submitted consists of a photograph showing the mark on actual goods, a shirt. .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen]. [Specimen File](#)**

#### **SIGNATURE(S)**

##### **Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /wright652/ Date: 09/12/2013

Signatory's Name: Joseph Wright

Signatory's Position: Owner

Signatory's Phone Number: 716-984-5673

##### **Response Signature**

Signature: /Theresa A. Drew/ Date: 09/13/2013

Signatory's Name: Theresa A. Drew

Signatory's Position: Attorney

Signatory's Phone Number: 716-855-1111

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.

Serial Number: 85908926

Internet Transmission Date: Fri Sep 13 08:38:34 EDT 2013

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2013091308383486

1549-85908926-500f9c496f765a67d5d593b8f6

99537d6dd5529574628a1cf87bcfd847866c8235

0-N/A-N/A-20130912085244200291















UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85908926

MARK: FS

**\*85908926\***

**CORRESPONDENT ADDRESS:**

MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS,  
LLP  
350 MAIN ST STE 1800  
BUFFALO, NY 14202-3750

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** FRANKIESCOTT, LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:**

The assigned trademark examining attorney has reviewed the referenced application and has determined the following:

**NO SIMILAR MARKS**

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

Applicant, however, should note the following refusal.

**SPECIMEN OF USE**

The specimen is not acceptable because it is a printer's proof and thus does not show the applied-for mark in actual use in commerce. Printer's proofs generally are proofs used to preview a document and make any corrections to that document before it goes to press. As such, they are not disseminated to the public and do not show use of the mark in the ordinary course of trade on the actual goods that are sold or transported in commerce. See *In re The Signal Cos.*, 228 USPQ 956, 957-58 n.4 (TTAB 1986); TMEP §§904.04(a), 904.07(a).

The term "use in commerce" is defined as "the bona fide use of a mark in the ordinary course of trade." 15 U.S.C. §1127. A mark is used in commerce in relation to goods when it is used on the goods, containers for the goods, displays associated with the goods or tags or labels affixed to the goods, and such goods are sold or transported in commerce. 15 U.S.C. §1127; TMEP §901.01; see 37 C.F.R. §2.56(b)(1).

An application based on Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each class of goods. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904.04, 904.07(a).

Therefore, applicant must submit the following:

- (1) A substitute specimen showing the mark in actual use in commerce for each class of goods specified in the application.
- (2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: “**The substitute specimen was in use in commerce at least as early as the filing date of the application.**” 37 C.F.R. §2.59(a); TMEP §904.05; *see* 37 C.F.R. §2.193(e)(1). If submitting a substitute specimen requires an amendment to the dates of use, applicant must also verify the amended dates. 37 C.F.R. §2.71(c); TMEP §904.05.

Examples of specimens for goods are tags, labels, instruction manuals, containers, photographs that show the mark on the actual goods or packaging, or displays associated with the actual goods at their point of sale. *See* TMEP §§904.03 *et seq.*

Examples of specimens for services are signs, photographs, brochures, website printouts or advertisements that show the mark used in the actual sale or advertising of the services. *See* TMEP §§1301.04 *et seq.*

To submit a verified substitute specimen online via the Trademark Electronic Application System (TEAS), applicant should do the following: (1) answer “yes” to the TEAS response form wizard question to “submit a new or substitute specimen.” (2) attach a jpg or pdf file of the substitute specimen; (3) select the statement that “The substitute specimen(s) was in use in commerce at least as early as the filing date of the application.”; and (4) sign personally or enter personally his/her electronic signature, name in printed or typed form, and date after the declaration at the end of the TEAS response form. *See* 37 C.F.R. §§2.59(a), 2.193(a), (c)-(d), (e)(1); TMEP §§611.01(c), 804.01(b). Please note that these steps appear on different pages of the TEAS response form.

If applicant experiences difficulty in submitting the required substitute specimen, supporting statement and/or declaration, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov) for technical assistance regarding the TEAS response form.

If applicant cannot satisfy the above requirements, applicant may amend the application from a use in commerce basis under Section 1(a) to an intent to use basis under Section 1(b), for which no specimen is required. *See* TMEP §806.03(c). However, if applicant amends the basis to Section 1(b), registration will not be granted until applicant later amends the application back to use in commerce by filing an acceptable allegation of use with a proper specimen. *See* 15 U.S.C. §1051(c), (d); 37 C.F.R. §§2.76, 2.88; TMEP §1103.

To amend to Section 1(b), applicant must submit the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: “**Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods listed in the application as of the filing date of the application.**” 37 C.F.R. §2.34(a)(2); TMEP §806.01(b); *see* 15 U.S.C. §1051(b); 37 C.F.R. §§2.35(b)(1), 2.193(e)(1).

Pending receipt of a proper response, registration is refused because the specimen does not show the applied-for mark in use in commerce as a trademark. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

## **RESPONSE GUIDELINES**

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant’s only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to live status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §§2.6, 2.66(b)(1).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

/Robert J. Struck/  
Robert J. Struck  
Trademark Examining Attorney  
Law Office 109  
Robert.Struck@uspto.gov  
571-272-1513

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



\*\*\* User:rstruck \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	3	0	3	3	0:01	frankiescott[on]
02	3509	N/A	0	0	0:02	*fs*[bi.ti] not dead[ld]
03	758	N/A	0	0	0:02	2 and ("025" "035" a b 200)[ic]
04	192	0	192	180	0:02	fs[bi.ti] not dead[ld]
05	60	0	60	53	0:01	"f s"[bi.ti] not dead[ld]
06	4547	N/A	0	0	0:02	*sf*[bi.ti] not dead[ld]
07	1045	N/A	0	0	0:02	6 and ("025" "035" a b 200)[ic]
08	274	0	274	262	0:01	sf[bi.ti] not dead[ld]
09	71	0	71	63	0:01	"s f"[bi.ti] not dead[ld]

Session started 7/29/2013 1:03:14 PM

Session finished 7/29/2013 1:10:20 PM

Total search duration 0 minutes 14 seconds

Session duration 7 minutes 6 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85908926

Side - 1



**MAILING DATE: Apr 27, 2013**  
**PSEUDO MARK FOR**  
**SERIAL NUMBER: 85908926**

**Attorney Reference Number:**

The USPTO may assign pseudo marks, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

A pseudo mark may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words "YOU ARE" surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as "YOU ARE SQUARE." A mark filed as "URGR8" would receive a pseudo mark of "YOU ARE GREAT."

Response to this notice is not required; however, to suggest additions or changes to the pseudo mark assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

**PSEUDO MARK: FRANKIE SCOTT**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID

MATTHEW J. BECK  
DUKE, HOLZMAN, PHOTIADIS & GRESENS, LLP  
350 MAIN ST STE 1800  
BUFFALO, NY 14202-3750

## Trademark/Service Mark Application, Principal Register

Serial Number: 85908926  
 Filing Date: 04/19/2013

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85908926
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\859\089\85908926\xml1\APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	stylized letters F and S
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a stylized form of a capital letter S intertwined with a stylized form of the letter f.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	800 x 800
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	FRANKIESCOTT, LLC
*STREET	357 South Street
*CITY	East Aurora
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	14052
PHONE	716-984-5673
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	025
*IDENTIFICATION	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013

FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0003.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Hooded sweatshirts for <b>men and women</b>
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-1-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0004.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Men's and women's jackets, coats, trousers, vests
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Women's clothing, namely, shirts, dresses, skirts, blouses
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-3-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0006.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Women's hats and hoods
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013

FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Women's shoes
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0008.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Women's tops, namely, camis
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	025
*IDENTIFICATION	Women's underwear
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	035
*IDENTIFICATION	Retail apparel stores
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013



FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-8-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0011.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	035
*IDENTIFICATION	Retail clothing boutiques
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-9-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0012.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	035
*IDENTIFICATION	Retail store services featuring <b>men's and women's apparel and accessories</b>
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
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CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0013.JPG</a>
SPECIMEN DESCRIPTION	stylized text
INTERNATIONAL CLASS	035
*IDENTIFICATION	Retail <b>clothing</b> stores
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/20/2013
FIRST USE IN COMMERCE DATE	At least as early as 02/20/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPE0-11-7243207102-102017749 . FrankieScott.design mark specimen.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\089\85908926\xml1\APP0014.JPG</a>
SPECIMEN DESCRIPTION	stylized text
ATTORNEY INFORMATION	
NAME	Matthew J. Beck
FIRM NAME	Duke, Holzman, Photiadis & Gresens, LLP
STREET	350 Main Street, Suite 1800



<b>CITY</b>	Buffalo
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	14202
<b>PHONE</b>	716-855-1111
<b>FAX</b>	716-855-0327
<b>OTHER APPOINTED ATTORNEY</b>	Theresa A. Drew
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Matthew J. Beck
<b>FIRM NAME</b>	Duke, Holzman, Photiadis & Gresens, LLP
<b>STREET</b>	350 Main Street, Suite 1800
<b>CITY</b>	Buffalo
<b>STATE</b>	New York
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	14202
<b>PHONE</b>	716-855-1111
<b>FAX</b>	716-855-0327
<b>EMAIL ADDRESS</b>	mjbeck@dhpqlaw.com;tdrew@dhpqlaw.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	No
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	2
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	650
<b>*TOTAL FEE PAID</b>	650
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Joseph Wright652/
<b>SIGNATORY'S NAME</b>	Joseph Wright
<b>SIGNATORY'S POSITION</b>	Owner
<b>DATE SIGNED</b>	04/18/2013

---

## Trademark/Service Mark Application, Principal Register

Serial Number: 85908926

Filing Date: 04/19/2013

### To the Commissioner for Trademarks:

**MARK:** stylized letters F and S (stylized and/or with design, see [mark](#))

The literal element of the mark consists of stylized letters F and S.

The applicant is not claiming color as a feature of the mark. The mark consists of a stylized form of a capital letter S intertwined with a stylized form of the letter f.

The applicant, FRANKIESCOTT, LLC, a limited liability company legally organized under the laws of New York, having an address of  
357 South Street  
East Aurora, New York 14052  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms: Hooded sweatshirts for men and women; Men's and women's jackets, coats, trousers, vests: Women's clothing, namely, shirts, dresses, skirts, blouses: Women's hats and hoods: Women's shoes: Women's tops, namely, camis: Women's underwear

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 02/20/2013, and first used in commerce at least as early as 02/20/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) stylized text.

#### Original PDF file:

[SPE0-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-1-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-2-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-3-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-4-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-5-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

#### Original PDF file:

[SPE0-6-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPE0-7-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

**For specific filing basis information for each item, you must view the display within the Input Table.**

International Class 035: Retail apparel stores; Retail clothing boutiques; Retail store services featuring men's and women's apparel and accessories; Retail clothing stores

In International Class 035, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 02/20/2013, and first used in commerce at least as early as 02/20/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) stylized text.

Original PDF file:

[SPE0-8-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPE0-9-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPE0-10-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPE0-11-7243207102-102017749 . FrankieScott.design mark specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

The applicant's current Attorney Information:

Matthew J. Beck and Theresa A. Drew of Duke, Holzman, Photiadis & Gresens, LLP  
350 Main Street, Suite 1800  
Buffalo, New York 14202  
United States

The applicant's current Correspondence Information:

Matthew J. Beck  
Duke, Holzman, Photiadis & Gresens, LLP  
350 Main Street, Suite 1800  
Buffalo, New York 14202  
716-855-1111(phone)  
716-855-0327(fax)  
mjbeck@dhpqlaw.com;tdrew@dhpqlaw.com (not authorized)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 class(es).

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she

believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

**Declaration Signature**

Signature: //Joseph Wright652/ Date: 04/18/2013

Signatory's Name: Joseph Wright

Signatory's Position: Owner

RAM Sale Number: 85908926

RAM Accounting Date: 04/19/2013

Serial Number: 85908926

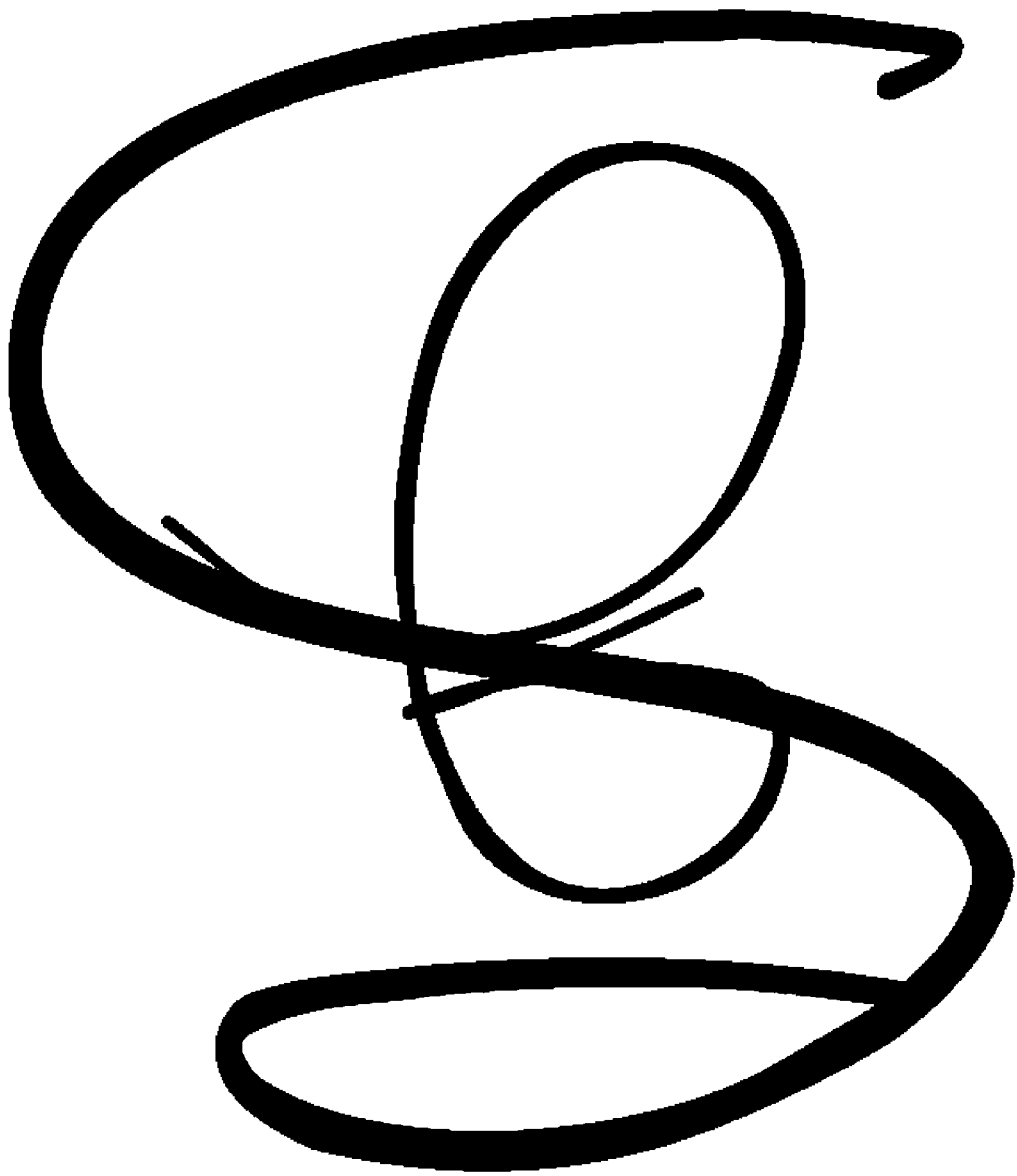
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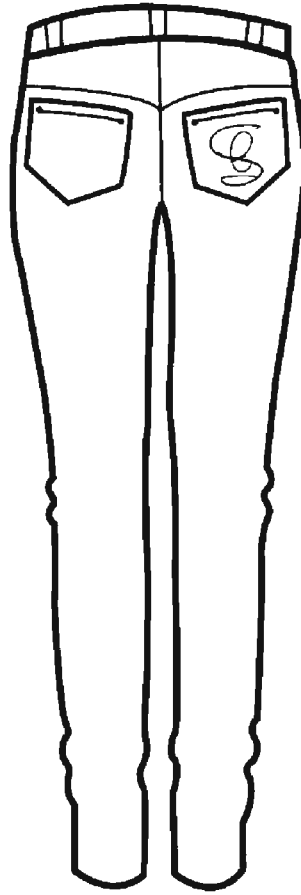
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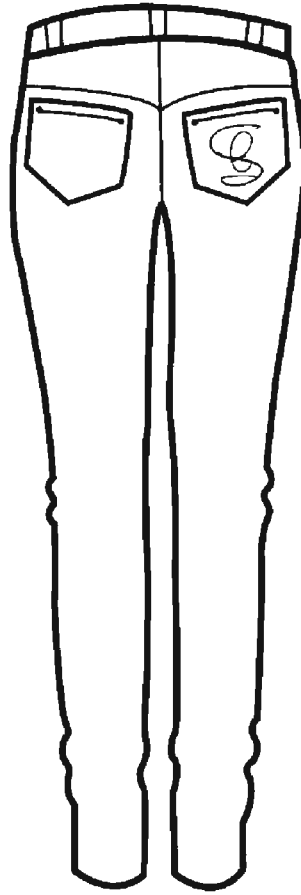
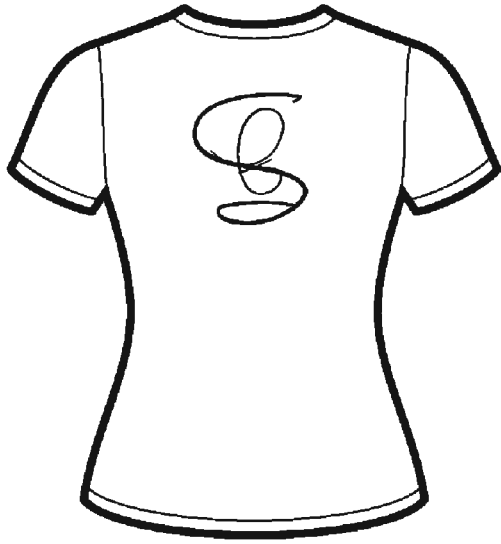
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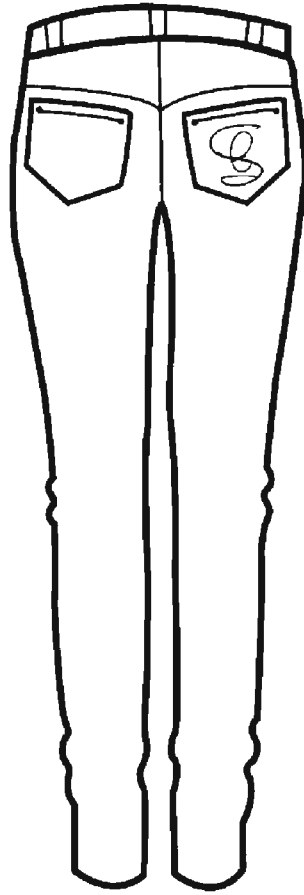


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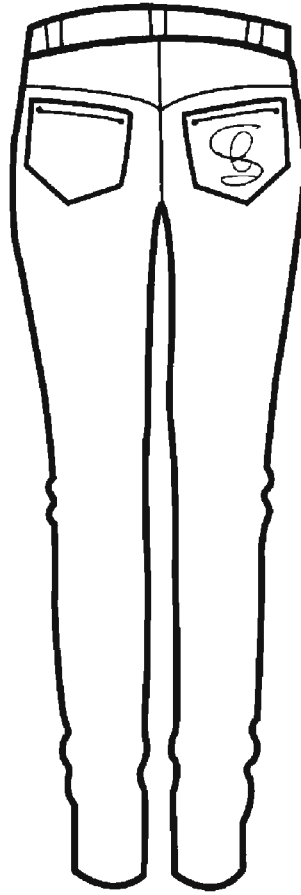
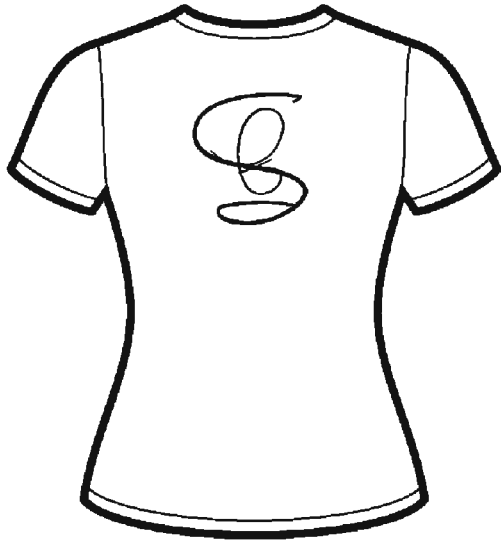




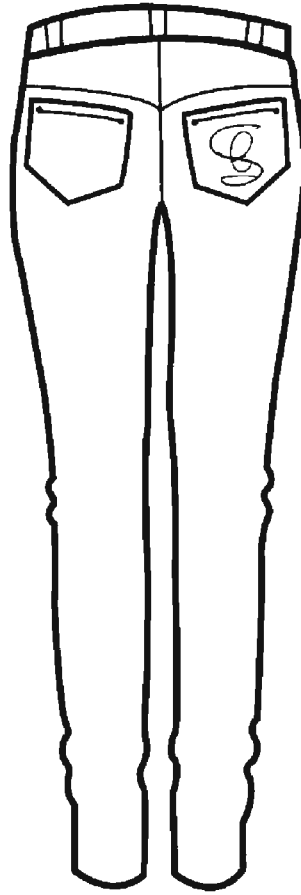
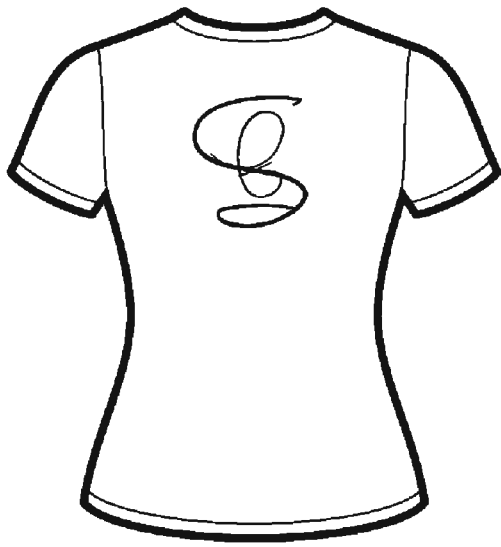
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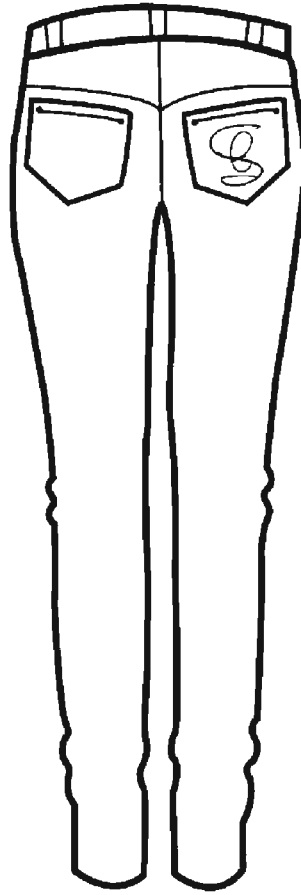
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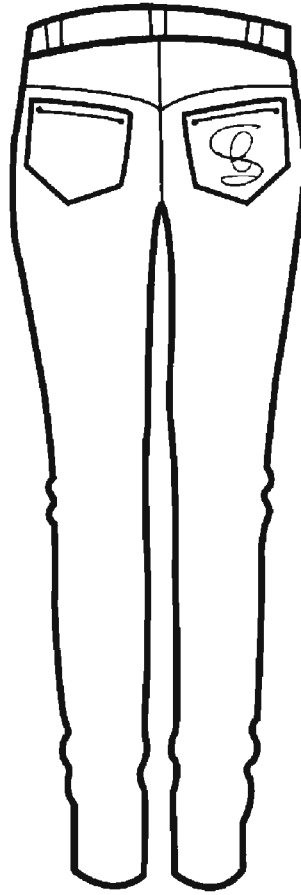
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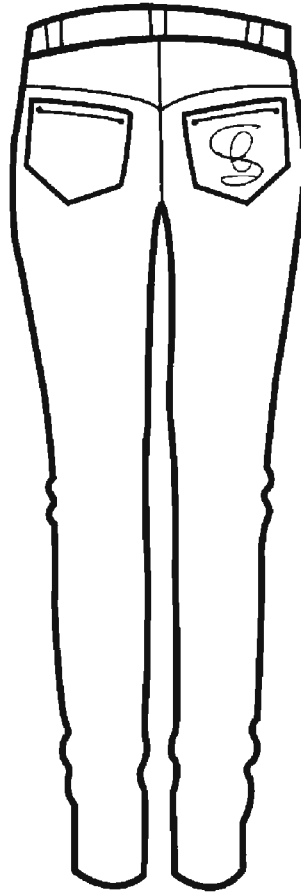
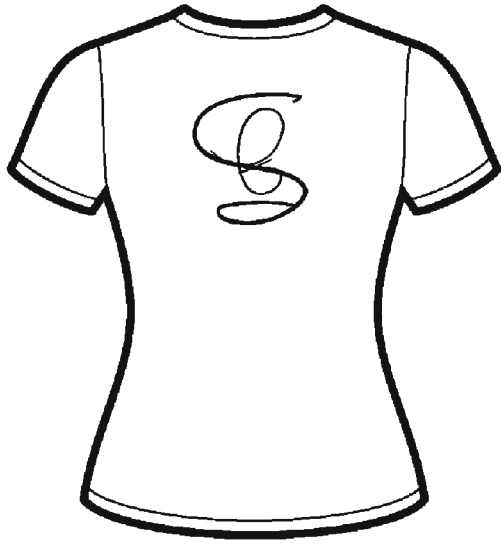


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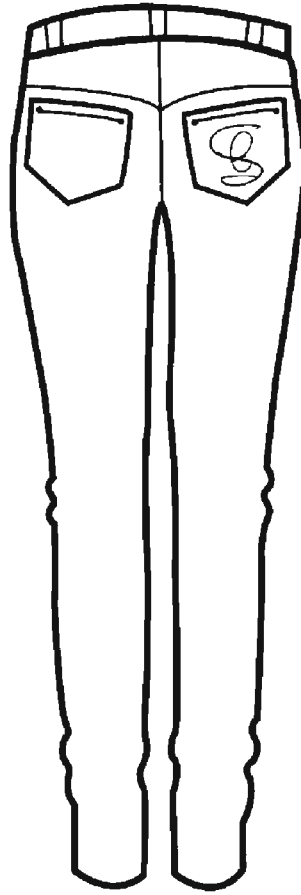


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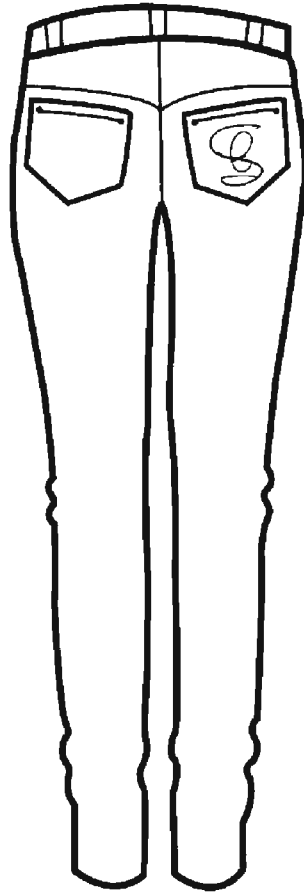




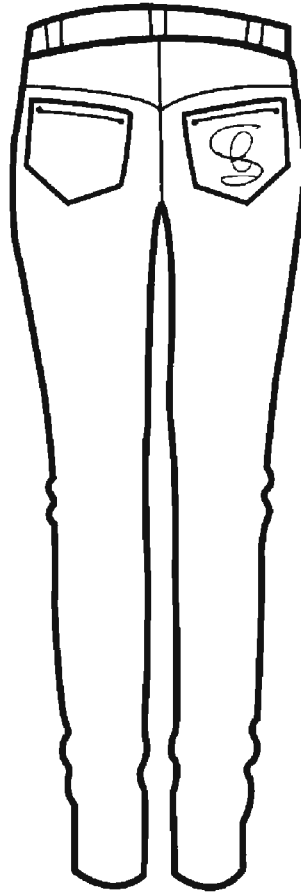
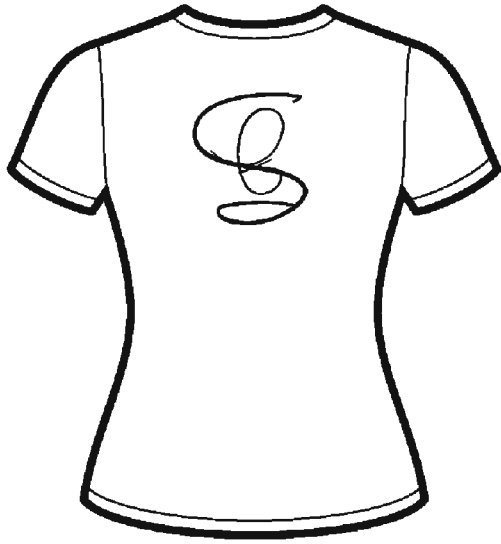
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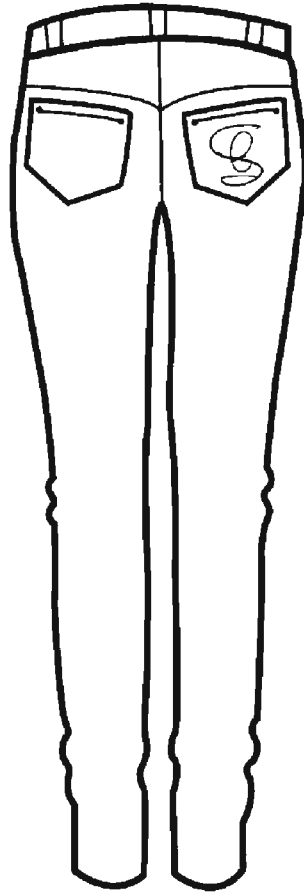
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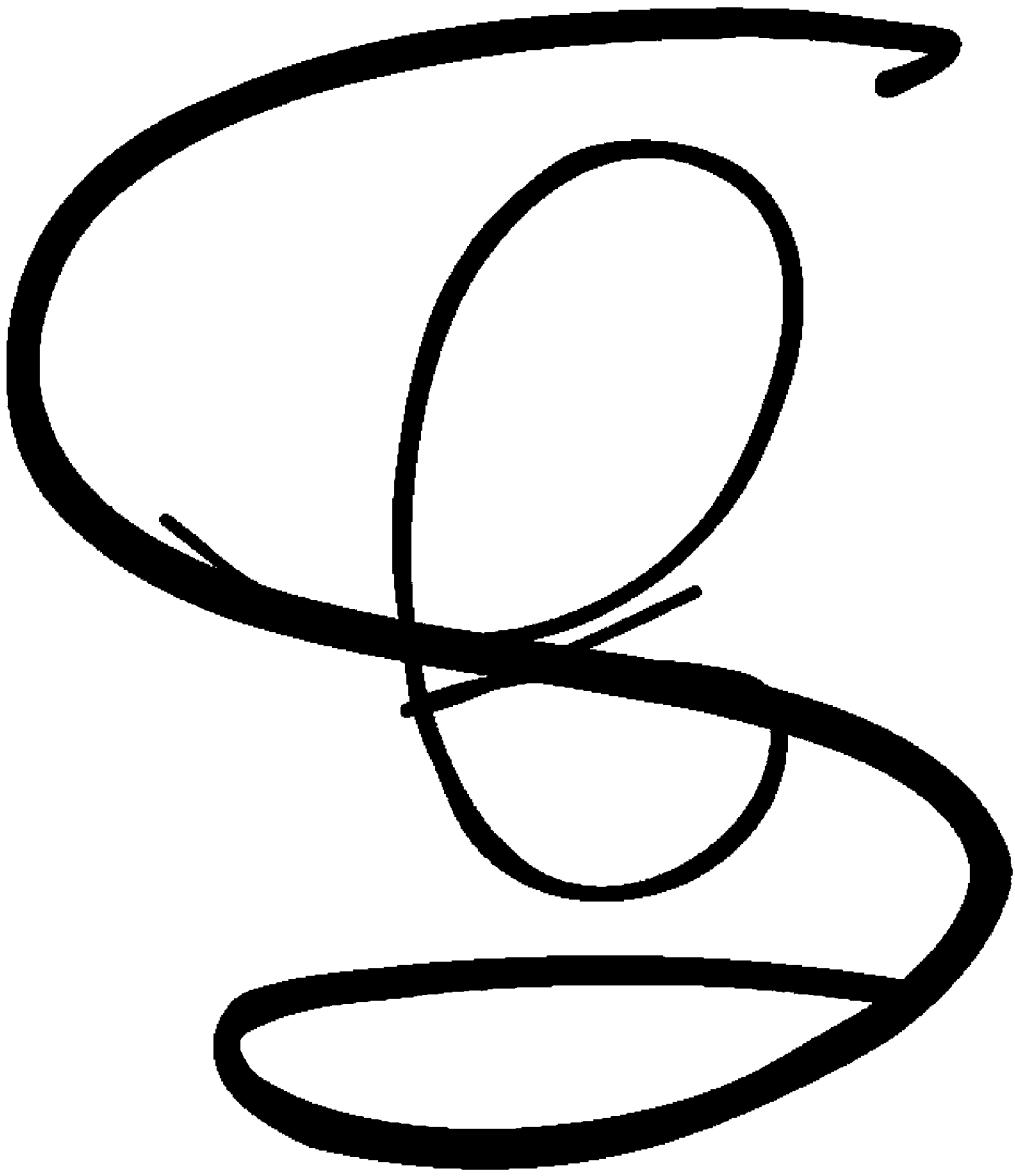
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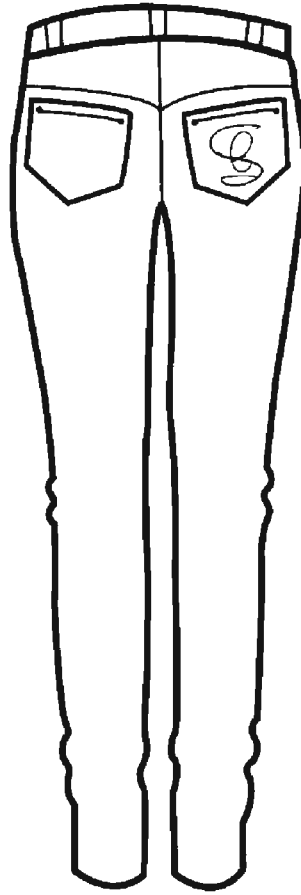
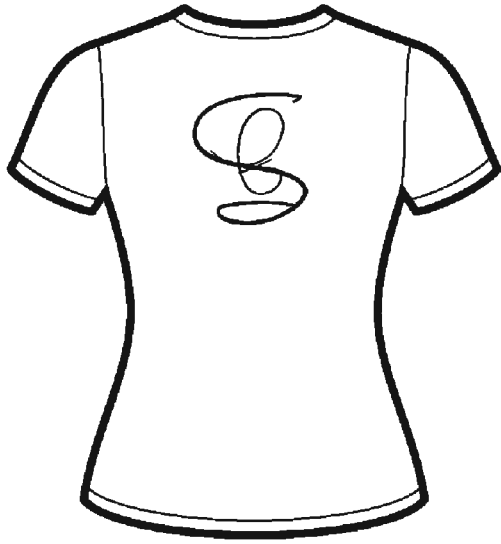
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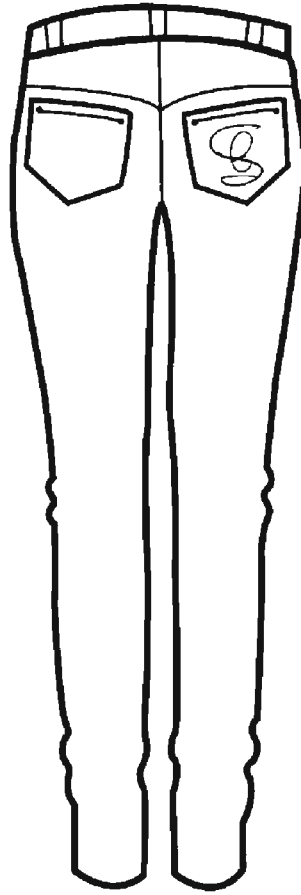
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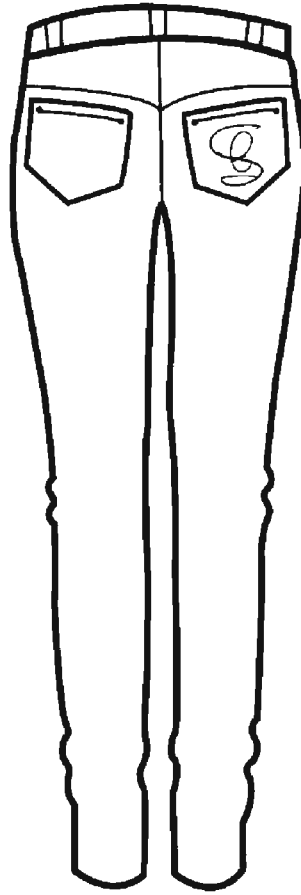




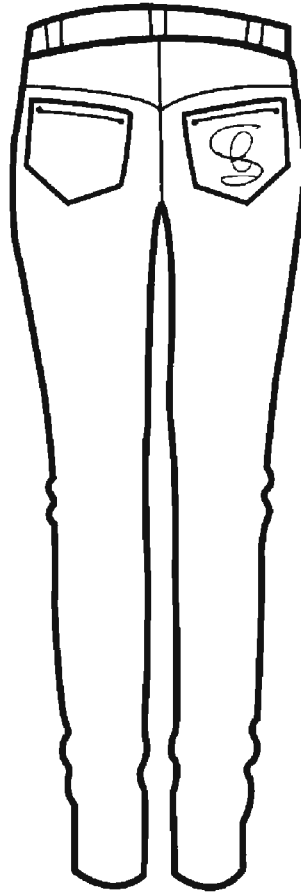
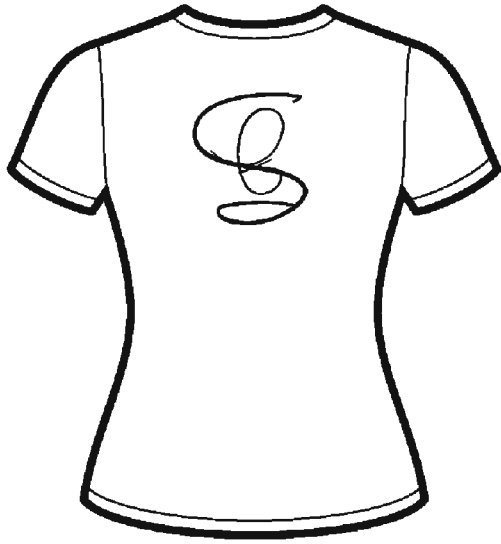
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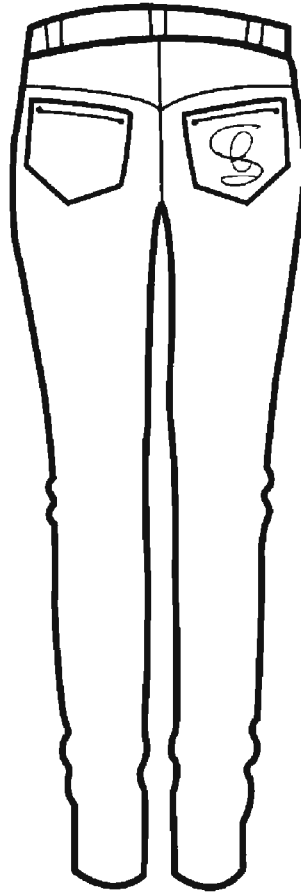
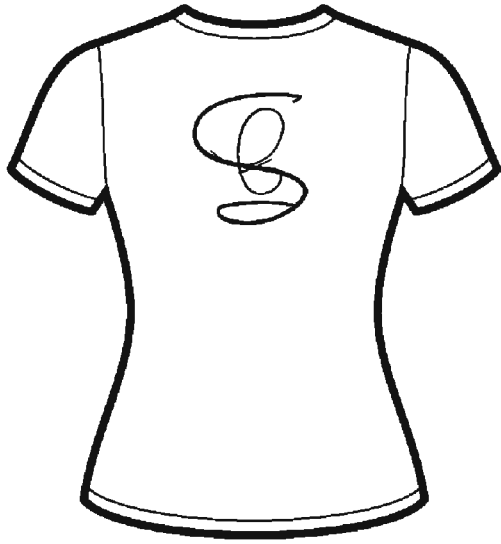
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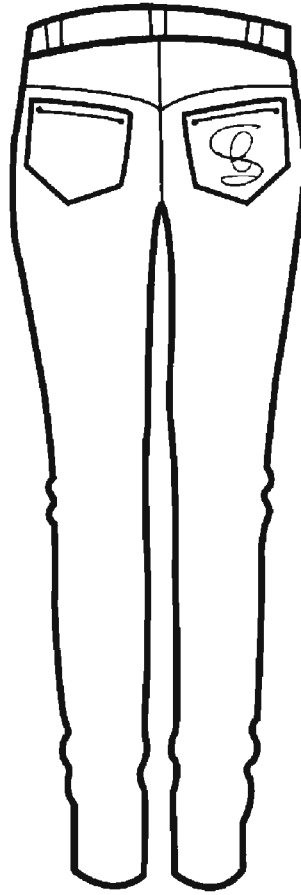
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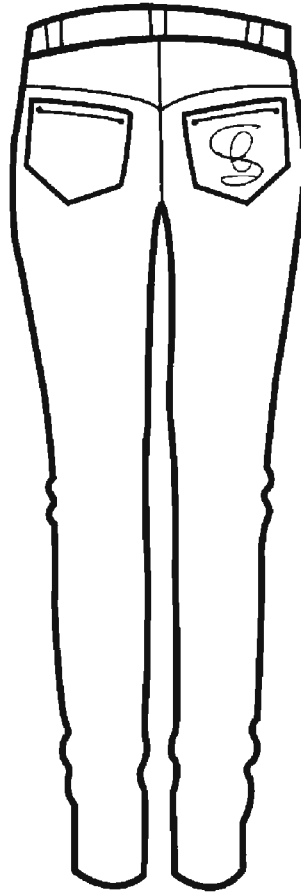
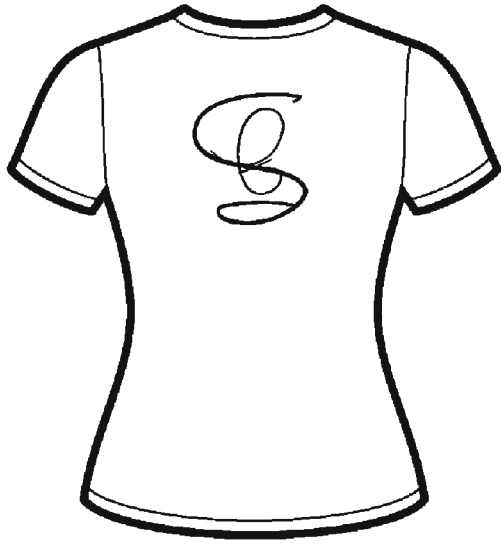


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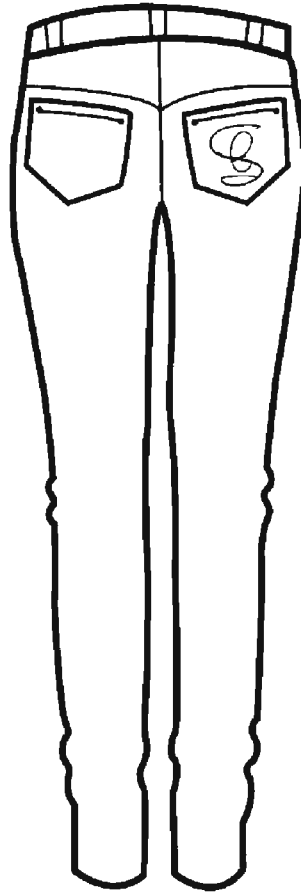
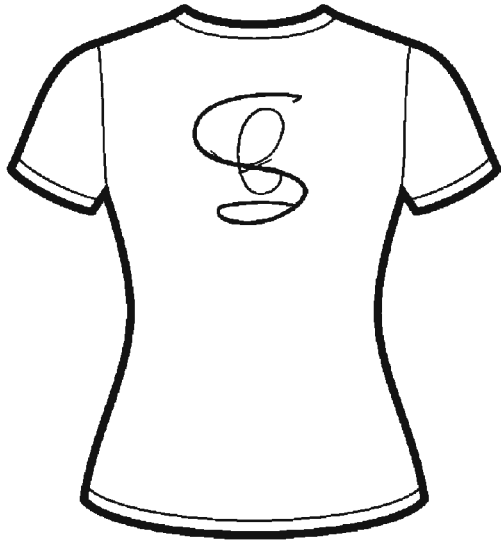


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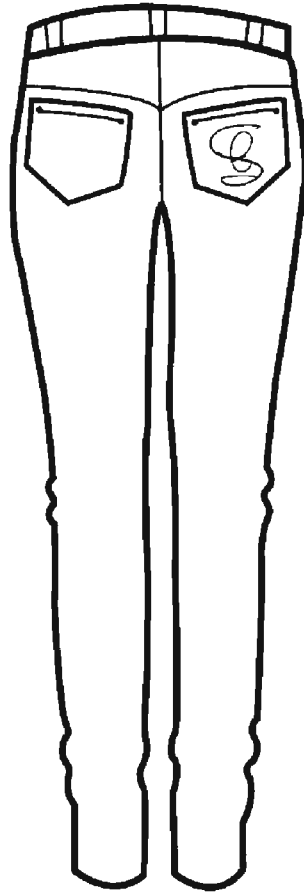




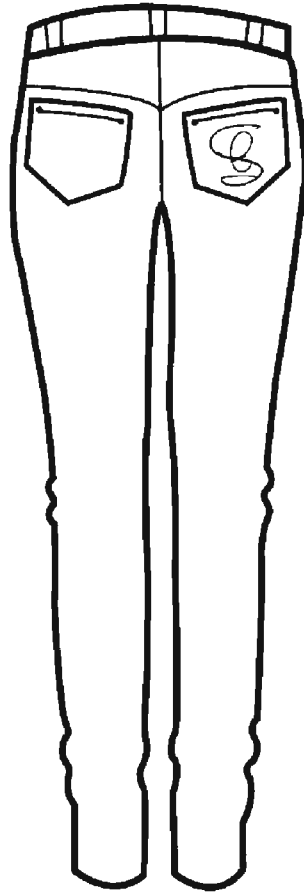
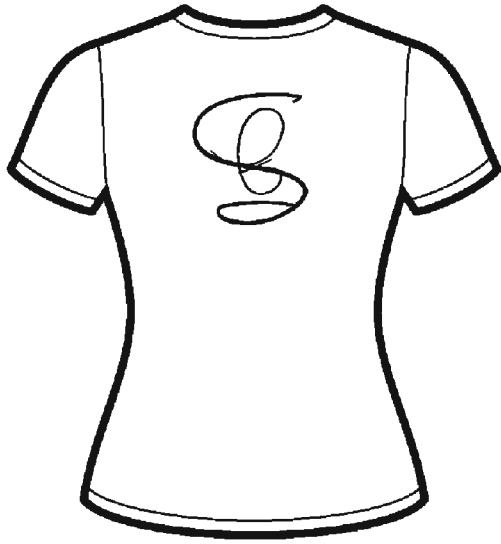
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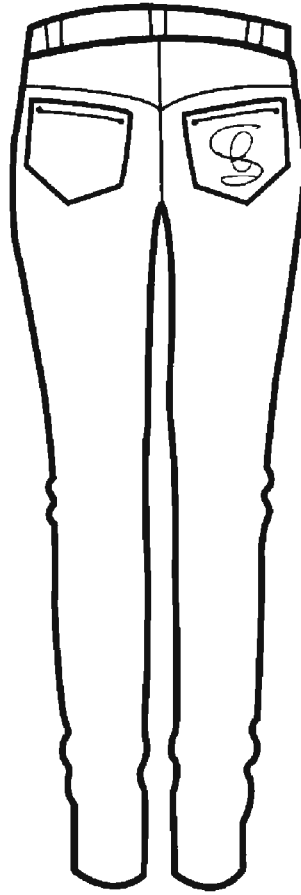
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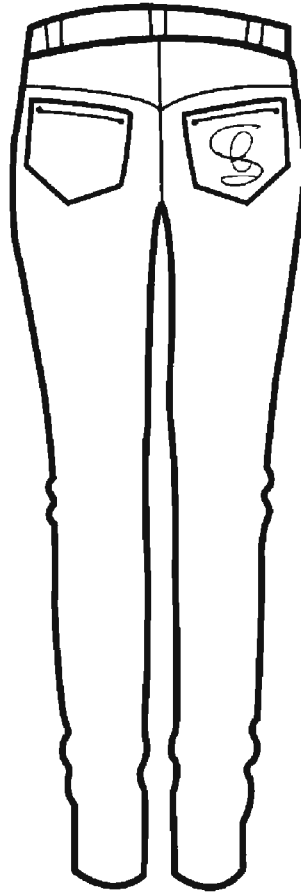
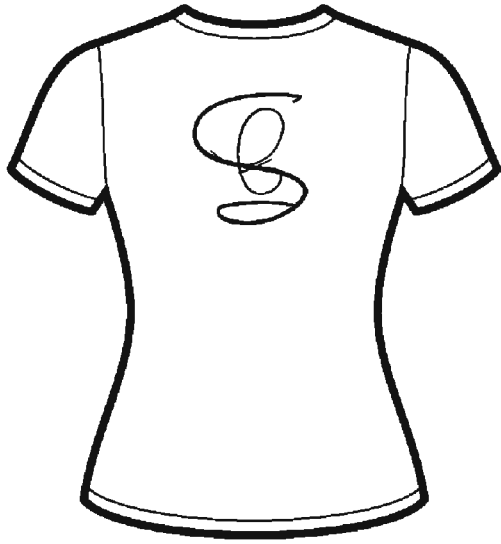
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Scott



Generated on: This page was generated by TSDR on 2019-05-07 23:49:20 EDT

Mark: WS



US Serial Number: 85968590

Application Filing Date: Jun. 24, 2013

US Registration Number: 4477854

Registration Date: Feb. 04, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 04, 2014

Publication Date: Nov. 19, 2013

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## Mark Information

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Mark Literal Elements: WS

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 the stylized text "W" and "S" interlocked. The "W" features the outline of a surfboard in the right most part of the letter. The "S" features the outline of a wheeled surfboard in the bottom portion of the letter.

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

Design Search Code(s): 21.03.27 - Surfboards; Snowboards; Body boards

27.01.04 - Objects composed of letters or numerals; Numbers forming objects; Punctuation forming objects; Letters forming objects

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## Goods and Services

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**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: Skateboards; Surfboards

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2013

Use In Commerce: Jun. 2013

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## Basis Information (Case Level)

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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  
Filed 66A: No  
Filed No Basis: No

Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

Amended 44E: No

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## Current Owner(s) Information

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**Owner Name:** Beach Connection  
**Composed of:** Yancey Meyer, USA  
**Owner Address:** 1077 Gardena Road  
Encinitas, CALIFORNIA 92024  
UNITED STATES  
**Legal Entity Type:** SOLE PROPRIETORSHIP  
**State or Country Where Organized:** CALIFORNIA

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## Attorney/Correspondence Information

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**Attorney of Record - None**  
**Correspondent**

**Correspondent Name/Address:** BEACH CONNECTION  
1077 GARDENA RD  
ENCINITAS, CALIFORNIA 92024-4605  
UNITED STATES  
**Phone:** 7606377656

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Feb. 04, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 04, 2014	REGISTERED-PRINCIPAL REGISTER	
Nov. 19, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 19, 2013	PUBLISHED FOR OPPOSITION	
Oct. 30, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 09, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 01, 2013	ASSIGNED TO EXAMINER	83285
Jul. 09, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 06, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 27, 2013	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Feb. 04, 2014

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Monday, February 4, 2019 01:11 AM  
**To:** yanceymeyer@hotmail.com ; yanceymeyer@hotmail.com  
**Subject:** Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filing Under Section 8: U.S. Trademark RN 4477854: WS (Stylized/Design)

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**U.S. Serial Number:** 85968590  
**U.S. Registration Number:** 4477854  
**U.S. Registration Date:** Feb 4, 2014  
**Mark:** WS (Stylized/Design)  
**Owner:** Beach Connection

Feb 4, 2019

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER  
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILING UNDER SECTION 8**

**WARNING:** Your trademark registration will be **CANCELLED** if you do not file the required document below during the specified statutory time period.

The above-identified registration registered on Feb 4, 2014. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse under §8 of the Trademark Act anytime between now and Feb 4, 2020. For an additional fee, the owner may file the declaration within the six-month grace period that ends on Aug 4, 2020. See 15 U.S.C. §1058. The current fee for filing a declaration under §8 is \$125 per class if the filing is made via the Trademark Electronic Application System ("TEAS") and \$225 if the filing is made on paper, and the additional fee for filing during the six-month grace period is \$100 per class if the filing is made via TEAS and \$200 if the filing is made on paper. 37 C.F.R. §2.6.

If the registration meets the requirements of §15 of the Trademark Act, the owner may additionally file an optional Declaration of Incontestability under §15. See 15 U.S.C. §1065. The current fee for filing a declaration under §15 is \$200 per class if the filing is made via TEAS and \$300 per class if the filing is made on paper. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through the USPTO's official website using TEAS. Official forms for filing Declarations of Use and/or Excusable Nonuse under §8 and Combined Declarations of Use and Incontestability under §§8 and 15 are available through TEAS at <https://www.uspto.gov/trademarks-application-process/filing-online/registration-maintenancerenewalcorrection-forms>.

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <https://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <https://www.uspto.gov/learning-and-resources/trademark-faqs>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

Correspondence transmitted through TEAS is considered to have been filed on the date the USPTO receives the transmission, in Eastern Time, regardless of whether that date is a Saturday, Sunday, or Federal holiday within the District of Columbia. 37 C.F.R. §2.195(a)(2).

To check the status of this registration, go to [https://tsdr.uspto.gov/#caseNumber=85968590&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85968590&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS.

**United States of America**  
United States Patent and Trademark Office



**Reg. No. 4,477,854**

**Registered Feb. 4, 2014**

**Int. Cl.: 28**

**TRADEMARK**

**PRINCIPAL REGISTER**

BEACH CONNECTION (CALIFORNIA SOLE PROPRIETORSHIP)  
1077 GARDENA ROAD  
ENCINITAS, CA 92024

FOR: SKATEBOARDS; SURFBOARDS. IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 5-0-2013; IN COMMERCE 6-0-2013.

THE MARK CONSISTS OF THE STYLIZED TEXT "W" AND "S" INTERLOCKED. THE "W" FEATURES THE OUTLINE OF A SURFBOARD IN THE RIGHT MOST PART OF THE LETTER. THE "S" FEATURES THE OUTLINE OF A WHEELED SURFBOARD IN THE BOTTOM PORTION OF THE LETTER.

SER. NO. 85-968,590. FILED 6-24-2013.

MORGAN WYNNIE, 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>.

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, November 19, 2013 00:28 AM  
**To:** yanceymeyer@hotmail.com  
**Subject:** Official USPTO Notification: TMOG Publication Confirmation for U.S. Trademark SN 85968590

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TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 85-968,590  
**Mark:** WS(STYLIZED/DESIGN)  
**International Class(es):** 028  
**Owner:** Beach Connection  
**Docket/Reference Number:**

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Nov 19, 2013.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20131119\\_OG.pdf#page=00000726](http://www.uspto.gov/web/trademarks/tmog/20131119_OG.pdf#page=00000726).
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp).

**To View the Mark in the Next Generation TMOG (eOG):**

Click on the following link or paste the URL into an internet browser: <http://tmog.uspto.gov/#date=2013-11-19&serial=85968590>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To view this notice and other documents for this application on-line, go to <http://tsdr.uspto.gov/search.action?sn=85968590>. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Oct 30, 2013

## NOTICE OF PUBLICATION

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 1. Serial No.:<br>85-968.590         | 2. Mark:<br>WS<br>(STYLIZED/DESIGN) |
| 3. International Class(es):<br>28    |                                     |
| 4. Publication Date:<br>Nov 19, 2013 | 5. Applicant:<br>Beach Connection   |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

yanceymeyer@hotmail.com

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, October 30, 2013 03:24 AM  
**To:** yanceymeyer@hotmail.com  
**Subject:** Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85968590

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85968590) is scheduled to publish in the *Official Gazette* on Nov 19, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85968590>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85968590	FILING DATE	06/24/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MEYERS, MORGAN LAURA	L.O. ASSIGNED	117

**PUB INFORMATION**

RUN DATE	10/10/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	10/09/2013		
LITERAL MARK ELEMENT	WS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	WS
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Beach Connection
ADDRESS	1077 Gardena Road Encinitas, CA 92024
ENTITY	19-SOLE PROPRIETORSHIP
CITIZENSHIP	California
COMPOSED OF	Yancey Meyer, USA

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Skateboards; Surfboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	05/00/2013	FIRST USE IN COMMERCE DATE	06/00/2013	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized text "W" and "S" interlocked. The "W" features the outline of a surfboard in the right most part of the letter. The "S" features the outline of a wheeled surfboard in the bottom portion of the letter.
PSEUDO MARK	WHEELED SURFBOARD

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/09/2013	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	005
10/01/2013	DOCK	D	ASSIGNED TO EXAMINER	004
07/09/2013	MDSM	E	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK E-MAILED	003
07/06/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/27/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	BEACH CONNECTION 1077 GARDENA RD ENCINITAS, CA 92024-4605
DOMESTIC REPRESENTATIVE	NONE



\*\*\* User:mwynne \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	N/A	0	0	0:01	85968590[SN]
02	112	0	108	106	0:02	"ws" [bi.ti] not dead [ld]
03	91	0	53	52	0:01	"w s" [bi.ti] not dead [ld]
04	8976	N/A	0	0	0:02	*ws* [bi.ti] not dead [ld]
05	6026	N/A	0	0	0:02	4 and "028" [cc] not dead [ld]
06	247	N/A	0	0	0:02	4 and "028" [ic] not dead [ld]
07	7	0	7	7	0:01	2 and "028" [ic] not dead [ld]
08	1015	N/A	0	0	0:01	210327 [dc]
09	10351	N/A	0	0	0:01	270104 [dc]
10	4	0	4	4	0:01	8 and 9 not dead [ld]
11	35	0	30	30	0:01	(8 9) and 4

Session started 10/9/2013 7:59:51 PM

Session finished 10/9/2013 9:11:57 PM

Total search duration 0 minutes 15 seconds

Session duration 72 minutes 6 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85968590



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**From:** TMDesignCodeComments  
**Sent:** Tuesday, July 9, 2013 00:16 AM  
**To:** yanceymeyer@hotmail.com  
**Subject:** Notice of Design Search Code and Pseudo Mark for Serial Number: 85968590

---

**Docket/Reference Number:**

The USPTO may assign design search codes and/or pseudo marks, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

A PSEUDO MARK may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words 'YOU ARE' surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as 'YOU ARE SQUARE'. A mark filed as 'URGR8' would receive a pseudo mark of 'YOU ARE GREAT'.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) or pseudo mark assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85968590>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes and pseudo marks assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

21.03.27 - Body boards  
21.03.27 - Snowboards  
21.03.27 - Surfboards  
27.01.04 - Letters forming objects  
27.01.04 - Numbers forming objects  
27.01.04 - Objects composed of letters or numerals  
27.01.04 - Punctuation forming objects

**PSEUDO MARK:**

WHEELED SURFBOARD







## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85968590

Filing Date: 06/24/2013

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

**The table below presents the data as entered.**

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\685\85968590\xml\ FTK0002.JPG</a>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	WS
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the stylized text "W" and "S" interlocked. The "W" features the outline of a surfboard in the right most part of the letter. The "S" features the outline of a wheeled surfboard in the bottom portion of the letter.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	821 x 817
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Beach Connection
*STREET	1077 Gardena Road
*CITY	Encinitas
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92024
PHONE	7606377656
EMAIL ADDRESS	yanceymeyer@hotmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

LEGAL ENTITY INFORMATION	
*TYPE	SOLE PROPRIETORSHIP
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
NAME OF INDIVIDUAL & CITIZENSHIP	Yancey Meyer, USA
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	028
*IDENTIFICATION	Skateboards; Surfboards
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/00/2013
FIRST USE IN COMMERCE DATE	At least as early as 06/00/2013
SPECIMEN FILE NAME(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\685\85968590\xml1\FTK0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\859\685\85968590\xml1\FTK0004.JPG</a>
SPECIMEN DESCRIPTION	digital images of products currently used in commerce
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
CORRESPONDENCE INFORMATION	
*NAME	Beach Connection
*STREET	1077 Gardena Road
*CITY	Encinitas
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE	92024
PHONE	7606377656
*EMAIL ADDRESS	yanceymeyer@hotmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	



<b>* SIGNATURE</b>	/Yancey Meyer/
<b>* SIGNATORY'S NAME</b>	Yancey Meyer
<b>* SIGNATORY'S POSITION</b>	Owner
<b>SIGNATORY'S PHONE NUMBER</b>	7606377656
<b>* DATE SIGNED</b>	06/21/2013

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## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85968590

Filing Date: 06/24/2013

#### To the Commissioner for Trademarks:

**MARK:** WS (stylized and/or with design. see [mark](#))

The literal element of the mark consists of WS.

The mark consists of the stylized text "W" and "S" interlocked. The "W" features the outline of a surfboard in the right most part of the letter.

The "S" features the outline of a wheeled surfboard in the bottom portion of the letter.

The applicant, Beach Connection, a sole proprietorship legally organized under the laws of California, comprising of Yancey Meyer, USA, having an address of

1077 Gardena Road  
Encinitas, California 92024  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 028: Skateboards; Surfboards

In International Class 028, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 05/00/2013, and first used in commerce at least as early as 06/00/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) digital images of products currently used in commerce.

[Specimen File1](#)

[Specimen File2](#)

#### The applicant's current Correspondence Information:

Beach Connection  
1077 Gardena Road  
Encinitas, California 92024  
7606377656(phone)  
yanceymeyer@hotmail.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely.

when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Yancey Meyer/ Date Signed: 06/21/2013  
Signatory's Name: Yancey Meyer  
Signatory's Position: Owner

RAM Sale Number: 85968590  
RAM Accounting Date: 06/25/2013

Serial Number: 85968590  
Internet Transmission Date: Mon Jun 24 19:40:57 EDT 2013  
TEAS Stamp: USPTO/FTK-XXX.XX.X.XX-201306241940579714  
01-85968590-500b371efccae7a6e1f8538c4f93  
6cc211fe583837e255adce922d8ff61e4d4-DA-9  
381-20130621195219286803









Generated on: This page was generated by TSDR on 2019-05-07 23:51:11 EDT

Mark: SPRING BREAK



US Serial Number: 86134679

Application Filing Date: Dec. 04, 2013

US Registration Number: 4893352

Registration Date: Jan. 26, 2016

Register: Principal

Mark Type: Trademark

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

Status Date: Jan. 26, 2016

Publication Date: Jul. 22, 2014

Notice of Allowance Date: Sep. 16, 2014

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## Mark Information

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Mark Literal Elements: SPRING BREAK

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 world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

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

Design Search Code(s): 01.07.01 - Globes with outlines of continents  
01.15.25 - Dust; Light rays; Liquids, spilling; Pouring liquids; Spilling liquids; Coal; Sand  
09.01.04 - Ribbons, giftwrap (gift wrap); Ribbons, hair; Bows, decorative

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## Goods and Services

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**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: Promotional t-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2014

Use in Commerce: Jan. 01, 2014

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## Basis Information (Case Level)

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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	

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## Current Owner(s) Information

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**Owner Name:** American Business Group, LLC  
**Owner Address:** 7900 97th Street  
Cottage Grove, MINNESOTA 55016  
UNITED STATES  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** MINNESOTA

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## Attorney/Correspondence Information

---

**Attorney of Record**  
**Attorney Name:** William J. O'Brien  
**Attorney Primary Email Address:** [wjo@dewittmcm.com](mailto:wjo@dewittmcm.com)  
**Docket Number:** 87245-6  
**Attorney Email Authorized:** Yes

**Correspondent**  
**Correspondent Name/Address:** WILLIAM J. O'BRIEN  
DeWitt Mackall Crouse & Moore S.C.  
901 Marquette Avenue  
2100 AT&T Tower  
Minneapolis, MINNESOTA 55402  
UNITED STATES  
**Phone:** 612-305-1462  
**Fax:** 612-305-1414  
**Correspondent e-mail:** [wjotm@dewittmcm.com](mailto:wjotm@dewittmcm.com)  
**Correspondent e-mail Authorized:** Yes

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Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Nov. 28, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 14, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 26, 2016	REGISTERED-PRINCIPAL REGISTER	
Dec. 22, 2015	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 21, 2015	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 03, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 03, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 03, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 23, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 23, 2015	NON-FINAL ACTION E-MAILED	
Oct. 23, 2015	SU - NON-FINAL ACTION - WRITTEN	81877
Sep. 28, 2015	STATEMENT OF USE PROCESSING COMPLETE	71034
Sep. 14, 2015	USE AMENDMENT FILED	71034
Sep. 22, 2015	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Sep. 14, 2015	TEAS STATEMENT OF USE RECEIVED	
Mar. 17, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 13, 2015	EXTENSION 1 GRANTED	98765
Mar. 13, 2015	EXTENSION 1 FILED	98765
Mar. 13, 2015	TEAS EXTENSION RECEIVED	
Sep. 16, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 22, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 22, 2014	PUBLISHED FOR OPPOSITION	
Jul. 02, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 18, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Jun. 09, 2014	ASSIGNED TO LIE	69712
May 26, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 23, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889

May 22, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 22, 2014	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Apr. 25, 2014	NOTIFICATION OF FINAL REFUSAL EMAILED	
Apr. 25, 2014	FINAL REFUSAL E-MAILED	
Apr. 25, 2014	FINAL REFUSAL WRITTEN	81877
Apr. 08, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 07, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 07, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION WRITTEN	81877
Feb. 12, 2014	ASSIGNED TO EXAMINER	81877
Dec. 17, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Dec. 16, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 07, 2013	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Dec. 21, 2015

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86134679
REGISTRATION NUMBER	4893352
LAW OFFICE ASSIGNED	LAW OFFICE 104
<b>MARK SECTION</b>	
MARK	SPRING BREAK (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/86134679/large">https://tmng-al.uspto.gov/resting2/api/img/86134679/large</a> )
<b>CORRESPONDENCE SECTION (current)</b>	
ORIGINAL ADDRESS	WILLIAM J. O'BRIEN DeWitt Mackall Crouse & Moore S.C. 901 Marquette Avenue 2100 AT&T Tower Minneapolis Minnesota 55402 US 612-305-1400 612-305-1414 wjo@dewittncm.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
NEW ADDRESS	WILLIAM J. O'BRIEN DeWitt Mackall Crouse & Moore S.C. 2100 AT&T Tower 901 Marquette Avenue Minneapolis Minnesota United States 55402 612-305-1462 612-305-1414 wjotm@dewittncm.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	87245-6
<b>SIGNATURE SECTION</b>	
SIGNATURE	/William J. O'Brien/
SIGNATORY NAME	William J. O'Brien
SIGNATORY DATE	11/28/2017
SIGNATORY POSITION	Attorney of record, Minnesota bar member
SIGNATORY PHONE NUMBER	612-305-1462
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Nov 28 10:07:24 EST 2017

**TEAS STAMP**

USPTO/CCA-XX.XXX.XX.XXX-2  
0171128100724505900-86289  
105-510dd4459bc842b019c5f  
9f26be24f52074c0c71924a4e  
6de54c924fe6615551-N/A-N/  
A-20171128094955730487

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86134679
<b>REGISTRATION NUMBER</b>	4893352
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>MARK SECTION</b>	
<b>MARK</b>	SPRING BREAK (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/86134679/large">https://tmng-al.uspto.gov/resting2/api/img/86134679/large</a> )
<b>CORRESPONDENCE SECTION (current)</b>	
<b>ORIGINAL ADDRESS</b>	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS Minnesota 55402-3205 US 612-305-1400 612-305-1414 wjo@dewittmcm.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NEW ADDRESS</b>	WILLIAM J. O'BRIEN DeWitt Mackall Crouse & Moore S.C. 2100 AT&T Tower 901 Marquette Avenue Minneapolis Minnesota United States 55402 612-305-1400 612-305-1414 wjo@dewittmcm.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	87245-6
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/William J. O'Brien/
<b>SIGNATORY NAME</b>	William J. O'Brien
<b>SIGNATORY DATE</b>	11/14/2017
<b>SIGNATORY POSITION</b>	Attorney of record, Minnesota bar member
<b>SIGNATORY PHONE NUMBER</b>	612-305-1462
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Nov 14 16:27:35 EST 2017
	USPTO/CCA-XX.XXX.XX.XXX-2



TEAS STAMP

0171114162735038136-86289  
105-510acc7452c24de2775a4  
dd4633beec30512f7a9ddf22  
abfb6e03968f72fb5d812-N/A  
-N/A-20171114161549083598

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,893,352**

**Registered Jan. 26, 2016**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

AMERICAN BUSINESS GROUP, LLC (MINNESOTA LIMITED LIABILITY COMPANY)  
7900 97TH STREET  
COTTAGE GROVE, MN 55016

FOR: PROMOTIONAL T-SHIRTS. IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-1-2014; IN COMMERCE 1-1-2014.

THE MARK CONSISTS OF A WORLD GLOBE WITH RAYS COMING FROM IT. THERE IS A RIBBON COMING FROM THE WORLD GLOBE THAT GOES UNDER THE WORDS "SPRING BREAK".

SN 86-134,679. FILED 12-4-2013.

JASON BLAIR, EXAMINING ATTORNEY



*Michelle K. Lee*

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	12/22/2015		
PUB DATE	07/22/2014		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	12/21/2015		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	01/01/2014	FIRST USE IN COMMERCE DATE	01/01/2014	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/22/2015	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	039
12/21/2015	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	038
12/03/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	037
12/03/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	036
12/03/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	035
10/23/2015	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	034
10/23/2015	GNRT	O	NON-FINAL ACTION E-MAILED	033
10/23/2015	CNRT	W	SU - NON-FINAL ACTION - WRITTEN	032
09/28/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	031
09/14/2015	IUAF	S	USE AMENDMENT FILED	030
09/22/2015	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	029
09/14/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	028
03/17/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	027
03/13/2015	EX1G	S	EXTENSION 1 GRANTED	026
03/13/2015	EXT1	S	EXTENSION 1 FILED	025
03/13/2015	EEXT	I	TEAS EXTENSION RECEIVED	024
09/16/2014	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	023
07/22/2014	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	022
07/22/2014	PUBO	A	PUBLISHED FOR OPPOSITION	021
07/02/2014	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	020

06/18/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019
06/09/2014	ALIE	A	ASSIGNED TO LIE	018
05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota





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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, December 22, 2015 00:12 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 86134679: SPRING BREAK (Stylized/Design): Docket/Reference No. 87245-6

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NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 86134679  
**Mark:** SPRING BREAK (Stylized/Design)  
**Owner:** American Business Group, LLC  
**Docket/Reference Number:** 87245-6

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	12/04/2015		
PUB DATE	07/22/2014		
STATUS	814-SU - RESPONSE AFTER NON-FINAL ACTION - ENTERED		
STATUS DATE	12/03/2015		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	01/01/2014	FIRST USE IN COMMERCE DATE	01/01/2014	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/03/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	037
12/03/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	036
12/03/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	035
10/23/2015	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	034
10/23/2015	GNRT	O	NON-FINAL ACTION E-MAILED	033
10/23/2015	CNRT	W	SU - NON-FINAL ACTION - WRITTEN	032
09/28/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	031
09/14/2015	IUAF	S	USE AMENDMENT FILED	030
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09/14/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	028
03/17/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	027
03/13/2015	EX1G	S	EXTENSION 1 GRANTED	026
03/13/2015	EXT1	S	EXTENSION 1 FILED	025
03/13/2015	EEXT	I	TEAS EXTENSION RECEIVED	024
09/16/2014	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	023
07/22/2014	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	022
07/22/2014	PUBO	A	PUBLISHED FOR OPPOSITION	021
07/02/2014	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	020
06/18/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019
06/09/2014	ALIE	A	ASSIGNED TO LIE	018

05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota





## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86134679
LAW OFFICE ASSIGNED	LAW OFFICE 104
<b>MARK SECTION</b>	
MARK FILE NAME	http://tmng-al.uspto.gov/testing2/api/img/86134679/large
LITERAL ELEMENT	SPRING BREAK
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
<b>GOODS AND/OR SERVICES SECTION (016)(class deleted)</b>	
<b>GOODS AND/OR SERVICES SECTION (025)(current)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	Promotional t-shirts
FIRST USE ANYWHERE DATE	At least as early as 01/01/2014
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2014
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (025)(proposed)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	Promotional t-shirts
FIRST USE ANYWHERE DATE	At least as early as 01/01/2014
FIRST USE IN COMMERCE DATE	At least as early as 01/01/2014
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\861\346\86134679\xml22 \ROA0002.JPG
SPECIMEN DESCRIPTION	Picture of t-shirt.
FILING BASIS	Section 1(b)
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien

SIGNATORY'S POSITION	Attorney of record, Minnesota bar member
SIGNATORY'S PHONE NUMBER	612-305-1462
DATE SIGNED	12/03/2015
RESPONSE SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien
SIGNATORY'S POSITION	Attorney of record, Minnesota bar member
SIGNATORY'S PHONE NUMBER	612-305-1462
DATE SIGNED	12/03/2015
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Dec 03 11:43:15 EST 2015
TEAS STAMP	USPTO/ROA-XX.XXX.XX.XXX-2 0151203114315359367-86134 679-5409ad0f69210af96c0eb 438aacae89419e8c6ea20c53f a8fec21c35d250114db4-N/A- N/A-20151203112939592159

PTO Form 1957 (Rev 9/2006)  
OMB No. 0651-0090 (Exp 07/31/2017)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **86134679** SPRING BREAK (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86134679/large>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

**Applicant hereby deletes the following class of goods/services from the application.**

Class 016 for Promotional materials, namely, printed paper signs

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

**Current:** Class 025 for Promotional t-shirts

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

In International Class 025, the mark was first used at least as early as 01/01/2014 and first used in commerce at least as early as 01/01/2014 .

**Proposed:** Class 025 for Promotional t-shirts

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a

bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

In International Class 025, the mark was first used at least as early as 01/01/2014 . and first used in commerce at least as early as 01/01/2014 .

Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of Picture of t-shirt .

**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** [for an application based on Section 1(a), Use in Commerce] **OR** **"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. **OR** **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen]. [Specimen File1](#)

#### SIGNATURE(S)

##### Declaration Signature

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU:** If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU: **for a collective trademark, collective service mark, collective membership mark application, or certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; **for a certification mark application**, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

#### STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)

**COLLECTIVE/CERTIFICATION MARK APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: **for a trademark or service mark application**, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; **for a collective trademark, collective service mark, collective membership mark, or certification mark application**, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date: the signatory is properly authorized to execute the declaration on behalf of the applicant: **for a certification mark application**, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /William J. O'Brien/ Date: 12/03/2015

Signatory's Name: William J. O'Brien

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

Signatory's Phone Number: 612-305-1462

**Response Signature**

Signature: /William J. O'Brien/ Date: 12/03/2015

Signatory's Name: William J. O'Brien

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

Signatory's Phone Number: 612-305-1462

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 owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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.

Serial Number: 86134679

Internet Transmission Date: Thu Dec 03 11:43:15 EST 2015

TEAS Stamp: USPTO/ROA-XX.XXX.XX.XXX-2015120311431535

9367-86134679-5409ad0f69210af96c0eb438aa

cae89419e8c6ea20c53fa8fec21c35d250114db4

-N/A-N/A-20151203112939592159







**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 10/23/2015 9:57:03 AM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86134679

MARK: SPRING BREAK

**\*86134679\***

**CORRESPONDENT ADDRESS:**

WILLIAM J. O'BRIEN  
DEWITT MACKALL CROUNSE & MOORE SC  
901 MARQUETTE AVE  
MINNEAPOLIS, MN 55402-3205

**CLICK HERE TO RESPOND TO THIS LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: American Business Group, LLC

**CORRESPONDENT'S REFERENCE/DOCKET**

**NO:**

87245-6

**CORRESPONDENT E-MAIL ADDRESS:**

[wjo@dewittmcm.com](mailto:wjo@dewittmcm.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 10/23/2015**

The statement of use has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**DRAWING AND SPECIMEN DO NOT MATCH**

Registration is refused because the specimen does not show the applied-for mark in the drawing in use in commerce in International Classes 16 and 25. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a), 1301.04(g)(i). Specifically, the specimen displays the mark with "2014" on the banner; however, the drawing displays the mark without "2014."

The drawing shows the mark sought to be registered, and must be a substantially exact representation of the mark as used on or in connection with the goods, as shown by the specimen. 37 C.F.R. §2.51(a); TMEP §807.12(a). Because the mark in the drawing is not a substantially exact representation of the mark on the specimen, applicant has failed to provide the required evidence of use of the applied-for mark in commerce on or in connection with applicant's goods. See TMEP §807.12(a).

An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each international class of goods identified in the statement of use. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

Examples of specimens for goods include tags, labels, instruction manuals, containers, photographs that show the mark on the actual goods or

packaging, and displays associated with the actual goods at their point of sale. See TMEP §§904.03 *et seq.* Webpages may also be specimens for goods when they include a picture or textual description of the goods associated with the mark and the means to order the goods. TMEP §904.03(i).

Regarding whether applicant may submit an amended drawing in response to this refusal, applicant is advised that the drawing of a mark can be amended only if the amendment does not materially alter the mark as originally filed. 37 C.F.R. §2.72(a)(2); see TMEP §§807.12(a), 807.14 *et seq.* In this case, amending the mark in the drawing to conform to the mark on the specimen would be a material alteration and would not be accepted, because the difference between the mark in the specimen and the drawing is significant and each mark creates a different commercial impression. Specifically, adding the non-generic wording “2014” adds an element not found in the original drawing.

Applicant may respond to this refusal by submitting, for each applicable international class, a different specimen (a verified “substitute” specimen) that (a) was in actual use in commerce prior to the expiration of the deadline for filing the statement of use and (b) shows the mark in actual use in commerce for the goods identified in the statement of use.

Applicant, however, may not withdraw the statement of use. See 37 C.F.R. §2.88(f); TMEP §1109.17.

For more information about this refusal and instructions on how to submit a verified “substitute” specimen online using the Trademark Electronic Application System (TEAS) form, please go to [http://www.uspto.gov/trademarks/law/I3\\_1.jsp](http://www.uspto.gov/trademarks/law/I3_1.jsp).

### **INTERNATIONAL CLASS 16 GOODS – NOT GOODS IN TRADE**

Registration is refused for International Class 16 because the goods to which the proposed mark is applied are not “goods in trade.” Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; TMEP §1202.06(b).

“Goods in trade” are items that an applicant sells or transports in commerce for use by others. See *Lens.com, Inc. v. 1-800 Contacts, Inc.*, 686 F.3d 1376, 1379-80, 103 USPQ2d 1672, 1675 (Fed. Cir. 2012); TMEP §1202.06. Incidental items that an applicant uses to conduct its business, such as letterhead, invoices, and business forms, are generally not “goods in trade,” because these items are only useful to the applicant and are not separately sold or distributed to consumers. TMEP §1202.06; see, e.g., *Lens.com, Inc. v. 1-800 Contacts, Inc.*, 686 F.3d at 1380, 1382, 103 USPQ2d at 1675-76 (holding computer software used for ordering contact lenses not goods in trade where applicant solely provided online retail stores for eyewear products, and software was not sold separately and had no independent value apart from applicant’s primary service); *In re S’holders Data Corp.*, 495 F.2d 1360, 1361, 181 USPQ 722, 723 (C.C.P.A. 1974) (holding reports on subscribers’ securities portfolios not goods in trade where applicant solely provided financial reporting services, and reports were not sold separately and had no independent value apart from applicant’s primary service).

Although determining whether an applicant’s goods are independent goods in trade, or merely incidental to the applicant’s services, is made on a case-by-case basis, factors to consider include whether:

- (1) The goods are simply the conduit or necessary tool useful only to obtain applicant’s services
- (2) The goods are so inextricably tied to and associated with applicant’s services as to have no viable existence apart from them
- (3) The goods are neither sold separately from nor have any independent value apart from applicant’s services

*In re Thomas White Int’l, Ltd.*, 106 USPQ2d 1158, 1161-62 (TTAB 2013) (citing *Lens.com, Inc. v. 1-800 Contacts, Inc.*, 686 F.3d at 1382, 103 USPQ2d at 1676); TMEP §1202.06. None of these factors is necessarily dispositive. *Lens.com, Inc. v. 1-800 Contacts, Inc.*, 686 F.3d at 1382, 103 USPQ2d at 1676; TMEP §1202.06.

In this case, applicant’s printed paper signs are not independent goods in trade but rather are merely incidental to applicant’s services because they are merely a booth directory and convention center map for applicant’s trade show, and thus is inextricably tied to applicant’s larger trade show service, so that they have no use apart from the trade show. In addition, consumers would not independently purchase a booth directory or convention floor map, or assign them independent value apart from applicant’s trade show services.

Applicant cannot overcome this refusal by submitting a claim of acquired distinctiveness under Trademark Act Section 2(f) or amending the application to the Supplemental Register. TMEP §1202.06(b).

### **ORNAMENTAL REFUSAL – INTERNATIONAL CLASS 25 REFUSAL**

Registration is also refused for International Class 25 because the applied-for mark as used on the specimen of record (1) is merely a decorative or ornamental feature of applicant’s clothing; and (2) does not function as a trademark to indicate the source of applicant’s clothing and to

identify and distinguish applicant's clothing from others. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; see *In re Lululemon Athletica Can. Inc.*, 105 USPQ2d 1684, 1689 (TTAB 2013); *In re Pro-Line Corp.*, 28 USPQ2d 1141, 1142 (TTAB 1993); TMEP §§904.07(b), 1202.03 *et seq.*

When evaluating a mark that appears to be ornamental, the size, location, dominance, and significance of the alleged mark as applied to the goods are all relevant factors in determining the commercial impression of the applied-for mark. See, e.g., *In re Lululemon Athletica Can. Inc.*, 105 USPQ2d at 1687 (quoting *In re Right-On Co.*, 87 USPQ2d 1152, 1156 (TTAB 2008)); *In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667 (TTAB 1988); TMEP §1202.03(a).

With respect to clothing, consumers may recognize small designs or discrete wording as trademarks, rather than as merely ornamental features, when located, for example, on the pocket or breast area of a shirt. See TMEP §1202.03(a). Consumers may not, however, perceive larger designs or slogans as trademarks when such matter is prominently displayed across the front of a t-shirt. See *In re Pro-Line Corp.*, 28 USPQ2d at 1142 (holding BLACKER THE COLLEGE SWEETER THE KNOWLEDGE, centered in large letters across most of the upper half of a shirt, to be a primarily ornamental slogan that was not likely to be perceived as a source indicator); *In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667-68 (TTAB 1988) (holding SUMO, used in connection with stylized depictions of sumo wrestlers and displayed in large lettering across the top-center portion of t-shirts and caps, to be an ornamental feature of the goods that did not function as a trademark); TMEP §1202.03(a), (b), (f)(i)-(ii).

In this case, the submitted specimen shows the applied-for mark located directly on the upper-center area of the front of the shirt, where ornamental elements often appear. See TMEP §1202.03(a), (b). Furthermore, the mark is displayed in a relatively large size on the clothing such that it dominates the overall appearance of the goods.

Therefore, consumers would view the applied-for mark as a decorative or ornamental feature of the goods, rather than as a trademark to indicate the source of applicant's goods and to distinguish them from others.

*In appropriate circumstances*, applicant may overcome this refusal by satisfying one of the following options:

- (1) Submit a different specimen (a verified "substitute" specimen) that was in actual use in commerce prior to the expiration of the deadline for filing a statement of use and that shows proper trademark use for the identified goods in International Class 25. Examples of acceptable specimens that show non-ornamental use on clothing include hang tags and labels used inside a garment.
- (2) Amend to the Supplemental Register, which is a second trademark register for marks not yet eligible for registration on the Principal Register, but which may become capable over time of functioning as source indicators.
- (3) Claim acquired distinctiveness under Trademark Act Section 2(f) by submitting evidence that the applied-for mark has become distinctive of applicant's goods; that is, proof that applicant's extensive use and promotion of the mark allowed consumers now directly to associate the mark with applicant as the source of the goods.
- (4) Submit evidence that the applied-for mark is an indicator of secondary source; that is, proof that the mark is already recognized as a source indicator for *other* goods or services that applicant sells/offers.

Applicant may not withdraw the statement of use. 37 C.F.R. §2.88(f); TMEP §1109.17.

For an overview of *all* response options referenced above and instructions on how to satisfy each option online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/ornamentalclothing.jsp>.

## RESPONDING TO PARTIAL REFUSALS

Applicant may respond to the stated refusal by submitting evidence and arguments against the refusal. In addition, applicant may respond by doing one of the following:

- (1) Deleting the class to which the refusal pertains; or
- (2) Filing a request to divide out the goods that have not been refused registration, so that the mark may proceed toward registration in the class to which the refusal does not pertain. See 37 C.F.R. §2.87. See *generally* TMEP §§1110 *et seq.* (regarding the requirements for filing a request to divide). If applicant files a request to divide, then to avoid abandonment, applicant must also file a timely

response to all outstanding issues in this Office action, including the refusal. 37 C.F.R. §2.87(e).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusals in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Jason Paul Blair/  
Examining Attorney  
Law Office 104  
Phone - (571) 272-8856  
Fax - (571) 273-8856  
jason.blair@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 10/23/2015 9:57:04 AM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **10/23/2015** FOR U.S. APPLICATION SERIAL NO. 86134679

Please follow the instructions below:

(1) **TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **10/23/2015** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

(3) **QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).



**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	09/29/2015
PUB DATE	07/22/2014
STATUS	748-STATEMENT OF USE - TO EXAMINER
STATUS DATE	09/28/2015
LITERAL MARK ELEMENT	SPRING BREAK

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Promotional materials, namely, printed paper signs
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	016	FIRST USE DATE	01/01/2014	FIRST USE IN COMMERCE DATE	01/01/2014	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	01/01/2014	FIRST USE IN COMMERCE DATE	01/01/2014	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/28/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	031
09/14/2015	IUAF	S	USE AMENDMENT FILED	030
09/22/2015	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	029
09/14/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	028
03/17/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	027
03/13/2015	EX1G	S	EXTENSION 1 GRANTED	026
03/13/2015	EXT1	S	EXTENSION 1 FILED	025
03/13/2015	EEXT	I	TEAS EXTENSION RECEIVED	024
09/16/2014	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	023
07/22/2014	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	022
07/22/2014	PUBO	A	PUBLISHED FOR OPPOSITION	021
07/02/2014	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	020
06/18/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019
06/09/2014	ALIE	A	ASSIGNED TO LIE	018

05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota





# BOOTH DIRECTORY

BRAND	BOOTH #
A Crowded Coop	C30
Ag Alliance	A13
Alaska Naturals Pet Products	C36
Alzoo (Aveeva Pet Inc)	C20
American Dog Toys, Inc.	A41
American Natural Premium	A6
Answers Pet Food (Lystn, LLC)	A20
Ark Naturals	A16
b.f.f. (Weruva)	C8
Barkworthies	A21
Bergan	B9
Best Buy Bones	A19
Bil Jac	C27
Bio Spot (Central Garden & Pet)	A29
Bionic Pet Products	C14
Bravo!	A22
Burt's Bees	C2
C&S Products	C43
Canine Caviar Pet Foods, Inc.	C7
Cats in the Kitchen (Weruva)	C8
Chicken Soup for the Soul	A39
Clear Conscience	A33
Coastal Pet Products	C4
Copper River Seafoods	C15
Darford	C37
Dave's Pet Food	A5
Diamond Pet Foods	B8
Dog Gone Smart Pet Products	C13
Ethical Pet Products	A36/37
Evanger's Dog & Cat Food Company, Inc	B1
Feline Fresh (Planetwise Products)	A40
Ferrero Farms (Rush Direct, Inc.)	A35
Four Paws (Central Garden & Pet)	A29
Fromm Family Foods	B13
Frontline/Advantix	C9
Fruitables	A17
Get Gnarly	B11/B12
Grandma Lucy's	A1
Healthy Essentials	A42
HerbSmith Inc.	A31

BRAND	BOOTH #
Jones Natural Chews	C41
K9 Granola Factory	C19
Kenny's Candy (KLN Family Brands)	B4/B3
Lennox International	C35
Litter Essence (Absorbent Products Ltd.)	C42
Lotus Pet Foods	C21
Mammoth	A18
Muck Boot Company	A9
Natural Planet Organics (KLN Family Brands)	B3/4
Nature's Kitchen (Maverick Pet Food)	A25
Nature's Logik	C23
Nature's Seasons	A8
Nature's Variety	A3
NaturVet (Garmon Corp.)	C22
Narf Dog	C2
Nestle Purina Pet Care	B10
Northwest Naturals	C33
NPK	C1
Nutri Life Pet Products	C32
NutriSource (KLN Family Brands)	B3/4
Nylabone (Central Garden & Pet)	A29
OC Raw Dog	B2
One Pet Planet (Amazing Pet Products)	C16
Organic Oscar	A43
P & G Pet Care	A4
Pacific Bird and Supply Co., Inc.	C25
Party Animal Inc	A32
Pawabunga	A14
Pet Factory	C41
Pet Naturals of Vermont	C11
Petcurean Pet Nutrition	B15
Petmate	A24
Petprojekt	C24
Petzlife Products, Inc.	A26
Pop'n Bites (Rush Direct, Inc.)	A35
Precise Pet Products (Texas Farm Products)	A30
Primal Pet Foods	C6

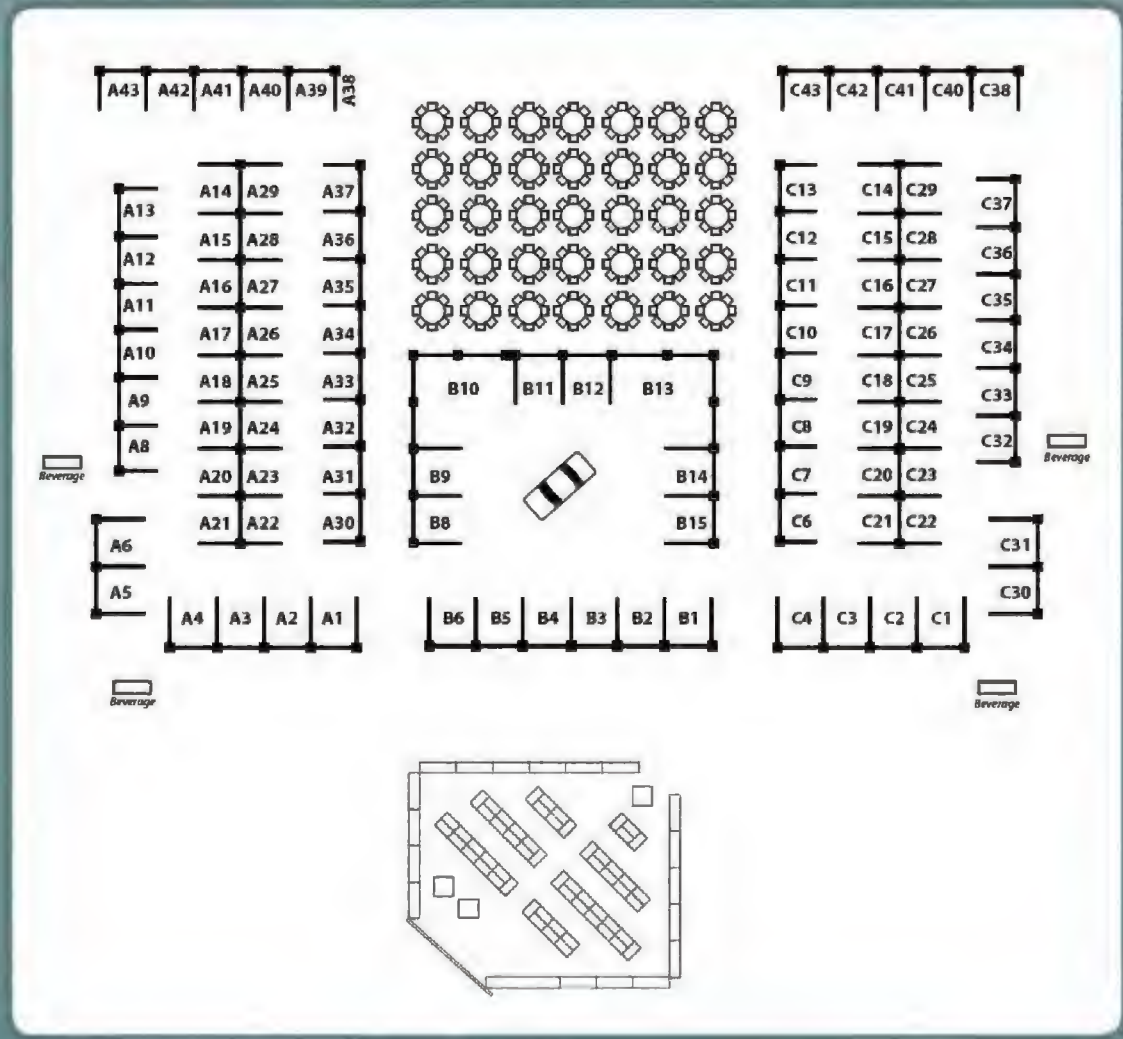
BRAND	BOOTH #
Pure Vita (KLN Family Brands)	B3/4
R2P Pet, Ltd	C18
Raw Bistro Pet Fare	C31
Realtree (Corey Nutrition)	C3
Red Lake Earth (Absorbent Products Ltd.)	C42
Replenish Pet Inc.	C12
Rok Strap	C7
Royal Canin	A23
Safemade Pet Products	C9
St. Gabriel's Organics	A34
Stall Dry (Absorbent Products Ltd.)	C42
Stella and Chewy's	B5
Sunshine Mills	A10/11/12
Sweet Scoop Cat Litter	C26
The Company of Animals	C10
The Honest Kitchen	A28
Three Dog Bakery	A38
Tiki Cat (Petropics Gourmet Whole Food)	B14
Tiki Dog (Petropics Gourmet Whole Food)	B14
TruLux (Weruva)	C8
Tuffy's Pet Foods (KLN Family Brands)	B3/4
Tyson Pet Products	C1
Ultra Chewy (Rush Direct, Inc.)	A35
Vetericyn	C17
Vitalcraft Sunseed	C34
WellPet	A2
Weruva	C8
Whimzees (Paragon Pet Products)	C29
Whole Life Pet Products	A27
Wild Calling! Pet Food	B6
WildNfo Sciences	C28
Woodlink	C40
Zodiac (Central Garden & Pet)	A29
Zukes	A15
ZuPreem	C38

SEE REVERSE SIDE FOR MAP.





# BOOTH MAP









## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86134679
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/86134679/large">http://tmng-al.uspto.gov/resting2/api/img/86134679/large</a>
<b>LITERAL ELEMENT</b>	SPRING BREAK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION</b>	
<b>NAME</b>	American Business Group, LLC
<b>STREET</b>	7900 97th Street
<b>CITY</b>	Cottage Grove
<b>STATE</b>	Minnesota
<b>ZIP/POSTAL CODE</b>	55016
<b>COUNTRY</b>	United States
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>CURRENT IDENTIFICATION</b>	Promotional materials, namely, electronic and digital signs
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Promotional materials, namely, printed paper signs
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	01/01/2014
<b>FIRST USE IN COMMERCE DATE</b>	01/01/2014
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN1-6617026184-20150914131240786168 - SPRING BREAK - Class 16 - booth directory map.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\861\346\86134679\xml19\SOU0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\861\346\86134679\xml19\SOU0003.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Sign showing directory of booths at trade show

INTERNATIONAL CLASS	025
CURRENT IDENTIFICATION	Promotional t-shirts
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	01/01/2014
FIRST USE IN COMMERCE DATE	01/01/2014
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\861\346\86134679\xml19 \SOU0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT 16\861\346\86134679\xml19 \SOU0005.JPG
SPECIMEN DESCRIPTION	T-shirt advertising trade show
REQUEST TO DIVIDE	NO
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES IN USE	2
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	200
TOTAL AMOUNT	200
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien
SIGNATORY'S POSITION	Attorney of record, Minnesota bar member
DATE SIGNED	09/14/2015
SIGNATORY'S PHONE NUMBER	612-305-1462
DECLARATION SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien
SIGNATORY'S POSITION	Attorney of record, Minnesota bar member
DATE SIGNED	09/14/2015
SIGNATORY'S PHONE NUMBER	612-305-1462
<b>FILING INFORMATION</b>	
SUBMIT DATE	Mon Sep 14 14:46:07 EDT 2015
TEAS STAMP	USPTO/SOU-XX.XXX.XX.XXX-2 0150914144607038152-86134 679-540b1a82d8cfde9176202 64dc36460f6fef7d143ece3e2 8731d1977e159dacab5f-CC-1 059-20150914131240786168

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** SPRING BREAK (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86134679/large>)

**SERIAL NUMBER:** 86134679

The applicant, American Business Group, LLC, having an address of  
7900 97th Street  
Cottage Grove, Minnesota 55016  
United States

is submitting the following allegation of use information:

For International Class 009:

Current identification: Promotional materials, namely, electronic and digital signs

All ITU goods/services in this class are to be deleted

For International Class 016:

Current identification: Promotional materials, namely, printed paper signs

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/01/2014, and first used in commerce at least as early as 01/01/2014, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Sign showing directory of booths at trade show.

**Original PDF file:**

[SPN1-6617026184-20150914131240786168 - SPRING BREAK - Class 16 - booth directory map.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

For International Class 025:

Current identification: Promotional t-shirts

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/01/2014, and first used in commerce at least as early as 01/01/2014, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) T-shirt advertising trade show.

[Specimen File1](#)

[Specimen File2](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$200 will be submitted with the form, representing payment for the allegation of use for 2 classes.

### Declaration

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. §1051(c) or a statement of use under 15 U.S.C. §1051(d), the applicant is the owner of the mark sought to be registered; the mark is in use in commerce; **for a trademark or service mark application**, the applicant is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified; **for a collective trademark, collective service mark, collective membership mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified; **for a certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant; that to the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.

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

Signature: /William J. O'Brien/ Date Signed: 09/14/2015  
Signatory's Name: William J. O'Brien  
Signatory's Position: Attorney of record, Minnesota bar member  
Signatory's Phone: 612-305-1462

Signature: /William J. O'Brien/ Date Signed: 09/14/2015  
Signatory's Name: William J. O'Brien  
Signatory's Position: Attorney of record, Minnesota bar member  
Signatory's Phone: 612-305-1462

RAM Sale Number: 86134679  
RAM Accounting Date: 09/15/2015

Serial Number: 86134679  
Internet Transmission Date: Mon Sep 14 14:46:07 EDT 2015  
TEAS Stamp: USPTO/SOU-XX.XXX.XX.XXX-2015091414460703  
8152-86134679-540b1a82d8cfde917620264dc3  
6460f6fef7d143ece3e28731d1977e159dacab5f  
-CC-1059-20150914131240786168





# BOOTH DIRECTORY

BRAND	BOOTH #
A Crowded Coop	C30
Ag Alliance	A13
Alaska Naturals Pet Products	C36
Alzoo (Aveeva Pet Inc)	C20
American Dog Toys, Inc.	A41
American Natural Premium	A6
Answers Pet Food (Lystn, LLC)	A20
Ark Naturals	A16
b.f.f. (Weruva)	C8
Barkworthies	A21
Bergan	B9
Best Buy Bones	A19
Bil Jac	C27
Bio Spot (Central Garden & Pet)	A29
Bionic Pet Products	C14
Bravo!	A22
Burt's Bees	C2
C&S Products	C43
Canine Caviar Pet Foods, Inc.	C7
Cats in the Kitchen (Weruva)	C8
Chicken Soup for the Soul	A39
Clear Conscience	A33
Coastal Pet Products	C4
Copper River Seafoods	C15
Darford	C37
Dave's Pet Food	A5
Diamond Pet Foods	B8
Dog Gone Smart Pet Products	C13
Ethical Pet Products	A36/37
Evanger's Dog & Cat Food Company, Inc	B1
Feline Fresh (Planetwise Products)	A40
Ferrero Farms (Rush Direct, Inc.)	A35
Four Paws (Central Garden & Pet)	A29
Fromm Family Foods	B13
Frontline/Advantix	C9
Fruitables	A17
Get Gnarly	B11/B12
Grandma Lucy's	A1
Healthy Essentials	A42
HerbSmith Inc.	A31

BRAND	BOOTH #
Jones Natural Chews	C41
K9 Granola Factory	C19
Kenny's Candy (KLN Family Brands)	B4/B3
Lennox International	C35
Litter Essence (Absorbent Products Ltd.)	C42
Lotus Pet Foods	C21
Mammoth	A18
Muck Boot Company	A9
Natural Planet Organics (KLN Family Brands)	B3/4
Nature's Kitchen (Maverick Pet Food)	A25
Nature's Logic	C23
Nature's Seasons	A8
Nature's Variety	A3
NaturVet (Garmon Corp.)	C22
Narf Dog	C2
Nestle Purina Pet Care	B10
Northwest Naturals	C33
NPK	C1
Nutri Life Pet Products	C32
NutriSource (KLN Family Brands)	B3/4
Nylabone (Central Garden & Pet)	A29
OC Raw Dog	B2
One Pet Planet (Amazing Pet Products)	C16
Organic Oscar	A43
P & G Pet Care	A4
Pacific Bird and Supply Co., Inc.	C25
Party Animal Inc	A32
Pawabunga	A14
Pet Factory	C41
Pet Naturals of Vermont	C11
Petcurean Pet Nutrition	B15
Petmate	A24
Petprojekt	C24
Petzlife Products, Inc.	A26
Pop'n Bites (Rush Direct, Inc.)	A35
Precise Pet Products (Texas Farm Products)	A30
Primal Pet Foods	C6

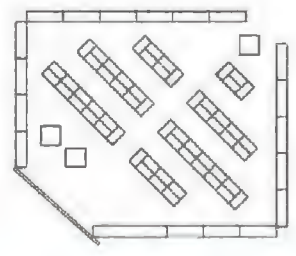
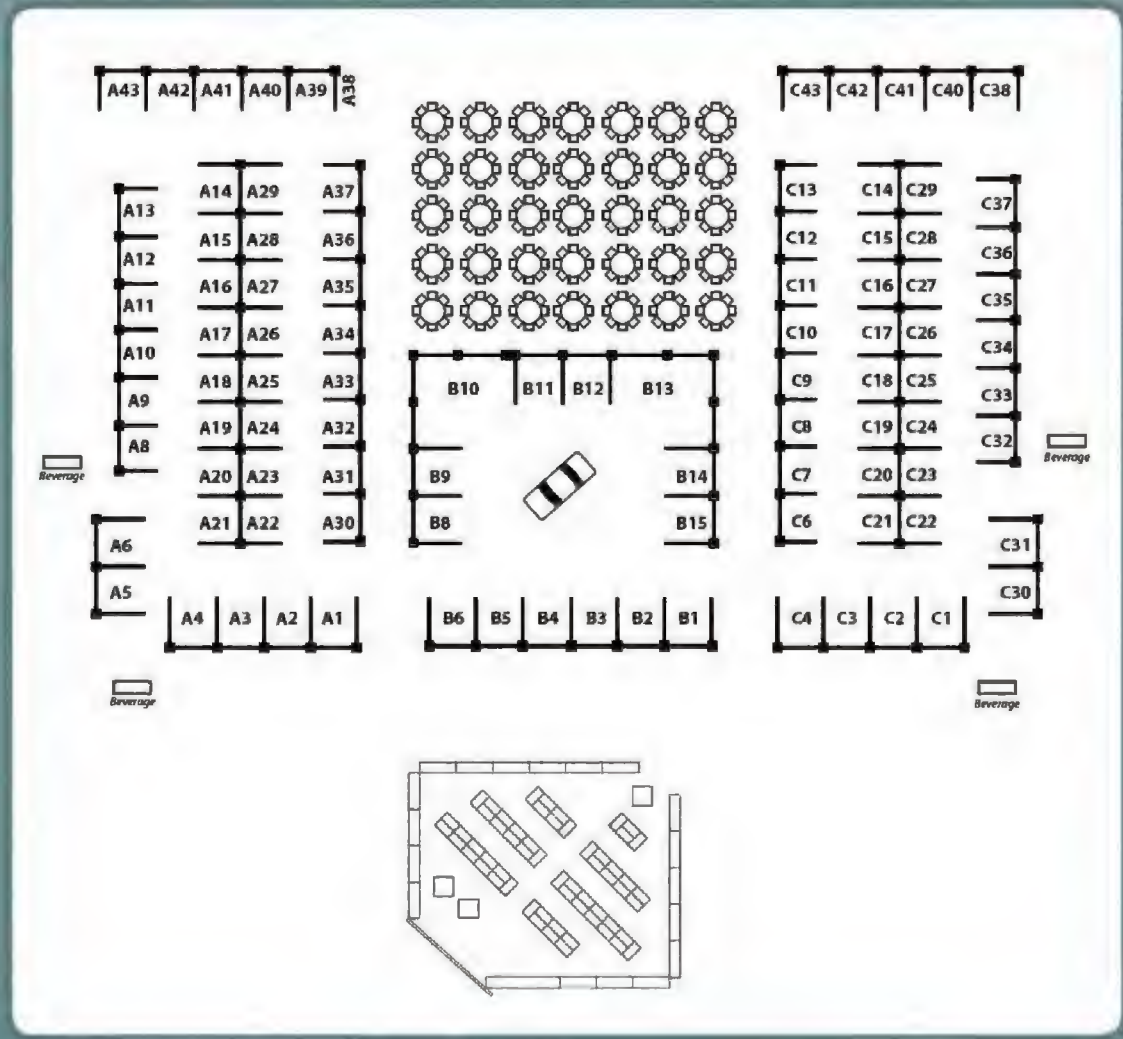
BRAND	BOOTH #
Pure Vita (KLN Family Brands)	B3/4
R2P Pet, Ltd	C18
Raw Bistro Pet Fare	C31
Realtree (Corey Nutrition)	C3
Red Lake Earth (Absorbent Products Ltd.)	C42
Replenish Pet Inc.	C12
Rok Strap	C7
Royal Canin	A23
Safemade Pet Products	C9
St. Gabriel's Organics	A34
Stall Dry (Absorbent Products Ltd.)	C42
Stella and Chewy's	B5
Sunshine Mills	A10/11/12
Sweet Scoop Cat Litter	C26
The Company of Animals	C10
The Honest Kitchen	A28
Three Dog Bakery	A38
Tiki Cat (Petropics Gourmet Whole Food)	B14
Tiki Dog (Petropics Gourmet Whole Food)	B14
TruLux (Weruva)	C8
Tuffy's Pet Foods (KLN Family Brands)	B3/4
Tyson Pet Products	C1
Ultra Chewy (Rush Direct, Inc.)	A35
Vetericyn	C17
Vitalcraft Sunseed	C34
WellPet	A2
Weruva	C8
Whimzees (Paragon Pet Products)	C29
Whole Life Pet Products	A27
Wild Calling! Pet Food	B6
WildNite Sciences	C28
Woodlink	C40
Zodiac (Central Garden & Pet)	A29
Zukes	A15
ZuPreem	C38

SEE REVERSE SIDE FOR MAP.





# BOOTH MAP







**FEE RECORD SHEET**

**Serial Number:** 86134679



**RAM Sale Number:** 86134679

**Total Fees:** \$200

**RAM Accounting Date:** 20150915

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20150914	\$100	2	\$200

**Transaction Date:** 20150914



**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	03/17/2015		
PUB DATE	07/22/2014		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	03/13/2015		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Promotional materials, namely, electronic and digital signs
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Promotional materials, namely, printed paper signs
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/17/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	027
03/13/2015	EX1G	S	EXTENSION 1 GRANTED	026
03/13/2015	EXT1	S	EXTENSION 1 FILED	025
03/13/2015	EEXT	I	TEAS EXTENSION RECEIVED	024
09/16/2014	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	023
07/22/2014	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	022
07/22/2014	PUBO	A	PUBLISHED FOR OPPOSITION	021
07/02/2014	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	020
06/18/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019



06/09/2014	ALIE	A	ASSIGNED TO LIE	018
05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota



---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, March 17, 2015 00:16 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 86134679: SPRING BREAK (Stylized/Design): Docket/Reference No. 87245-6

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 86134679  
**Mark:** SPRING BREAK (Stylized/Design)  
**Owner:** American Business Group, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 87245-6  
**Notice of Allowance Date:** Sep 16, 2014

The USPTO issued a Notice of Allowance on **Sep 16, 2014** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit [http://www.uspto.gov/trademarks/teas/intent\\_to\\_use.jsp](http://www.uspto.gov/trademarks/teas/intent_to_use.jsp) and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will abandon the application.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86134679&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information on filing a Statement of Use or an additional extension request, if applicable, please consult the USPTO website at <http://www.uspto.gov/trademarks/>, view the video on the USPTO website entitled "Statement of Use" (click on "TMIN Trademark Information Network" to view a list of available videos), or contact the Trademark Assistance Center at 1-800-786-9199.

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86134679
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>MARK SECTION</b>	
<b>MARK</b>	SPRING BREAK (stylized and/or with design)
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION</b>	
<b>NAME</b>	American Business Group, LLC
<b>STREET</b>	7900 97th Street
<b>CITY</b>	Cottage Grove
<b>STATE</b>	Minnesota
<b>ZIP/POSTAL CODE</b>	55016
<b>COUNTRY</b>	United States
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>CURRENT IDENTIFICATION</b>	Promotional materials, namely, electronic and digital signs
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	016
<b>CURRENT IDENTIFICATION</b>	Promotional materials, namely, printed paper signs
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Promotional t-shirts
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	09/16/2014
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	3
<b>SUBTOTAL AMOUNT</b>	450

<b>TOTAL AMOUNT</b>	450
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/William J. O'Brien/
<b>SIGNATORY'S NAME</b>	/William J. O'Brien/
<b>SIGNATORY'S POSITION</b>	Attorney of Record
<b>DATE SIGNED</b>	03/13/2015
<b>SIGNATORY'S PHONE NUMBER</b>	612-305-1462
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Fri Mar 13 17:06:28 EDT 2015
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XX.XXX-2 0150313170628166545-86134 679-5308c76566a312a701cc9 d109c95b71d551173fa94f169 88cefc457169bce78-CC-3878 -20150313163229951439

---

**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** SPRING BREAK (stylized and/or with design)  
**SERIAL NUMBER:** 86134679

The applicant, American Business Group, LLC, having an address of  
7900 97th Street  
Cottage Grove, Minnesota 55016  
United States

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 09/16/2014.

For International Class 009:

Current identification: Promotional materials, namely, electronic and digital signs

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 016:

Current identification: Promotional materials, namely, printed paper signs

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 025:

Current identification: Promotional t-shirts

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the first extension request.

A fee payment in the amount of \$450 will be submitted with the form, representing payment for 3 classes.

**Declaration**

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information



and belief are believed to be true.

Signature: /William J. O'Brien/ Date Signed: 03/13/2015

Signatory's Name: /William J. O'Brien/

Signatory's Position: Attorney of Record

Signatory's Phone: 612-305-1462

RAM Sale Number: 86134679

RAM Accounting Date: 03/16/2015

Serial Number: 86134679

Internet Transmission Date: Fri Mar 13 17:06:28 EDT 2015

TEAS Stamp: USPTO/ESU-XX.XXX.XX.XXX-2015031317062816

6545-86134679-5308c76566a312a701cc9d109c

95b71d551173fa94f16988cefc457169bce78-CC

-3878-20150313163229951439

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 16, 2014 00:05 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Official USPTO Notice of Allowance: U.S. Trademark SN 86134679: SPRING BREAK (Stylized/Design); Docket/Reference No. 87245-6

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Sep 16, 2014

**Serial Number:** 86134679  
**Mark:** SPRING BREAK (Stylized/Design)  
**Docket/Reference Number:** 87245-6

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

**SIX (6)-MONTH DEADLINE:** Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.**

**How to file SOU and/or Extension Request:**

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

**FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.**

**REVIEW APPLICATION INFORMATION FOR ACCURACY**

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

**Serial Number:** 86134679  
**Mark:** SPRING BREAK (Stylized/Design)  
**Docket/Reference Number:** 87245-6  
**Owner:** American Business Group, LLC  
7900 97th Street  
Cottage Grove, MINNESOTA 55016  
**Correspondence Address:** WILLIAM J. O'BRIEN  
DEWITT MACKALL CROUNSE & MOORE SC  
901 MARQUETTE AVE  
MINNEAPOLIS, MN 55402-3205

**This application has the following bases, but not necessarily for all listed goods/services:**  
Section 1(a): NO                      Section 1(b): YES                      Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

009 - Promotional materials, namely, electronic and digital signs -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE  
016 - Promotional materials, namely, printed paper signs -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE  
025 - Promotional t-shirts -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

**ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.**

**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

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**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86134679>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, July 22, 2014 00:28 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86134679: SPRING BREAK (Stylized/Design): Docket/Reference No. 87245-6

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TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**U.S. Serial Number:** 86-134,679  
**Mark:** SPRING BREAK (Stylized/Design)  
**International Class(es):** 009, 016, 025  
**Owner:** American Business Group, LLC  
**Docket/Reference Number:** 87245-6

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Jul 22, 2014.

**To View the Mark in the Next Generation TMOG (eOG):**

Click on the following link or paste the URL into an internet browser: <http://tmoq.uspto.gov/#date=2014-07-22&serial=86134679>

**To View the Mark in the Legacy format TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20140722\\_OG.pdf#page=00000271](http://www.uspto.gov/web/trademarks/tmog/20140722_OG.pdf#page=00000271).
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp).

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

To view this notice and other documents for this application on-line, go to <http://tsdr.uspto.gov/search.action?sn=86134679>. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jul 2, 2014

## NOTICE OF PUBLICATION

1. Serial No.:  
86-134,679
2. Mark:  
SPRING BREAK  
(STYLIZED/DESIGN)
3. International Class(es):  
9, 16, 25
4. Publication Date:  
Jul 22, 2014
5. Applicant:  
American Business Group, LLC

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

wjo@dewittmcm.com

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, July 2, 2014 03:25 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86134679: SPRING BREAK (Stylized/Design); Docket/Reference No. 87245-6

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86134679) is scheduled to publish in the *Official Gazette* on Jul 22, 2014. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86134679>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).



**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	06/19/2014		
PUB DATE	07/22/2014		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/18/2014		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Promotional materials, namely, electronic and digital signs
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Promotional materials, namely, printed paper signs
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/18/2014	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	019
06/09/2014	ALIE	A	ASSIGNED TO LIE	018
05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION QF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011

04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	05/27/2014		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	05/26/2014		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Promotional materials, namely electronic and digital signs
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Promotional materials, namely, printed paper signs
INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Promotional t-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/26/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	017
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION QF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009



04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE



\*\*\* User:jbair \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	112	N/A	0	0	0:01	(*springbreak* or "spring break" or "spring breaks" or "spring breaker" or "spring breakers")[bi.ti]
02	37	0	37	33	0:02	1 not dead[ld]
03	7138	N/A	0	0	0:01	*spring*[bi.ti]
04	6515	N/A	0	0	0:01	*break*[bi.ti]
05	2555	N/A	0	0	0:02	3 not dead[ld]
06	2225	N/A	0	0	0:02	4 not dead[ld]
07	1180	0	1180	1069	0:01	5 and ("009" or "016" or "025")[cc]
08	1282	0	1282	1165	0:01	6 and ("009" or "016" or "025")[cc]
09	18189	N/A	0	0	0:01	(010701 globes with continents)[dc]
10	37087	N/A	0	0	0:01	(01075 globes)[dc]
11	16136	N/A	0	0	0:01	(011525 light rays)[dc]
12	398	202	196	196	0:01	10 and 11
13	6263	N/A	0	0	0:02	9 not dead[ld]
14	4300	N/A	0	0	0:01	13 and ("009" or "016" or "025")[cc]
15	1430	0	1430	1430	0:02	13 and ("009" or "016" or "025" or a or b or 200)[ic]

Session started 5/26/2014 5:55:39 PM

Session finished 5/26/2014 7:04:00 PM

Total search duration 0 minutes 20 seconds

Session duration 68 minutes 21 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 86134679

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	05/24/2014		
PUB DATE	N/A		
STATUS	645-FINAL REFUSAL - MAILED		
STATUS DATE	04/25/2014		
LITERAL MARK ELEMENT	SPRING BREAK		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

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INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/23/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
05/22/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
05/22/2014	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
04/25/2014	GNFN	O	NOTIFICATION QF FINAL REFUSAL EMAILED	013
04/25/2014	GNFR	O	FINAL REFUSAL E-MAILED	012
04/25/2014	CNFR	R	FINAL REFUSAL WRITTEN	011
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008

02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/07/2013	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	William J. O'Brien
CORRESPONDENCE ADDRESS	WILLIAM J. O'BRIEN DEWITT MACKALL CROUNSE & MOORE SC 901 MARQUETTE AVE MINNEAPOLIS, MN 55402-3205
DOMESTIC REPRESENTATIVE	NONE





## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86134679
LAW OFFICE ASSIGNED	LAW OFFICE 104
<b>MARK SECTION</b>	
MARK FILE NAME	http://tsdr.uspto.gov/img/86134679/large
LITERAL ELEMENT	SPRING BREAK
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
<b>GOODS AND/OR SERVICES SECTION (009)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (016)(no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (035)(class deleted)</b>	
<b>GOODS AND/OR SERVICES SECTION (025)(class added)Original Class (035)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	Promotional t-shirts
FILING BASIS	Section 1(b)
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien
SIGNATORY'S POSITION	Attorney of Record, Minnesota Bar Member
SIGNATORY'S PHONE NUMBER	612-305-1400
DATE SIGNED	05/22/2014
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu May 22 16:35:08 EDT 2014
TEAS STAMP	USPTO/RFR-XXX.XXX.XX.XX-2 0140522163508802088-86134 679-500acefd650bfceaceeb8 a3e216f7240f36149fa76f124 6ae08552e42649f1a-N/A-N/A -20140522161946627078

## Request for Reconsideration after Final Action

### To the Commissioner for Trademarks:

Application serial no. **86134679** SPRING BREAK (Stylized and/or with Design, see <http://tsdr.uspto.gov/img/86134679/large>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

**Applicant hereby deletes the following class of goods/services from the application.**

Class 035 for Promotional materials

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 025 (Original Class: 035 ) for Promotional t-shirts

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### SIGNATURE(S)

##### Request for Reconsideration Signature

Signature: /William J. O'Brien/ Date: 05/22/2014

Signatory's Name: William J. O'Brien

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

Signatory's Phone Number: 612-305-1400

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 86134679

Internet Transmission Date: Thu May 22 16:35:08 EDT 2014

TEAS Stamp: USPTO/RFR-XXX.XXX.XX.XX-2014052216350880

2088-86134679-500acefd650bfceaceeb8a3e21

6f7240f36149fa76f1246ae08552e42649f1a-N/

A-N/A-20140522161946627078

**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 4/25/2014 3:07:34 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86134679

MARK: SPRING BREAK

**\*86134679\***

**CORRESPONDENT ADDRESS:**

WILLIAM J. O'BRIEN  
DEWITT MACKALL CROUNSE & MOORE SC  
901 MARQUETTE AVE  
MINNEAPOLIS, MN 55402-3205

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** American Business Group, LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

87245-6

**CORRESPONDENT E-MAIL ADDRESS:**

[wjo@dewittmcm.com](mailto:wjo@dewittmcm.com)

**FINAL OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 4/25/2014**

**THIS IS A FINAL ACTION.**

This action is in response to applicant's letter, dated April 7<sup>th</sup>, 2014, in which applicant added two classes. Although the wording in the added classes is acceptable, the requirement for an acceptable identification of goods related to "promotional materials" is continued and made FINAL.

**IDENTIFICATION/CLASSIFICATION OF GOODS – FINAL REQUIREMENT**

The wording in the identification of goods must be clarified because it is too broad and could include goods in other international classes. See TMEP §§1402.01, 1402.03. Specifically, "promotional materials" could mean almost ANYTHING, making it impossible to search the mark for confusing registrations. Applicant must specify what is meant by "promotional materials." The requirement is continued and made FINAL.

Applicant may adopt the following identification of goods, if accurate:

International Class 6 – "Promotional materials, namely, non-luminous and non-mechanical metal signs."

International Class 9 – "Promotional materials, namely, electronic and digital signs."

International Class 16 – "Promotional materials, namely, printed paper signs."

International Class 17 – “Promotional materials, namely, adhesive-backed cast PVC film for wrapping commercial vehicles for advertising or other promotional purposes.”

International Class 19 – “Promotional materials, namely, non-luminous, non-mechanical signs not of metal.”

International Class 20 – “Promotional materials, namely, product display equipment in the nature of turntables and display units used to turn a product for use in the field of sales and promotion.”

International Class 28 – “Promotional materials, namely, promotional game cards.”

An applicant may amend an identification of goods only to clarify or limit the goods: adding to or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

For assistance with identifying and classifying goods in trademark applications, please see the USPTO’s online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netahtml/tidm.html>. *See* TMEP §1402.04.

The requirement is continued and made FINAL.

#### **MULTIPLE CLASS ADVISORY**

The application identifies goods that are classified in at least seven classes; however, applicant submitted a fee sufficient for only three classes. In a multiple-class application, a fee for each class is required. 37 C.F.R. §2.86(a)(2); TMEP §§810.01, 1403.01.

Therefore, applicant must either (1) restrict the application to the number of classes covered by the fees already paid, or (2) submit the fees for each additional class.

For an application with more than one international class, called a “multiple-class application,” an applicant must meet all the requirements below for those international classes based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) LIST GOODS BY INTERNATIONAL CLASS: Applicant must list the goods by international class.
- (2) PROVIDE FEES FOR ALL INTERNATIONAL CLASSES: Applicant must submit an application filing fee for each international class of goods not covered by the fees already paid (confirm current fee information at [http://www.uspto.gov/trademarks/tm\\_fee\\_info.jsp](http://www.uspto.gov/trademarks/tm_fee_info.jsp)).

*See* 15 U.S.C. §§1051(b), 1112, 1126(e); 37 C.F.R. §§2.34(a)(2)-(3), 2.86(a); TMEP §§1403.01, 1403.02(c).

#### **RESPONDING TO A FINAL ACTION**

Applicant must respond within six months of the date of issuance of this final Office action or the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond by providing one or both of the following:

- (1) A response that fully satisfies all outstanding requirements;
- (2) An appeal to the Trademark Trial and Appeal Board, with the appeal fee of \$100 per class.

37 C.F.R. §2.64(a); TMEP §714.04; *see* 37 C.F.R. §2.6(a)(18); TBMP ch. 1200.

In certain rare circumstances, an applicant may respond by filing a petition to the Director pursuant to 37 C.F.R. §2.63(b)(2) to review procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; *see* 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the requirement in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

/Jason Paul Blair/  
Examining Attorney  
Law Office 104  
Phone - (571) 272-8856  
Fax - (571) 273-8856  
jason.blair@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 4/25/2014 3:07:34 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **4/25/2014** FOR U.S. APPLICATION SERIAL NO. 86134679

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **4/25/2014** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86134679	FILING DATE	12/04/2013
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BLAIR, JASON PAUL	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	04/09/2014
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	04/08/2014
LITERAL MARK ELEMENT	SPRING BREAK

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	SPRING BREAK
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	American Business Group, LLC
ADDRESS	7900 97th Street Cottage Grove, MN 55016
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Minnesota

### GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Promotional materials, namely electronic and digital signs
INTERNATIONAL CLASS	016
DESCRIPTION TEXT	Promotional materials, namely, printed paper signs
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Promotional materials

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	016	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/08/2014	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
04/07/2014	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
04/07/2014	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
02/19/2014	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
02/19/2014	GNRT	F	NON-FINAL ACTION E-MAILED	006
02/19/2014	CNRT	R	NON-FINAL ACTION WRITTEN	005
02/12/2014	DOCK	D	ASSIGNED TO EXAMINER	004
12/17/2013	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
12/16/2013	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002

12/07/2013

NWAP

I

NEW APPLICATION ENTERED IN TRAM

001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY

William J. O'Brien

CORRESPONDENCE ADDRESS

WILLIAM J. O'BRIEN  
DEWITT MACKALL CROUNSE & MOORE SC  
901 MARQUETTE AVE  
MINNEAPOLIS, MN 55402-3205

DOMESTIC REPRESENTATIVE

NONE





## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86134679
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tsdr.uspto.gov/img/86134679/large
<b>LITERAL ELEMENT</b>	SPRING BREAK
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>GOODS AND/OR SERVICES SECTION (009)(class added)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>DESCRIPTION</b>	Promotional materials, namely electronic and digital signs.
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (016)(class added)</b>	
<b>INTERNATIONAL CLASS</b>	016
<b>DESCRIPTION</b>	Promotional materials, namely, printed paper signs.
<b>FILING BASIS</b>	Section 1(b)
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2
<b>FEE PER CLASS</b>	325
<b>TOTAL FEES DUE</b>	650
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/William J. O'Brien/
<b>SIGNATORY'S NAME</b>	William J. OBrien
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Minnesota Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	612-305-1400
<b>DATE SIGNED</b>	04/07/2014
<b>RESPONSE SIGNATURE</b>	/William J. O'Brien/
<b>SIGNATORY'S NAME</b>	William J. O'Brien
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Minnesota Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	612-305-1462
<b>DATE SIGNED</b>	04/07/2014
<b>AUTHORIZED SIGNATORY</b>	YES



**FILING INFORMATION SECTION**

SUBMIT DATE

Mon Apr 07 18:05:49 EDT 2014

TEAS STAMP

USPTO/ROA-XXX.XXX.XX.XX-2  
0140407180549329174-86134  
679-50069e67e29b0192974bd  
32a9e797717751f6f5746a506  
d324535f9e60f68f4ba2-CC-5  
627-20140407161614354357PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 07/31/2017)**Response to Office Action****To the Commissioner for Trademarks:**

Application serial no. **86134679** SPRING BREAK (Stylized and/or with Design, see <http://tsdr.uspto.gov/img/86134679/large>) has been amended as follows:

**CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 009 for Promotional materials, namely electronic and digital signs.

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 016 for Promotional materials, namely, printed paper signs.

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**FEE(S)**

Fee(s) in the amount of \$650 is being submitted.

**SIGNATURE(S)****Declaration Signature**

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU: If the applicant filed an unsigned application under 15 U.S.C. Section

1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /William J. O'Brien/ Date: 04/07/2014  
Signatory's Name: William J. OBrien  
Signatory's Position: Attorney of Record, Minnesota Bar Member  
Signatory's Phone Number: 612-305-1400

**Response Signature**

Signature: /William J. O'Brien/ Date: 04/07/2014  
Signatory's Name: William J. O'Brien  
Signatory's Position: Attorney of Record, Minnesota Bar Member

Signatory's Phone Number: 612-305-1462

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.

RAM Sale Number: 86134679  
RAM Accounting Date: 04/08/2014

Serial Number: 86134679  
Internet Transmission Date: Mon Apr 07 18:05:49 EDT 2014  
TEAS Stamp: USPTO/ROA-XXX.XXX.XX.XX-2014040718054932  
9174-86134679-50069e67e29b0192974bd32a9e  
797717751f6f5746a506d324535f9e60f68f4ba2  
-CC -5627-20140407161614354357

RAM SALE NUMBER: 86134679  
RAM ACCOUNTING DATE: 20140408

INTERNET TRANSMISSION DATE:  
2014/04/07

SERIAL NUMBER:  
86/134679

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2014/04/07	325	2	650

**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 2/19/2014 12:06:11 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86134679

MARK: SPRING BREAK

**\*86134679\***

**CORRESPONDENT ADDRESS:**

WILLIAM J. O'BRIEN  
DEWITT MACKALL CROUNSE & MOORE SC  
901 MARQUETTE AVE  
MINNEAPOLIS, MN 55402-3205

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** American Business Group, LLC

**CORRESPONDENT'S REFERENCE/DOCKET  
NO:**

87245-6

**CORRESPONDENT E-MAIL ADDRESS:**

[wjo@dewittmcm.com](mailto:wjo@dewittmcm.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 2/19/2014**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

**SEARCH DEFERRED**

A search of the Office's database of registered and pending marks for potentially conflicting marks is deferred until applicant responds to the issues raised in this Office action. TMEP §704.02.

**IDENTIFICATION/CLASSIFICATION OF GOODS**

The wording in the identification of goods must be clarified because it is too broad and could include goods in other international classes. See TMEP §§1402.01, 1402.03. Specifically, "promotional materials" could mean almost ANYTHING, making it impossible to search the mark for confusing registrations. Applicant must specify what is meant by "promotional materials."

Applicant may adopt the following identification of goods, if accurate:

International Class 6 – "Promotional materials, namely, non-luminous and non-mechanical metal signs."

International Class 9 – "Promotional materials, namely, electronic signs."

International Class 16 – “Promotional materials, namely, printed paper signs.”

International Class 17 – “Promotional materials, namely, adhesive-backed cast PVC film for wrapping commercial vehicles for advertising or other promotional purposes.”

International Class 19 – “Promotional materials, namely, non-luminous, non-mechanical signs not of metal.”

International Class 20 – “Promotional materials, namely, product display equipment in the nature of turntables and display units used to turn a product for use in the field of sales and promotion.”

International Class 28 – “Promotional materials, namely, promotional game cards.”

An applicant may amend an identification of goods only to clarify or limit the goods; adding to or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

For assistance with identifying and classifying goods in trademark applications, please see the USPTO’s online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netathtml/tidm.html>. See TMEP §1402.04.

#### **MULTIPLE CLASS ADVISORY**

The application identifies goods that are classified in at least seven classes; however, applicant submitted a fee sufficient for only one class. In a multiple-class application, a fee for each class is required. 37 C.F.R. §2.86(a)(2); TMEP §§810.01, 1403.01.

Therefore, applicant must either (1) restrict the application to the number of classes covered by the fees already paid, or (2) submit the fees for each additional class.

For an application with more than one international class, called a “multiple-class application,” an applicant must meet all the requirements below for those international classes based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) LIST GOODS BY INTERNATIONAL CLASS: Applicant must list the goods by international class.
- (2) PROVIDE FEES FOR ALL INTERNATIONAL CLASSES: Applicant must submit an application filing fee for each international class of goods not covered by the fee already paid (confirm current fee information at [http://www.uspto.gov/trademarks/tm\\_fee\\_info.jsp](http://www.uspto.gov/trademarks/tm_fee_info.jsp)).

See 15 U.S.C. §§1051(b), 1112, 1126(e); 37 C.F.R. §§2.34(a)(2)-(3), 2.86(a); TMEP §§1403.01, 1403.02(c).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the requirements in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. See TMEP §§705.02, 709.06.

/Jason Paul Blair/  
Examining Attorney  
Law Office 104  
Phone - (571) 272-8856  
Fax - (571) 273-8856  
[jason.blair@uspto.gov](mailto:jason.blair@uspto.gov)

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**To:** American Business Group, LLC ([wjo@dewittmcm.com](mailto:wjo@dewittmcm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86134679 - SPRING BREAK - 87245-6  
**Sent:** 2/19/2014 12:06:11 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **2/19/2014** FOR U.S. APPLICATION SERIAL NO. 86134679

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** *Please carefully review the Office action to determine* (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **2/19/2014** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

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**From:** TMDesignCodeComments  
**Sent:** Tuesday, December 17, 2013 00:21 AM  
**To:** wjo@dewittmcm.com  
**Subject:** Notice of Design Search Code for Serial Number: 86134679

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**Docket/Reference Number:** 87245-6

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86134679>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

01.07.01 - Globes with outlines of continents  
01.15.25 - Coal  
01.15.25 - Dust  
01.15.25 - Light rays  
01.15.25 - Liquids, spilling  
01.15.25 - Pouring liquids  
01.15.25 - Sand  
01.15.25 - Spilling liquids

## Trademark/Service Mark Application, Principal Register

Serial Number: 86134679  
 Filing Date: 12/04/2013

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86134679
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\861\346\86134679.xml\ APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	Spring Break
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	2200 x 1700
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	American Business Group, LLC
*STREET	7900 97th Street
*CITY	Cottage Grove
*STATE (Required for U.S. applicants)	Minnesota
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	55016
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Minnesota
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	035
*IDENTIFICATION	Promotional materials
FILING BASIS	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
NAME	William J. O'Brien

ATTORNEY DOCKET NUMBER	87245-6
FIRM NAME	DeWitt Mackall Crouse & Moore SC
INTERNAL ADDRESS	1400 AT&T Tower
STREET	901 Marquette Avenue
CITY	Minneapolis
STATE	Minnesota
COUNTRY	United States
ZIP/POSTAL CODE	55402
PHONE	612-305-1400
FAX	612-305-1414
EMAIL ADDRESS	wjo@dewittmcm.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Jon M. Tynjala
<b>CORRESPONDENCE INFORMATION</b>	
NAME	William J. O'Brien
FIRM NAME	DeWitt Mackall Crouse & Moore SC
INTERNAL ADDRESS	1400 AT&T Tower
STREET	901 Marquette Avenue
CITY	Minneapolis
STATE	Minnesota
COUNTRY	United States
ZIP/POSTAL CODE	55402
PHONE	612-305-1400
FAX	612-305-1414
EMAIL ADDRESS	wjo@dewittmcm.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
<b>SIGNATURE INFORMATION</b>	
SIGNATURE	/William J. O'Brien/
SIGNATORY'S NAME	William J. O'Brien
SIGNATORY'S POSITION	Attorney of Record, Minnesota Bar Member
DATE SIGNED	12/04/2013



## Trademark/Service Mark Application, Principal Register

Serial Number: 86134679

Filing Date: 12/04/2013

### To the Commissioner for Trademarks:

**MARK:** Spring Break (stylized and/or with design, see [mark](#))

The literal element of the mark consists of Spring Break.

The applicant is not claiming color as a feature of the mark. The mark consists of a world globe with rays coming from it. There is a ribbon coming from the world globe that goes under the words "Spring Break".

The applicant, American Business Group, LLC, a limited liability company legally organized under the laws of Minnesota, having an address of  
7900 97th Street  
Cottage Grove, Minnesota 55016  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 035: Promotional materials

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

The applicant's current Attorney Information:

William J. O'Brien and Jon M. Tynjala of DeWitt Mackall Crouse & Moore SC

1400 AT&T Tower  
901 Marquette Avenue  
Minneapolis, Minnesota 55402  
United States

The attorney docket/reference number is 87245-6.

The applicant's current Correspondence Information:

William J. O'Brien  
DeWitt Mackall Crouse & Moore SC  
1400 AT&T Tower  
901 Marquette Avenue  
Minneapolis, Minnesota 55402  
612-305-1400(phone)  
612-305-1414(fax)  
wjo@dewittmcm.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely.



when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

**Declaration Signature**

Signature: /William J. O'Brien/ Date: 12/04/2013  
Signatory's Name: William J. O'Brien  
Signatory's Position: Attorney of Record, Minnesota Bar Member  
RAM Sale Number: 86134679  
RAM Accounting Date: 12/04/2013

Serial Number: 86134679  
Internet Transmission Date: Wed Dec 04 11:51:40 EST 2013  
TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XXX-20131204115140  
795687-86134679-5005b21da71599c54c4c8cf8  
a666723e4f3c14f6554ec16bd62f0b23e9546999  
29-CC-10310-20131204113216699017





Generated on: This page was generated by TSDR on 2019-05-07 23:55:58 EDT

Mark: AW



US Serial Number: 86371797

Application Filing Date: Aug. 20, 2014

US Registration Number: 4867922

Registration Date: Dec. 08, 2015

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 08, 2015

Publication Date: Feb. 10, 2015

Notice of Allowance Date: Apr. 07, 2015

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## Mark Information

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Mark Literal Elements: AW

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 the stylized letters "AW" with a circle placed within the letter "A".

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

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.  
27.03.01 - Geometric figures forming letters, numerals or punctuation

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## Goods and Services

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**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: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2013

Use in Commerce: Jun. 01, 2014

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## Basis Information (Case Level)

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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  
Filed No Basis: No

Currently 66A: No  
Currently No Basis: No

---

## Current Owner(s) Information

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**Owner Name:** Wiggins Enterprise, Inc.  
**Owner Address:** 5022 Isabella Cannon Dr  
Raleigh, NORTH CAROLINA 27612  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** DELAWARE

---

## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Alexandra T. Mackay

**Attorney Primary Email Address:** [alexandra.mackay@stites.com](mailto:alexandra.mackay@stites.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Alexandra T. Mackay  
STITES & HARBISON PLLC  
400 WEST MARKET  
SUITE 1800  
LOUISVILLE, KENTUCKY 40202  
UNITED STATES

**Phone:** 615-782-2223

**Fax:** 502-587-6391

**Correspondent e-mail:** [alexandra.mackay@stites.com](mailto:alexandra.mackay@stites.com) [tmlou@stites.com](mailto:tmlou@stites.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Apr. 30, 2018	REVIEW OF CORRESPONDENCE COMPLETE - POWER OF ATTORNEY ENTERED	48494
Mar. 28, 2018	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Dec. 18, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 18, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 03, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 03, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 18, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 18, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 08, 2015	REGISTERED-PRINCIPAL REGISTER	
Nov. 04, 2015	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 03, 2015	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 14, 2015	STATEMENT OF USE PROCESSING COMPLETE	74055
Oct. 06, 2015	USE AMENDMENT FILED	74055
Oct. 14, 2015	CASE ASSIGNED TO INTENT TO USE PARALEGAL	74055
Oct. 06, 2015	TEAS STATEMENT OF USE RECEIVED	
Apr. 07, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 10, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 10, 2015	PUBLISHED FOR OPPOSITION	
Jan. 21, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 06, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Dec. 27, 2014	ASSIGNED TO LIE	70468
Dec. 10, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 10, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 10, 2014	EXAMINERS AMENDMENT E-MAILED	6328

Dec. 10, 2014	EXAMINERS AMENDMENT -WRITTEN	83696
Dec. 05, 2014	ASSIGNED TO EXAMINER	83696
Sep. 04, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 03, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 23, 2014	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 03, 2015



## Replacement of Attorney of Record with Another Already-Appointed Attorney

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86371797
<b>REGISTRATION NUMBER</b>	4867922
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	https://tmng-al.uspto.gov/resting2/api/img/86371797/large
<b>LITERAL ELEMENT</b>	AW
<b>FORM TEXT</b>	
The current correspondent and Attorney of Record, Jennifer L. Kovalcik, is no longer with the firm. Previously-appointed co-counsel continues to represent Applicant. As noted herein, please substitute Alexandra T. MacKay as the correspondent and Attorney of Record. Email addresses of alexandra.mackay@stites.com and tmlou@stites.com remain the same and no change is needed.	
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Alex/
<b>SIGNATORY'S NAME</b>	Alexandra T. Mackay
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Tennessee Bar Member
<b>DATE SIGNED</b>	03/27/2018
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Mar 28 16:32:09 EDT 2018
<b>TEAS STAMP</b>	USPTO/WAF-XXX.XXX.XX.XXX- 20180328163209685818-4867 922-20180327180212016571- N/A-N/A-20180327180212016 571

## Replacement of Attorney of Record with Another Already-Appointed Attorney To the Commissioner for Trademarks:

The following is submitted for registration number. **4867922**

### FORM INFORMATION

The current correspondent and Attorney of Record, Jennifer L. Kovalcik, is no longer with the firm. Previously-appointed co-counsel continues

to represent Applicant. As noted herein, please substitute Alexandra T. MacKay as the correspondent and Attorney of Record. Email addresses of alexandra.mackay@stites.com and tmlou@stites.com remain the same and no change is needed.

**SIGNATURE(S)**

**Submission Signature**

Signature: /Alex/ Date: 03/27/2018

Signatory's Name: Alexandra T. Mackay

Signatory's Position: Attorney of Record. Tennessee Bar Member

Serial Number: 86371797

Internet Transmission Date: Wed Mar 28 16:32:09 EDT 2018

TEAS Stamp: USPTO/WAF-XXX.XXX.XX.XXX-201803281632096

85818-4867922-20180327180212016571-N/A-N

/A-20180327180212016571

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86371797
<b>REGISTRATION NUMBER</b>	4867922
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>MARK SECTION</b>	
<b>MARK</b>	AW (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/86371797/large">https://tmng-al.uspto.gov/resting2/api/img/86371797/large</a> )
<b>ATTORNEY SECTION</b>	
<b>ORIGINAL ADDRESS</b>	Jennifer L. Kovalcik 400 West Market St. Suite 1800 Louisville Kentucky 40202 US 615-782-2214 502-587-6391 jkovalcik@stites.com
<b>NEW ATTORNEY INFORMATION</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned hereby APPOINTS the following new attorney:
<b>NAME</b>	Jennifer L. Kovalcik
<b>FIRM NAME</b>	STITES & HARBISON PLLC
<b>INTERNAL ADDRESS</b>	SUITE 1800
<b>STREET</b>	400 WEST MARKET
<b>CITY</b>	LOUISVILLE
<b>STATE</b>	Kentucky
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	40202
<b>PHONE</b>	615-782-2223
<b>FAX</b>	502-587-6391
<b>EMAIL</b>	alexandra.mackay@stites.com
<b>ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>NEW OTHER APPOINTED ATTORNEYS</b>	Richard S. Myers, Jr., Alexandra T. MacKay, Melissa Hunter Smith, Sean Ritchie, Rachel Dix Bishop, and Summer Young, each a member of the Bar of the State of Tennessee, Joel T. Beres, David W. Nagle, Jr., Mandy Wilson Decker, James Hayne, John Scruton, and Terry L. Wright, each a member of the Bar of the State of Kentucky, Marvin Petry, and Mari-Elise Gates Paul each a member of the Bar of the State of Virginia, Brewster

Taylor, a member of the Bar of the State of Massachusetts, and B. Aaron Schulman, a member of the Bar of the State of Maryland, of the firm of Stites & Harbison, PLLC

**NEW CORRESPONDENCE ADDRESS**

<b>NAME</b>	Jennifer L. Kovalcik
<b>FIRM NAME</b>	STITES & HARBISON PLLC
<b>INTERNAL ADDRESS</b>	SUITE 1800
<b>STREET</b>	400 WEST MARKET
<b>CITY</b>	LOUISVILLE
<b>STATE</b>	Kentucky
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	40202
<b>PHONE</b>	615-782-2223
<b>FAX</b>	502-587-6391
<b>EMAIL</b>	alexandra.mackay@stites.com; tmlou@stites.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/jennifer l. kovalcik/
<b>SIGNATORY NAME</b>	Jennifer L. Kovalcik
<b>SIGNATORY DATE</b>	12/16/2017
<b>SIGNATORY POSITION</b>	Attorney of Record, Tennessee Bar Member
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Dec 18 09:17:03 EST 2017
<b>TEAS STAMP</b>	USPTO/RAA-XX.XXX.XX.XX-20 171218091703367669-761499 40-510cfd35d9f494e45a8136 193f98f294e9df96753bd7eb6 4ab9c3c52a493dde5c9-N/A-N /A-20171216135317986251

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** AW (stylized and/or with design, see <https://tmng-al.uspto.gov/resting2/api/img/86371797/large>)

**SERIAL NUMBER:** 86371797

**REGISTRATION NUMBER:** 4867922

### The original attorney information:

Jennifer L. Kovalcik  
400 West Market St.  
Suite 1800  
Louisville Kentucky 40202  
US  
615-782-2214  
502-587-6391  
jkovalcik@stites.com

### Original Correspondence Address :

Jennifer L. Kovalcik  
Stites & Harbison, PLLC  
400 West Market St.  
Suite 1800  
Louisville Kentucky 40202  
US  
615-782-2214  
502-587-6391  
jkovalcik@stites.com;tmlou@stites.com

By submission of this request, the undersigned hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

### New attorney information:

Jennifer L. Kovalcik  
STITES & HARBISON PLLC  
SUITE 1800  
400 WEST MARKET  
LOUISVILLE, Kentucky 40202  
United States  
615-782-2223  
502-587-6391  
alexandra.mackay@stites.com (authorized)

### New Other Appointed Attorneys:

Richard S. Myers, Jr., Alexandra T. MacKay, Melissa Hunter Smith, Sean Ritchie, Rachel Dix Bishop, and Summer Young, each a member of the Bar of the State of Tennessee, Joel T. Beres, David W. Nagle, Jr., Mandy Wilson Decker, James Hayne, John Scruton, and Terry L. Wright, each a member of the Bar of the State of Kentucky, Marvin Petry, and Mari-Elise Gates Paul each a member of the Bar of the State of Virginia, Brewster Taylor, a member of the Bar of the State of Massachusetts, and B. Aaron Schulman, a member of the Bar of the State of Maryland, of the firm of Stites & Harbison, PLLC

### The following is to be used as the correspondence address:

Jennifer L. Kovalcik  
STITES & HARBISON PLLC  
SUITE 1800  
400 WEST MARKET  
LOUISVILLE, Kentucky 40202

United States

615-782-2223

502-587-6391

alexandra.mackay@stites.com:tmlou@stites.com (authorized)

Signature: /jennifer l. kovalcik/ Date: 12/16/2017

Signatory's Name: Jennifer L. Kovalcik

Signatory's Position: Attorney of Record. Tennessee Bar Member

Serial Number: 86371797

Internet Transmission Date: Mon Dec 18 09:17:03 EST 2017

TEAS Stamp: USPTO/RAA-XX.XXX.XX.XX-20171218091703367

669-76149940-510cfd35d9f494e45a8136193f9

8f294e9df96753bd7eb64ab9c3c52a493dde5c9-

N/A-N/A-20171216135317986251



## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86371797
REGISTRATION NUMBER	4867922
LAW OFFICE ASSIGNED	LAW OFFICE 113
<b>MARK SECTION</b>	
MARK	AW (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/86371797/large">https://tmng-al.uspto.gov/resting2/api/img/86371797/large</a> )
<b>ATTORNEY SECTION</b>	
ORIGINAL ADDRESS	Jennifer L. Kovalcik EE89/48033 400 WEST MARKET ST. Suite 1800 LOUISVILLE Kentucky 40202 US 502-587-3400 502-587-6391 jkovalcik@stites.com
<b>NEW ATTORNEY INFORMATION</b>	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney.
NAME	Jennifer L. Kovalcik
FIRM NAME	Stites & Harbison, PLLC
INTERNAL ADDRESS	Suite 1800
STREET	400 West Market St.
CITY	Louisville
STATE	Kentucky
COUNTRY	United States
POSTAL/ZIP CODE	40202
PHONE	615-782-2214
FAX	502-587-6391
EMAIL	jkovalcik@stites.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
<b>NEW CORRESPONDENCE ADDRESS</b>	
NAME	Jennifer L. Kovalcik
FIRM NAME	Stites & Harbison, PLLC

<b>INTERNAL ADDRESS</b>	Suite 1800
<b>STREET</b>	400 West Market St.
<b>CITY</b>	Louisville
<b>STATE</b>	Kentucky
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	40202
<b>PHONE</b>	615-782-2214
<b>FAX</b>	502-587-6391
<b>EMAIL</b>	jkovalcik@stites.com; tmlou@stites.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	
<b>SIGNATURE SECTION</b>	
<b>SIGNATORY FILE</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">hw_661954999-115949310 . SIGNATURE Wiggins Enterprise.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT17\IMAGEOUT17\863\717\86371797\xml2\RAA0002.JPG</a>
<b>SIGNATORY NAME</b>	Andrew Wiggins
<b>SIGNATORY POSITION</b>	President
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri Nov 03 12:11:27 EDT 2017
<b>TEAS STAMP</b>	USPTO/RAA-XX.XXX.XX.XX-20 171103121127040268-863717 97-51048e26d474440824c375 88b1712841f9e789fac9eaf44 5a1099e7fef7d14531-N/A-N/ A-20171103115949310903

---

## **Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative**

To the Commissioner for Trademarks:

**MARK:** AW (stylized and/or with design, see <https://tmng-al.uspto.gov/resting2/api/img/86371797/large>)

**SERIAL NUMBER:** 86371797

**REGISTRATION NUMBER:** 4867922

### **The original attorney information:**

Jennifer L. Kovalcik  
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US  
502-587-3400  
502-587-6391  
jkovalcik@stites.com

### **Original Correspondence Address :**

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Suite 1800  
LOUISVILLE Kentucky 40202  
US  
502-587-3400  
502-587-6391  
jkovalcik@stites.com;tmlou@stites.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney.

### **New attorney information:**

Jennifer L. Kovalcik  
Stites & Harbison, PLLC  
Suite 1800  
400 West Market St.  
Louisville, Kentucky 40202  
United States  
615-782-2214  
502-587-6391  
jkovalcik@stites.com (authorized)

### **The following is to be used as the correspondence address:**

Jennifer L. Kovalcik  
Stites & Harbison, PLLC  
Suite 1800  
400 West Market St.  
Louisville, Kentucky 40202  
United States  
  
615-782-2214  
502-587-6391  
jkovalcik@stites.com;tmlou@stites.com (authorized)

**Original PDF file:**

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**Converted PDF file(s) (1 page)**

[Signature File1](#)

Signatory's Name: Andrew Wiggins

Signatory's Position: President

Serial Number: 86371797

Internet Transmission Date: Fri Nov 03 12:11:27 EDT 2017

TEAS Stamp: USPTO/RAA-XX.XXX.XX.XX-20171103121127040

268-86371797-51048e26d474440824c37588b17

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/A-N/A-20171103115949310903

**Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative**

**Handwritten Signature**

Signature Section:

Signature: 

Date: July 10, 2017

Signatory's Name: Andrew Wiggins

Signatory's Position: President

Signatory's Phone Number: N/A

**NOTE TO APPLICANT:** When filed as part of the electronic form (i.e., scanned and attached as an image file), include only the signature page (no declaration is required, nor should any other information from the actual revocation be included).

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 OMB No. 0551-0096 (Exp 09/30/2017)

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86371797
REGISTRATION NUMBER	4867922
LAW OFFICE ASSIGNED	LAW OFFICE 113
ATTORNEY DOCKET NUMBER	EE89/48033
<b>MARK SECTION</b>	
MARK	AW (stylized and/or with design, see <a href="https://tmng-al.uspto.gov/resting2/api/img/86371797/large">https://tmng-al.uspto.gov/resting2/api/img/86371797/large</a> )
<b>NEW ATTORNEY INFORMATION</b>	
STATEMENT TEXT	By submission of this request, the undersigned updates the attorney information of record.
NAME	Jennifer L. Kovalcik
FIRM NAME	STITES & HARBISON, PLLC
INTERNAL ADDRESS	Suite 1800
STREET	400 WEST MARKET ST.
CITY	LOUISVILLE
STATE	Kentucky
COUNTRY	United States
POSTAL/ZIP CODE	40202
PHONE	502-587-3400
FAX	502-587-6391
EMAIL	jkovalcik@stites.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
<b>NEW CORRESPONDENCE ADDRESS</b>	
NAME	Jennifer L. Kovalcik
FIRM NAME	STITES & HARBISON, PLLC
INTERNAL ADDRESS	Suite 1800
STREET	400 WEST MARKET ST.
CITY	LOUISVILLE
STATE	Kentucky
COUNTRY	United States



POSTAL/ZIP CODE	40202
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FAX	502-587-6391
EMAIL	jkovalcik@stites.com; tmlou@stites.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	EE89/48033
<b>SIGNATURE SECTION</b>	
SIGNATORY FILE	
ORIGINAL PDF FILE	<a href="https://www.teas.uspto.gov/ccr/xslt.pdf">hw_661954999-150806686 . EXECUTED_Enterprise_Inc. https_t eas.uspto.gov ccr_xslt.pdf</a>
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\863\717\86371797\xml1\RAA0002.JPG
SIGNATORY NAME	Andrew Wiggins
SIGNATORY POSITION	President
SIGNATORY PHONE NUMBER	N/A
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Jul 18 15:11:44 EDT 2017
TEAS STAMP	USPTO/RAA-XX.XXX.XX.XX-20 170718151144017898-863717 97-510aa853265d1be293f7e8 46f2fba1bc0bf13d7dc4c2e3b 42ed9d217393202fa4-N/A-N/ A-20170718150806686700

---

## Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** AW (stylized and/or with design, see <https://tmng-al.uspto.gov/resting2/api/img/86371797/large>)

**SERIAL NUMBER:** 86371797

**REGISTRATION NUMBER:** 4867922

**ATTORNEY DOCKET NUMBER** EE89/48033

### Original Correspondence Address :

WIGGINS ENTERPRISE, INC.  
5022 ISABELLA CANNON DR  
RALEIGH North Carolina 27612  
US  
9196367190  
9196152755  
[bjayroe@hotshotsfm.com](mailto:bjayroe@hotshotsfm.com)

By submission of this request, the undersigned updates the attorney information of record.

### New attorney information:

Jennifer L. Kovalcik  
STITES & HARBISON, PLLC  
Suite 1800  
400 WEST MARKET ST.  
LOUISVILLE, Kentucky 40202  
United States  
502-587-3400  
502-587-6391  
[jkovalcik@stites.com](mailto:jkovalcik@stites.com) (authorized)

### The following is to be used as the correspondence address:

Jennifer L. Kovalcik  
STITES & HARBISON, PLLC  
Suite 1800  
400 WEST MARKET ST.  
LOUISVILLE, Kentucky 40202  
United States  
  
502-587-3400  
502-587-6391  
[jkovalcik@stites.com](mailto:jkovalcik@stites.com); [tmlou@stites.com](mailto:tmlou@stites.com) (authorized)  
The attorney docket/reference number is EE89/48033.

### Original PDF file:

[hw\\_661954999-150806686 . EXECUTED Enterprise Inc. https\\_tmas.uspto.gov\\_ccr\\_xslt.pdf](https://www.uspto.gov/teas/661954999-150806686/EXECUTED_Enterprise_Inc_https_tmas.uspto.gov_ccr_xslt.pdf)

Converted PDF file(s) (1 page)

[Signature File1](#)

Signatory's Name: Andrew Wiggins  
Signatory's Position: President  
Signatory's Phone Number: N/A

Serial Number: 86371797  
Internet Transmission Date: Tue Jul 18 15:11:44 EDT 2017  
TEAS Stamp: USPTO/RAA-XX.XXX.XX.XX-20170718151144017  
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/A-N/A-20170718150806686700

### Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

#### Handwritten Signature

Signature Section:

Signature:  \_\_\_\_\_

Date: July 10, 2017

Signatory's Name: Andrew Wiggins

Signatory's Position: President

Signatory's Phone Number: N/A

**NOTE TO APPLICANT:** When filed as part of the electronic form (i.e., scanned and attached as an image file), include only the signature page (no declaration is required, nor should any other information from the actual revocation be included).

[Back](#)

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,867,922**

**Registered Dec. 8, 2015**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

WIGGINS ENTERPRISE, INC. (DELAWARE CORPORATION)  
5022 ISABELLA CANNON DR  
RALEIGH, NC 27612

FOR: ATHLETIC APPAREL, NAMELY, SHIRTS, PANTS, JACKETS, FOOTWEAR, HATS AND CAPS, ATHLETIC UNIFORMS, ATHLETIC SHOES, GRAPHIC T-SHIRTS, HOODED SWEAT SHIRTS, RUNNING SHOES, SHOE ACCESSORIES, NAMELY, FITTED DECORATIVE COVERS FOR SHOES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 10-1-2013; IN COMMERCE 6-1-2014.

THE MARK CONSISTS OF THE STYLIZED LETTERS "AW" WITH A CIRCLE PLACED WITHIN THE LETTER "A".

SN 86-371,797, FILED 8-20-2014.

AHSEN KHAN, EXAMINING ATTORNEY



*Michelle K. Lee*

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**



---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, November 4, 2015 00:11 AM  
**To:** bjayroe@hotmail.com  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 86371797: AW (Stylized/Design)

---

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 86371797  
**Mark:** AW (Stylized/Design)  
**Owner:** Wiggins Enterprise, Inc.  
**Docket/Reference Number:**

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86371797	FILING DATE	08/20/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	11/04/2015		
PUB DATE	02/10/2015		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	11/03/2015		
LITERAL MARK ELEMENT	AW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AW
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	10/01/2013	FIRST USE IN COMMERCE DATE	08/01/2014	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/04/2015	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	021
11/03/2015	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	020
10/14/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	019
10/06/2015	IUAF	S	USE AMENDMENT FILED	018
10/14/2015	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	017
10/06/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	016
04/07/2015	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	015
02/10/2015	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	014
02/10/2015	PUBO	A	PUBLISHED FOR OPPOSITION	013
01/21/2015	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	012
01/06/2015	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
12/27/2014	ALIE	A	ASSIGNED TO LIE	010
12/10/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
12/10/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
12/10/2014	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
12/10/2014	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
12/10/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
12/05/2014	DOCK	D	ASSIGNED TO EXAMINER	004

09/04/2014	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
09/03/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/23/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

**MW**

**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	86371797	FILING DATE	08/20/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	10/15/2015		
PUB DATE	02/10/2015		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	10/14/2015		
LITERAL MARK ELEMENT	AW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AW
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	10/01/2013	FIRST USE IN COMMERCE DATE	08/01/2014	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/14/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	019
10/06/2015	IUAF	S	USE AMENDMENT FILED	018
10/14/2015	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	017
10/06/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	016
04/07/2015	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	015
02/10/2015	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	014
02/10/2015	PUBO	A	PUBLISHED FOR OPPOSITION	013
01/21/2015	NONP	E	NOTIFICATION QF NOTICE OF PUBLICATION E-MAILED	012
01/06/2015	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
12/27/2014	ALIE	A	ASSIGNED TO LIE	010
12/10/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
12/10/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
12/10/2014	GNEN	O	NOTIFICATION QF EXAMINERS AMENDMENT E-MAILED	007
12/10/2014	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
12/10/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
12/05/2014	DQCK	D	ASSIGNED TO EXAMINER	004
09/04/2014	MDSC	E	NOTICE QF DESIGN SEARCH CODE E-MAILED	003
09/03/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002

08/23/2014

NWAP

I

NEW APPLICATION ENTERED IN TRAM

001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

**MW**



## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86371797
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/86371797/large">http://tmng-al.uspto.gov/resting2/api/img/86371797/large</a>
<b>LITERAL ELEMENT</b>	AW
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION</b>	
<b>NAME</b>	Wiggins Enterprise, Inc.
<b>STREET</b>	5022 Isabella Cannon Dr
<b>CITY</b>	Raleigh
<b>STATE</b>	North Carolina
<b>ZIP/POSTAL CODE</b>	27612
<b>COUNTRY</b>	United States
<b>PHONE</b>	9196367190
<b>FAX</b>	9196152755
<b>EMAIL</b>	<a href="mailto:bjayroe@hotshotsfm.com">bjayroe@hotshotsfm.com</a>
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>CURRENT IDENTIFICATION</b>	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	10/01/2013
<b>FIRST USE IN COMMERCE DATE</b>	06/01/2014
<b>SPECIMEN FILE NAME(S)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT 16\863\717\86371797\xml14\SOU0002.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Digitally photographed tag
<b>REQUEST TO DIVIDE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES IN USE</b>	

<b>NUMBER OF CLASSES IN USE</b>	1
<b>SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]</b>	100
<b>TOTAL AMOUNT</b>	100
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Eric Leak/
<b>SIGNATORY'S NAME</b>	Eric Leak
<b>SIGNATORY'S POSITION</b>	Vice President
<b>DATE SIGNED</b>	10/06/2015
<b>SIGNATORY'S PHONE NUMBER</b>	9196367190
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Tue Oct 06 20:27:00 EDT 2015
<b>TEAS STAMP</b>	USPTO/SOU-XX.XXX.XX.XXX-2 0151006202700939754-86371 797-540ccc183eb268e36ffc8 3b746bfd7384ff2636c9db48f fda6175463376a5ebd8a-CC-6 338-20151006201921257624

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**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** AW (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86371797/large>)

**SERIAL NUMBER:** 86371797

The applicant, Wiggins Enterprise, Inc., having an address of  
5022 Isabella Cannon Dr  
Raleigh, North Carolina 27612  
United States

is submitting the following allegation of use information:

For International Class 025:

Current identification: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 10/01/2013, and first used in commerce at least as early as 06/01/2014, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Digitally photographed tag.

[Specimen File 1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

**Declaration**

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. §1051(c) or a statement of use under 15 U.S.C. §1051(d), the applicant is the owner of the mark sought to be registered; the mark is in use in commerce; **for a trademark or service mark application**, the applicant is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified; **for a collective trademark, collective service mark, collective membership mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified; **for a certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant; that to the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.

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

Signature: /Eric Leak/ Date Signed: 10/06/2015  
Signatory's Name: Eric Leak  
Signatory's Position: Vice President  
Signatory's Phone: 9196367190

RAM Sale Number: 86371797  
RAM Accounting Date: 10/07/2015

Serial Number: 86371797  
Internet Transmission Date: Tue Oct 06 20:27:00 EDT 2015  
TEAS Stamp: USPTO/SOU-XX.XXX.XX.XXX-2015100620270093  
9754-86371797-540ccc183eb268e36ffc83b746  
bfd7384ff2636c9db48ffda6175463376a5ebd8a  
-CC-6338-20151006201921257624



**FEE RECORD SHEET**

**Serial Number:** 86371797



**RAM Sale Number:** 86371797

**Total Fees:** \$100

**RAM Accounting Date:** 20151007

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20151006	\$100	1	\$100

**Transaction Date:** 20151006



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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, April 7, 2015 00:07 AM  
**To:** bjayroe@hotmail.com  
**Subject:** Official USPTO Notice of Allowance: U.S. Trademark SN 86371797: AW (Stylized/Design)

---

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Apr 7, 2015

**Serial Number:** 86371797  
**Mark:** AW (Stylized/Design)  
**Docket/Reference Number:**

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

**SIX (6)-MONTH DEADLINE:** Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.**

**How to file SOU and/or Extension Request:**

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

**FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.**

**REVIEW APPLICATION INFORMATION FOR ACCURACY**

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

**Serial Number:** 86371797  
**Mark:** AW (Stylized/Design)  
**Docket/Reference Number:**  
**Owner:** Wiggins Enterprise, Inc.  
5022 Isabella Cannon Dr  
Raleigh, NORTH CAROLINA 27612  
**Correspondence Address:** WIGGINS ENTERPRISE, INC.  
5022 ISABELLA CANNON DR  
RALEIGH, NC 27612

**This application has the following bases, but not necessarily for all listed goods/services:**  
Section 1(a): NO                      Section 1(b): YES                      Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

025 - Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

**ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.**

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**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86371797>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, February 10, 2015 00:29 AM  
**To:** bjayroe@hotmail.com  
**Subject:** Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86371797: AW (Stylized/Design)

---

**TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION**

**U.S. Serial Number:** 86371797  
**Mark:** AW (Stylized/Design)  
**International Class(es):** 025  
**Owner:** Wiggins Enterprise, Inc.  
**Docket/Reference Number:**

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Feb 10, 2015.

**To Review the Mark in the TMOG:**

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2015-02-10&serialNumber=86371797>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

- \* Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a complete Statement of Use or Extension Request with the required fees within six (6) months after the NOA issues to avoid abandonment of the application.)

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86371797&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jan 21, 2015

## NOTICE OF PUBLICATION

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>86-371.797         | 2. Mark:<br>AW<br>(STYLIZED/DESIGN)       |
| 3. International Class(es):<br>25    |   |
| 4. Publication Date:<br>Feb 10, 2015 | 5. Applicant:<br>Wiggins Enterprise, Inc. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

bjayroe@hotshotsfm.com

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, January 21, 2015 03:29 AM  
**To:** bjayroe@hotmail.com  
**Subject:** Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86371797: AW (Stylized/Design)

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86371797) is scheduled to publish in the *Official Gazette* on Feb 10, 2015. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86371797>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	86371797	FILING DATE	08/20/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	01/07/2015		
PUB DATE	02/10/2015		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	01/06/2015		
LITERAL MARK ELEMENT	AW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AW
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
01/06/2015	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
12/27/2014	ALIE	A	ASSIGNED TO LIE	010
12/10/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
12/10/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
12/10/2014	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
12/10/2014	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
12/10/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
12/05/2014	DOCK	D	ASSIGNED TO EXAMINER	004
09/04/2014	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
09/03/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/23/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612
DOMESTIC REPRESENTATIVE	NONE

**MW**



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86371797	FILING DATE	08/20/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	12/11/2014		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	12/10/2014		
LITERAL MARK ELEMENT	AW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AW
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/10/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
12/10/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
12/10/2014	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
12/10/2014	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
12/10/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
12/05/2014	DOCK	D	ASSIGNED TO EXAMINER	004
09/04/2014	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
09/03/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/23/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	WIGGINS ENTERPRISE, INC. WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612-4804
DOMESTIC REPRESENTATIVE	NONE

**MW**

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86371797	FILING DATE	08/20/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	12/11/2014		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	12/10/2014		
LITERAL MARK ELEMENT	AW		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	AW
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Wiggins Enterprise, Inc.
ADDRESS	5022 Isabella Cannon Dr Raleigh, NC 27612
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
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### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/10/2014	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	009
12/10/2014	XAEC	I	EXAMINER'S AMENDMENT ENTERED	008
12/10/2014	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	007
12/10/2014	GNEA	F	EXAMINERS AMENDMENT E-MAILED	006
12/10/2014	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	005
12/05/2014	DOCK	D	ASSIGNED TO EXAMINER	004
09/04/2014	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
09/03/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/23/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	WIGGINS ENTERPRISE, INC. WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612-4804
DOMESTIC REPRESENTATIVE	NONE

**MW**



**To:** Wiggins Enterprise, Inc. ([bjayroe@hotshotsfm.com](mailto:bjayroe@hotshotsfm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86371797 - AW - N/A  
**Sent:** 12/10/2014 12:25:07 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86371797 MARK: AW	<b>*86371797*</b>
<b>CORRESPONDENT ADDRESS:</b> WIGGINS ENTERPRISE, INC. WIGGINS ENTERPRISE, INC. 5022 ISABELLA CANNON DR RALEIGH, NC 27612-4804	<b>CLICK HERE TO RESPOND TO THIS LETTER:</b> <a href="http://www.uspto.gov/trademarks/index.jsp">http://www.uspto.gov/trademarks/index.jsp</a>  <a href="#">VIEW YOUR APPLICATION FILE</a>
<b>APPLICANT:</b> Wiggins Enterprise, Inc.	
<b>CORRESPONDENT'S REFERENCE/DOCKET NO :</b> N/A <b>CORRESPONDENT E-MAIL ADDRESS:</b> <a href="mailto:bjayroe@hotshotsfm.com">bjayroe@hotshotsfm.com</a>	

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE: 12/10/2014**

**DATABASE SEARCH:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; see 15 U.S.C. §1052(d).

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by B. Leak on December 10, 2014, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

**MARK DESCRIPTION**

The following description of the mark is added to the record:

The mark consists of the stylized letters "AW" with a circle placed within the letter "A".

See 37 C.F.R. §2.37; TMEP §§808 *et seq.*

/Ahsen Khan/  
Trademark Attorney  
USPTO

Law Office 113  
(571) 272 4343  
ahsen.khan@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Wiggins Enterprise, Inc. ([bjayroe@hotshotsfm.com](mailto:bjayroe@hotshotsfm.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86371797 - AW - N/A  
**Sent:** 12/10/2014 12:25:07 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **12/10/2014** FOR U.S. APPLICATION SERIAL NO. 86371797

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

# NOTE TO THE FILE

SERIAL NUMBER: 86371797  
DATE: 12/10/2014  
NAME: akhan2

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email  
  
 Left message with Attorney/Applicant

Requested Law Library search for:  
 Issued Examiner's Amendment and entered changes in TRADEUPS

PRINT  DO NOT PRINT  
 Description of the mark  
 Translation statement  
 Negative translation statement  
 Consent of living individual  
 Changed TRADEUPS to:  
 OTHER:

Added design code in TRADEUPS  
 Re-imaged standard character drawing  
 Contacted TM MADRID ID/CLASS about misclassified definite ID

# NOTE TO THE FILE

SERIAL NUMBER: 86371797  
DATE: 12/10/2014  
NAME: akhan2

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email

Left message with  
Attorney/Applicant

Requested Law Library search  
for:

Issued Examiner's Amendment  
and entered changes in TRADEUPS

PRINT  DO NOT PRINT

Description of the mark  
 Translation statement

Added design code in TRADEUPS

Negative translation statement  
 Consent of living individual

Re-imaged standard character  
drawing

Changed TRADEUPS to:

Contacted TM MADRID ID/CLASS  
about misclassified definite ID

OTHER:

\*\*\* User:akhan2 \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	22552	N/A	0	0	0:03	*aw*[bi.ti] not dead[lid]
02	248	N/A	0	0	0:01	("aw" "a w")[bi.ti] not dead[lid]
03	2018897	N/A	0	0	0:01	"025"[cc]
04	82	0	82	75	0:01	2 and 3

Session started 12/9/2014 8:16:20 PM

Session finished 12/9/2014 8:20:12 PM

Total search duration 0 minutes 6 seconds

Session duration 3 minutes 52 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TICRS as Serial Number: 86371797



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**From:** TMDesignCodeComments  
**Sent:** Thursday, September 4, 2014 00:17 AM  
**To:** bjayroe@hotmail.com  
**Subject:** Official USPTO Notice of Design Search Code: U.S. Trademark SN: 86371797: AW (Stylized/Design)

---

**Docket/Reference Number:**

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86371797>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

26.01.21 - Circles that are totally or partially shaded.  
27.03.01 - Geometric figures forming letters, numerals or punctuation

## Trademark/Service Mark Application, Principal Register

Serial Number: 86371797

Filing Date: 08/20/2014

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86371797
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\863\717\86371797.xml\ APP0002.JPG</a>
<b>SPECIAL FORM</b>	YES
<b>USPTO-GENERATED IMAGE</b>	NO
<b>LITERAL ELEMENT</b>	AW
<b>COLOR MARK</b>	NO
<b>*DESCRIPTION OF THE MARK (and Color Location, if applicable)</b>	The mark consists of two letters A and W. The letter A starts in the bottom left corner of the mark with a narrow line that starts and ends with a flat bottom with the apex of the A having a rounded top and pointed inside edge. The A also has a circle located in the center. the W is created by a line that has a straight edge that begins near the top right area of the A and travels in an upwards and to the right direction followed by an Apex with a rounded outside edge and pointed inside edge, it then is drawn parallel to the right portion of the A until it meets at the bottom of the A in which it has an inversed apex where the outside edge is rounded and the inside edge is pointed. The arm of the w then ends in a sharp edge that runs parallel to the middle of the W. The remainder of the W are created by an upside down A shape in which the top left arm of the A is created by a sharp end followed by an inverse apex that is aligned with the bottom of the A and parallel to the first arm of the W. The apex of the inverse A has a rounded outside edge with a pointed inside edge. The W ends at the upper right of the mark with a sharp angle that is parallel with the outer edge of the apex of the beginning A.
<b>PIXEL COUNT ACCEPTABLE</b>	YES
<b>PIXEL COUNT</b>	920 x 920
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Wiggins Enterprise, Inc.
<b>*STREET</b>	5022 Isabella Cannon Dr
<b>*CITY</b>	Raleigh
<b>*STATE (Required for U.S. applicants)</b>	North Carolina
<b>*COUNTRY</b>	United States

<b>*ZIP/POSTAL CODE</b> (Required for U.S. applicants only)	27612
<b>PHONE</b>	9196367190
<b>FAX</b>	9196152755
<b>EMAIL ADDRESS</b>	bjayroe@hotshotsfm.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>WEBSITE ADDRESS</b>	www.andrewwiggins.pro
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>*IDENTIFICATION</b>	Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes
<b>FILING BASIS</b>	SECTION 1(b)
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Wiggins Enterprise, Inc.
<b>FIRM NAME</b>	Wiggins Enterprise, Inc.
<b>STREET</b>	5022 Isabella Cannon Dr
<b>CITY</b>	Raleigh
<b>STATE</b>	North Carolina
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	27612
<b>PHONE</b>	9196367190
<b>FAX</b>	9196152755
<b>EMAIL ADDRESS</b>	bjayroe@hotshotsfm.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Eric Leak/
<b>SIGNATORY'S NAME</b>	Eric Leak
<b>SIGNATORY'S POSITION</b>	Vice President
<b>DATE SIGNED</b>	08/20/2014



## Trademark/Service Mark Application, Principal Register

Serial Number: 86371797

Filing Date: 08/20/2014

### To the Commissioner for Trademarks:

MARK: AW (stylized and/or with design, see [mark](#))

The literal element of the mark consists of AW.

The mark consists of The mark consists of two letters A and W. The letter A starts in the bottom left corner of the mark with a narrow line that starts and ends with a flat bottom with the apex of the A having a rounded top and pointed inside edge. The A also has a circle located in the center. the W is created by a line that has a straight edge that begins near the top right area of the A and travels in an upwards and to the right direction followed by an Apex with a rounded outside edge and pointed inside edge. it then is drawn parallel to the right portion of the A until it meets at the bottom of the A in which it has an inversed apex where the outside edge is rounded and the inside edge is pointed. The arm of the w then ends in a sharp edge that runs parallel to the middle of the W. The remainder of the W are created by an upside down A shape in which the top left arm of the A is created by a sharp end followed by an inverse apex that is aligned with the bottom of the A and parallel to the first arm of the W. The apex of the inverse A has a rounded outside edge with a pointed inside edge. The W ends at the upper right of the mark with a sharp angle that is parallel with the outer edge of the apex of the beginning A.

The applicant, Wiggins Enterprise, Inc., a corporation of Delaware, having an address of  
5022 Isabella Cannon Dr  
Raleigh, North Carolina 27612  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Graphic T-shirts; Hooded sweat shirts; Running shoes; Shoe accessories, namely, fitted decorative covers for shoes  
Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

For informational purposes only, applicant's website address is: [www.andrewwiggins.pro](http://www.andrewwiggins.pro)

The applicant's current Correspondence Information:

Wiggins Enterprise, Inc.  
Wiggins Enterprise, Inc.  
5022 Isabella Cannon Dr  
Raleigh, North Carolina 27612  
9196367190(phone)  
9196152755(fax)  
[bjayroe@hotshotsfm.com](mailto:bjayroe@hotshotsfm.com) (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the

applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

**Declaration Signature**

Signature: /Eric Leak/ Date: 08/20/2014

Signatory's Name: Eric Leak

Signatory's Position: Vice President

RAM Sale Number: 86371797

RAM Accounting Date: 08/20/2014

Serial Number: 86371797

Internet Transmission Date: Wed Aug 20 11:47:16 EDT 2014

TEAS Stamp: USPTO/BAS-XX.XXX.XX.XX-20140820114716832

241-86371797-500fd4b8c1d695ed978ae811d83

3573b4ac49b34792a961f403475f445f5e6049-C

C-7785-20140820105440807231

**MW**



**MW**

Generated on: This page was generated by TSDR on 2019-05-07 23:53:30 EDT

Mark: 33



US Serial Number: 86457750

Application Filing Date: Nov. 18, 2014

US Registration Number: 4772635

Registration Date: Jul. 14, 2015

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 14, 2015

Publication Date: Apr. 28, 2015

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## Mark Information

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Mark Literal Elements: 33

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 ring containing a circle containing the number "33".

Design Search Code(s): 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles  
26.01.21 - Circles that are totally or partially shaded.

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## Goods and Services

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**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: Surfboards

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 20, 2008

Use in Commerce: Aug. 20, 2008

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## Basis Information (Case Level)

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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  
Filed No Basis: No

Currently 66A: No  
Currently No Basis: No

---

## Current Owner(s) Information

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**Owner Name:** INCITE, LLC  
**Owner Address:** 9372 Cabot Drive  
San Diego, CALIFORNIA 92126  
UNITED STATES  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** CALIFORNIA

---

## Attorney/Correspondence Information

---

**Attorney Name:** Gary L. Eastman,  
**Attorney Primary Email Address:** [gary@eastmanmccartney.com](mailto:gary@eastmanmccartney.com)  
**Attorney of Record Docket Number:** 1832-TM02  
**Attorney Email Authorized:** Yes  
**Correspondent Name/Address:** GARY L. EASTMAN,  
Eastman & McCartney Llp  
401 W A St Ste 1785  
San Diego, CALIFORNIA 92101-7901  
UNITED STATES  
**Phone:** 619-230-1144  
**Correspondent e-mail:** [gary@eastmanmccartney.com](mailto:gary@eastmanmccartney.com) [docket@eastmanmccartney.com](mailto:docket@eastmanmccartney.com)  
**Correspondent e-mail Authorized:** Yes

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Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Jul. 14, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 28, 2015	PUBLISHED FOR OPPOSITION	
Apr. 08, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 09, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 09, 2015	ASSIGNED TO EXAMINER	77966
Nov. 26, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Nov. 25, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 21, 2014	NEW APPLICATION ENTERED IN TRAM	

---

## TM Staff and Location Information

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**TM Staff Information - None**  
**File Location**  
**Current Location:** PUBLICATION AND ISSUE SECTION  
**Date in Location:** Jul. 14, 2015

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,772,635**

**Registered July 14, 2015**

**Int. Cl.: 28**

**TRADEMARK**

**PRINCIPAL REGISTER**

INCITE, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
9372 CABOT DRIVE  
SAN DIEGO, CA 92126

FOR: SURFBOARDS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 8-20-2008; IN COMMERCE 8-20-2008.

THE MARK CONSISTS OF A RING CONTAINING A CIRCLE CONTAINING THE NUMBER "33".

SER. NO. 86-457,750, FILED 11-18-2014.

LAURIE MAYES, EXAMINING ATTORNEY



*Michelle K. Lee*

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, April 28, 2015 00:40 AM  
**To:** gary@eastmanmccartney.com  
**Cc:** docket@eastmanmccartney.com  
**Subject:** Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86457750: 33 (Stylized/Design): Docket/Reference No. 1832-TM02

**TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION**

**U.S. Serial Number:** 86457750  
**Mark:** 33 (Stylized/Design)  
**International Class(es):** 028  
**Owner:** INCITE, LLC  
**Docket/Reference Number:** 1832-TM02

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Apr 28, 2015.

**To Review the Mark in the TMOG:**

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2015-04-28&serialNumber=86457750>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

- \* Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86457750&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86457750&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86457750&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86457750&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Apr 8, 2015

## NOTICE OF PUBLICATION

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 1. Serial No.:<br>86-457,750         | 2. Mark:<br>33<br>(STYLIZED/DESIGN) |
| 3. International Class(es):<br>28    |                                     |
| 4. Publication Date:<br>Apr 28, 2015 | 5. Applicant:<br>INCITE, LLC        |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

gary@eastmanmccartney.com  
docket@eastmanmccartney.com



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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, April 8, 2015 03:43 AM  
**To:** gary@eastmanmccartney.com  
**Cc:** docket@eastmanmccartney.com  
**Subject:** Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86457750: 33 (Stylized/Design): Docket/Reference No. 1832-TM02

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86457750) is scheduled to publish in the *Official Gazette* on Apr 28, 2015. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86457750>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86457750	FILING DATE	11/18/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	MAYES, LAURIE ANN	L.O. ASSIGNED	101

**PUB INFORMATION**

RUN DATE	03/10/2015		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	03/09/2015		
LITERAL MARK ELEMENT	33		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	33
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	INCITE, LLC
ADDRESS	9372 Cabot Drive San Diego, CA 92126
ENTITY	16-LTD LIAB CO
CITIZENSHIP	California

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Surfboards

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	08/20/2008	FIRST USE IN COMMERCE DATE	08/20/2008	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DESCRIPTION OF MARK	The mark consists of a ring containing a circle containing the number "33".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/09/2015	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	005
03/09/2015	DOCK	D	ASSIGNED TO EXAMINER	004
11/26/2014	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
11/25/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
11/21/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Gary L. Eastman,
CORRESPONDENCE ADDRESS	GARY L. EASTMAN, Eastman & McCartney Llp 401 W A St Ste 1785 San Diego, CA 92101-7901
DOMESTIC REPRESENTATIVE	NONE



\*\*\* User:lmayes \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	86457750[SN]
02	40297	N/A	0	0	0:01	(260117 circles)[dc]
03	161258	N/A	0	0	0:02	(260121 shaded)[dc]
04	1326	N/A	0	0	0:01	*33*[bi.ti]
05	623	N/A	0	0	0:01	("33" "3 3")[bi.ti]
06	1053	N/A	0	0	0:01	*thirt*[bi.ti]
07	118	64	7	54	0:01	(2 3) and (4 5 6)
08	322044	N/A	0	0	0:02	("028" a b 200)[ic]
09	65	40	6	25	0:01	4 and 8
10	22448	N/A	0	0	0:01	2 and 3
11	1167	N/A	0	0	0:01	10 and 8
12	19	10	9	9	0:02	10 and 8 and (*three* *3* *thirt*)[bi.ti]
13	1984	N/A	0	0	0:01	*degre*[bi.ti]
14	2449	N/A	0	0	0:03	*d\$gree*[bi.ti]
15	23	16	7	7	0:01	(13 14) and (4 5 6)[bi.ti]
16	23	N/A	0	0	0:02	(13 14) and (4 5 6)
17	606	N/A	0	0	0:01	(13 14) and (*3* *three*)[bi.ti]
18	21	16	5	5	0:01	(13 14) and (*3* *three*)[bi.ti] and 8
19	8755	N/A	0	0	0:02	*{"xszc"} {v}rf*[bi.ti]
20	13891	N/A	0	0	0:01	*bord*[bi.ti] *board*[bi.ti]
21	6	3	3	3	0:01	(4 5 6 13 14) and 19
22	47	28	19	18	0:01	(*3* *three*)[bi.ti] and 19
23	445	N/A	0	0	0:01	19 and 20
24	273	N/A	0	0	0:01	19 and 20 and 8
25	2	0	2	2	0:01	19 and 20 and 8 and (4 5 6 13 14)

Session started 3/9/2015 11:24:31 AM

Session finished 3/9/2015 11:36:34 AM

Total search duration 0 minutes 32 seconds

Session duration 12 minutes 3 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 86457750

\*\*\* User:lmayes \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	86457750{SN}
02	40297	N/A	0	0	0:01	(260117 circles)[dc]
03	161258	N/A	0	0	0:02	(260121 shaded)[dc]
04	1326	N/A	0	0	0:01	*33*[bi.ti]
05	623	N/A	0	0	0:01	("33" "3 3")[bi.ti]
06	1053	N/A	0	0	0:01	*thirt*[bi.ti]
07	118	64	4	54	0:01	(2 3) and (4 5 6)
08	322044	N/A	0	0	0:02	("028" a b 200)[ic]
09	65	40	3	25	0:01	4 and 8

Session started 3/9/2015 11:24:31 AM

Session finished 3/9/2015 11:31:14 AM

Total search duration 0 minutes 11 seconds

Session duration 6 minutes 43 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TICRS as Serial Number: 86457750

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**From:** TMDesignCodeComments  
**Sent:** Wednesday, November 26, 2014 00:18 AM  
**To:** gary@eastmanmccartney.com  
**Cc:** docket@eastmanmccartney.com  
**Subject:** Official USPTO Notice of Design Search Code: U.S. Trademark SN: 86457750: 33 (Stylized/Design): Docket/Reference No. 1832-TM02

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**Docket/Reference Number:** 1832-TM02

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The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You must reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86457750>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

26.01.17 - Circles, two concentric  
26.01.17 - Concentric circles, two  
26.01.17 - Two concentric circles  
26.01.21 - Circles that are totally or partially shaded.







## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 86457750

Filing Date: 11/18/2014

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
<b>TEAS Plus</b>	<b>YES</b>
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\577\86457750\xml\FTK0002.JPG</a>
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	33
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a ring containing a circle containing the number "33".
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	140 x 140
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	INCITE. LLC
*STREET	9372 Cabot Drive
*CITY	San Diego
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92126
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	LIMITED LIABILITY COMPANY
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	

*INTERNATIONAL CLASS	028
*IDENTIFICATION	Surfboards
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/20/2008
FIRST USE IN COMMERCE DATE	At least as early as 08/20/2008
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\864\577\86457750\xml1\FTK0003.JPG
SPECIMEN DESCRIPTION	a photograph of the mark as used on the product as sold
<b>ADDITIONAL STATEMENTS SECTION</b>	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
<b>ATTORNEY INFORMATION</b>	
NAME	Gary L. Eastman, Esq.
ATTORNEY DOCKET NUMBER	1832-TM02
FIRM NAME	Eastman & McCartney, LLP
STREET	401 W. A Street, Suite 1785
CITY	San Diego
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	92101
PHONE	619-230-1144
EMAIL ADDRESS	gary@eastmanmccartney.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>CORRESPONDENCE INFORMATION</b>	
*NAME	Gary L. Eastman, Esq.
FIRM NAME	Eastman & McCartney, LLP
*STREET	401 W. A Street, Suite 1785
*CITY	San Diego
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE	92101
PHONE	619-230-1144
*EMAIL ADDRESS	

*EMAIL ADDRESS	gary@eastmanmccartney.com;docket@eastmanmccartney.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
<b>SIGNATURE INFORMATION</b>	
* SIGNATURE	/**Gary L. Eastman**/
* SIGNATORY'S NAME	Gary L. Eastman
* SIGNATORY'S POSITION	CA Attorney for Applicant
SIGNATORY'S PHONE NUMBER	619-230-1144
* DATE SIGNED	11/18/2014

---

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 86457750

Filing Date: 11/18/2014

#### To the Commissioner for Trademarks:

**MARK:** 33 (stylized and/or with design, see [mark](#))

The literal element of the mark consists of 33.

The applicant is not claiming color as a feature of the mark. The mark consists of a ring containing a circle containing the number "33".

The applicant, INCITE, LLC, a limited liability company legally organized under the laws of California, having an address of

9372 Cabot Drive  
San Diego, California 92126  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item, you must view the display within the Input Table.**

International Class 028: Surfboards

In International Class 028, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 08/20/2008, and first used in commerce at least as early as 08/20/2008, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) a photograph of the mark as used on the product as sold.

[Specimen File1](#)

The applicant's current Attorney Information:

Gary L. Eastman, Esq. of Eastman & McCartney, LLP  
401 W. A Street, Suite 1785  
San Diego, California 92101  
United States

The attorney docket/reference number is 1832-TM02.

The applicant's current Correspondence Information:

Gary L. Eastman, Esq.  
Eastman & McCartney, LLP  
401 W. A Street, Suite 1785  
San Diego, California 92101  
619-230-1144(phone)  
gary@eastmanmccartney.com;docket@eastmanmccartney.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the

trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /\*\*Gary L. Eastman\*\*/ Date Signed: 11/18/2014  
Signatory's Name: Gary L. Eastman  
Signatory's Position: CA Attorney for Applicant

RAM Sale Number: 86457750  
RAM Accounting Date: 11/19/2014

Serial Number: 86457750  
Internet Transmission Date: Tue Nov 18 15:46:01 EST 2014  
TEAS Stamp: USPTO/FTK-XXX.XXX.XXX.XXX-20141118154601  
393586-86457750-500ba8eedaec65334ee9d591  
f708db03fa2ea3aa1e88e3835c89a16614e9f834  
ef-CC-2147-20141118150208794794







Generated on: This page was generated by TSDR on 2019-05-07 23:52:26 EDT

Mark: TAURUS

# TAURUS

US Serial Number: 86509186

Application Filing Date: Jan. 21, 2015

US Registration Number: 5047708

Registration Date: Sep. 27, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Sep. 27, 2016

Publication Date: Jul. 12, 2016

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## Mark Information

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Mark Literal Elements: TAURUS

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

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## Foreign Information

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Foreign Registration Number: 006236889

Foreign Registration Date: Jan. 28, 2011

Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)

Foreign Expiration Date: Aug. 29, 2017

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## Goods and Services

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### 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:** Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely, boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards, namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snow-boards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon

traps; backgammon games; water skis; cups for dice; darts, other than toy darts

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 44(e)

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## Basis Information (Case Level)

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<b>Filed Use:</b> No	<b>Currently Use:</b> No	<b>Amended Use:</b> No
<b>Filed ITU:</b> Yes	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> Yes	<b>Currently 44E:</b> Yes	<b>Amended 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

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## Current Owner(s) Information

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**Owner Name:** Sport-Tiedje GmbH

**Owner Address:** Flensburger Strasse 55  
Schleswig  
GERMANY

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** GERMANY

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## Attorney/Correspondence Information

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<b>Attorney Name:</b> Donald S. Showalter	<b>Attorney of Record</b>	<b>Docket Number:</b> 72261.155
	<b>Correspondent</b>	
<b>Correspondent Name/Address:</b> DONALD S. SHOWALTER Grayrobinson Pa PO Box 2328 Fort Lauderdale, FLORIDA 33303-2328 UNITED STATES		
<b>Phone:</b> (954) 761-7473		<b>Fax:</b> (954) 761-8112
<b>Correspondent e-mail:</b> <a href="mailto:IPDocket@gray-robinson.com">IPDocket@gray-robinson.com</a>	<b>Correspondent e-mail Authorized:</b> Yes	
<b>Domestic Representative Name:</b> Donald S. Showalter	<b>Domestic Representative</b>	<b>Phone:</b> (954) 761-7473
<b>Fax:</b> (954) 761-8112		

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## Prosecution History

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Date	Description	Proceeding Number
Sep. 27, 2016	REGISTERED-PRINCIPAL REGISTER	
Jul. 12, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 12, 2016	PUBLISHED FOR OPPOSITION	
Jun. 22, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 03, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
May 31, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 27, 2016	ASSIGNED TO LIE	73797
May 11, 2016	TEAS DELETE 1(B) BASIS RECEIVED	
May 11, 2016	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Nov. 27, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 27, 2015	LETTER OF SUSPENSION E-MAILED	6332
Nov. 27, 2015	SUSPENSION LETTER WRITTEN	74307

Nov. 04, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 03, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 03, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 03, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 03, 2015	NON-FINAL ACTION E-MAILED	6325
May 03, 2015	NON-FINAL ACTION WRITTEN	74307
Apr. 26, 2015	ASSIGNED TO EXAMINER	74307
Feb. 02, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 24, 2015	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. 27, 2016

## Proceedings

### Summary

Number of  
Proceedings: 1

### Type of Proceeding: Cancellation

Proceeding  
Number: [92062514](#)

Filing Date: Oct 26, 2015

Status: Terminated

Status Date: Feb 25, 2016

Interlocutory  
Attorney: ANDREW P BAXLEY

#### Defendant

Name: Anthony Maguire

Correspondent ANTHONY MAGUIRE  
Address: 10768 S TROPICAL TRAIL, SUITE 1  
MERRITT ISLAND FL , 32952  
UNITED STATES

Correspondent e-  
mail: [info@ttfitness.ie](mailto:info@ttfitness.ie)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TAURUS ELITE	Cancelled - Section 18 Plaintiff(s)	<a href="#">85455103</a>	<a href="#">4161129</a>

Name: Sport-Tiedje GmbH

Correspondent DONALD S SHOWALTER  
Address: GRAY ROBINSON PA  
401 E LAS OLAS BLVD, SUITE 1000  
FT LAUDERDALE FL , 33301  
UNITED STATES

Correspondent e-  
mail: [ipdocket@gray-robinson.com](mailto:ipdocket@gray-robinson.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TAURUS	Registered	<a href="#">86509186</a>	<a href="#">5047708</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 26, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 28, 2015	Dec 07, 2015
3	PENDING. INSTITUTED	Oct 28, 2015	
4	NOTICE OF DEFAULT	Jan 07, 2016	

5	BD DECISION: COUNTERCLAIM GRANTED	Feb 24, 2016
6	COMMR ORDER CANCELLING REG	Feb 25, 2016
7	TERMINATED	Feb 25, 2016

# United States of America

United States Patent and Trademark Office

## TAURUS

Reg. No. 5,047,708

Registered Sep. 27, 2016

Int. Cl.: 28

Trademark

Principal Register

Sport-Tiedje GmbH (GERMANY LIMITED LIABILITY COMPANY)  
Flensburger Strasse 55  
Schleswig FED REP GERMANY

CLASS 28: Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely, boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards, namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snow-boards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

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

OWNER OF EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL



MARKET (OHIM) REG. NO. 006236889, DATED 01-28-2011. RENEWED AS REG. NO.  
006236889 , EXPIRES 08-29-2017

SER. NO. 86-509.186. FILED 01-21-2015  
CAROL A SPILS, EXAMINING ATTORNEY

**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.

**\*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 United States Patent and Trademark Office (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>.

**NOTE:** A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, July 12, 2016 00:36 AM  
**To:** IPDocket@gray-robinson.com  
**Subject:** Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86509186: TAURUS: Docket/Reference No. 72261.155

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**TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION**

**U.S. Serial Number:** 86509186  
**Mark:** TAURUS  
**International Class(es):** 028  
**Owner:** Sport-Tiedje GmbH  
**Docket/Reference Number:** 72261.155

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Jul 12, 2016.

**To Review the Mark in the TMOG:**

Click on the following link or paste the URL into an internet browser: <https://tmoq.uspto.gov/#issueDate=2016-07-12&serialNumber=86509186>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

- \* Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86509186&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86509186&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86509186&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86509186&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

Jun 22, 2016

## NOTICE OF PUBLICATION

1. Serial No.:  
86-509,186
2. Mark:  
TAURUS  
(STANDARD CHARACTER MARK)
3. International Class(es):  
28
4. Publication Date:  
Jul 12, 2016
5. Applicant:  
Sport-Tiedje GmbH

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

**Email Address(es):**

IPDocket@gray-robinson.com

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, June 22, 2016 03:49 AM  
**To:** IPDocket@gray-robinson.com  
**Subject:** Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86509186; TAURUS; Docket/Reference No. 72261.155

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86509186) is scheduled to publish in the *Official Gazette* on Jul 12, 2016. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86509186>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	86509186	FILING DATE	01/21/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SPILS, CAROL A	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	06/04/2016		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/03/2016		
LITERAL MARK ELEMENT	TAURUS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	YES	44E	YES	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	TAURUS
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Sport-Tiedje GmbH
ADDRESS	Flensburger Strasse 55 Schleswig.
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Germany

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely, boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards, namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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### FOREIGN INFORMATION

PRIORITY CLAIMED	N/A
APPLICATION NO.	N/A
APPLICATION FILING DATE	N/A
FOREIGN REG NO.	006236889
FOREIGN REG DATE	01/28/2011



FOREIGN RNWL NUM	N/A
DATE OF FOREIGN RNWL	N/A
FOREIGN EXPIRATION	08/29/2017
FOREIGN RNWL EXPIRATION	N/A

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/03/2016	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	017
05/31/2016	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	016
05/27/2016	ALIE	A	ASSIGNED TO LIE	015
05/11/2016	D1BR	I	TEAS DELETE 1(B) BASIS RECEIVED	014
05/11/2016	ERSI	I	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	013
11/27/2015	GNS3	O	NOTIFICATION QF LETTER OF SUSPENSION E-MAILED	012
11/27/2015	GNSL	S	LETTER OF SUSPENSION E-MAILED	011
11/27/2015	CNSL	R	SUSPENSION LETTER WRITTEN	010
11/04/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/03/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/03/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
05/03/2015	GNRN	O	NOTIFICATION QF NON-FINAL ACTION E-MAILED	006
05/03/2015	GNRT	F	NON-FINAL ACTION E-MAILED	005
05/03/2015	CNRT	R	NON-FINAL ACTION WRITTEN	004
04/26/2015	DQCK	D	ASSIGNED TO EXAMINER	003
02/02/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/24/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Donald S. Showalter
CORRESPONDENCE ADDRESS	DONALD S. SHOWALTER Grayrobinson Pa PO Box 2328 Fort Lauderdale, FL 33303-2328
DOMESTIC REPRESENTATIVE	Donald S. Showalter

TAURUS

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86509186	FILING DATE	01/21/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SPILS, CAROL A	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	06/01/2016		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	05/31/2016		
LITERAL MARK ELEMENT	TAURUS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	YES	44E	YES	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	TAURUS
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
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NAME	Sport-Tiedje GmbH
ADDRESS	Flensburger Strasse 55 Schleswig,
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Germany

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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### FOREIGN INFORMATION

PRIORITY CLAIMED	N/A
APPLICATION NO.	N/A
APPLICATION FILING DATE	N/A
FOREIGN REG NO.	006236889
FOREIGN REG DATE	01/28/2011

FOREIGN RNWL NUM	N/A
DATE OF FOREIGN RNWL	N/A
FOREIGN EXPIRATION	08/29/2017
FOREIGN RNWL EXPIRATION	N/A

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/31/2016	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	016
05/27/2016	ALIE	A	ASSIGNED TO LIE	015
05/11/2016	D1BR	I	TEAS DELETE 1(B) BASIS RECEIVED	014
05/11/2016	ERSI	I	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	013
11/27/2015	GNS3	O	NOTIFICATION OF LETTER QF SUSPENSION E-MAILED	012
11/27/2015	GNSL	S	LETTER OF SUSPENSION E-MAILED	011
11/27/2015	CNSL	R	SUSPENSION LETTER WRITTEN	010
11/04/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/03/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/03/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
05/03/2015	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
05/03/2015	GNRT	F	NON-FINAL ACTION E-MAILED	005
05/03/2015	CNRT	R	NON-FINAL ACTION WRITTEN	004
04/26/2015	DOCK	D	ASSIGNED TO EXAMINER	003
02/02/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/24/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Donald S. Showalter
CORRESPONDENCE ADDRESS	DONALD S. SHOWALTER Grayrobinson Pa PO Box 2328 Fort Lauderdale, FL 33303-2328
DOMESTIC REPRESENTATIVE	Donald S. Showalter

TAURUS

# NOTE TO THE FILE

SERIAL NUMBER: 86509186  
DATE: 05/28/2016  
NAME: cspils

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email

Left message with  
Attorney/Applicant

Requested Law Library search  
for:

Issued Examiner's Amendment  
and entered changes in TRADEUPS

PRINT  DO NOT PRINT

Description of the mark  
 Translation statement

Added design code in TRADEUPS

Negative translation statement  
 Consent of living individual

Re-imaged standard character  
drawing

Changed TRADEUPS to:

Contacted TM MADRID ID/CLASS  
about misclassified definite ID

OTHER: cancelled



## Request To Delete Section 1(B) Basis, Intent To Use

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86509186
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>PUBLISH FOR OPPOSITION DATE</b>	00/00/0000
<b>NOTICE OF ALLOWANCE DATE</b>	00/00/0000
<b>MARK SECTION</b>	
<b>MARK</b>	TAURUS
<b>GOODS SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	028
<b>DESCRIPTION</b>	Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snow-boards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor

	games, other than toy balls; dice: pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts
<b>FILING BASIS</b>	SECTION 1(b) DELETED
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Donald S. Showalter/
<b>SIGNATORY NAME</b>	Donald S. Showalter
<b>SIGNATORY DATE</b>	05/11/2016
<b>SIGNATORY POSITION</b>	Attorney of Record, Florida Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	(954) 761-7473
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed May 11 11:21:41 EDT 2016
<b>TEAS STAMP</b>	USPTO/DOB-XXX.XXX.XXX.XXX -20160511112141302581-865 09186-550ee2a36f8d085a253 edbab2d0198b6dcc88d01460c 494fea2c5cc5265ce1ff9fa-N /A-N/A-201605111120540568 73

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Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
H-T: F-11-11-11 F-11-11-11  
OMB No. 0551-0054 (Exp. 10/31/2017)

## Request To Delete Section 1(B) Basis, Intent To Use

To the Commissioner for Trademarks:

**MARK:** TAURUS  
**SERIAL NUMBER:** 86509186

The applicant hereby requests that the Section 1(b) filing basis be **deleted** for the following class(es) of goods and/or services: 028.

### SIGNATURE(S)

Signature: /Donald S. Showalter/ Date: 05/11/2016  
Signatory's Name: Donald S. Showalter  
Signatory's Position: Attorney of Record. Florida Bar Member  
Signatory's Phone: (954) 761-7473

Serial Number: 86509186  
Internet Transmission Date: Wed May 11 11:21:41 EDT 2016  
TEAS Stamp: USPTO/DOB-XXX.XXX.XXX.XXX-20160511112141  
302581-86509186-550ee2a36f8d085a253edbab  
2d0198b6dcc88d01460c494fea2c5cc5265ce1ff  
9fa-N/A-N/A-20160511112054056873

## Response to Suspension Inquiry or Letter of Suspension

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86509186
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/86509186/large">http://tmng-al.uspto.gov/resting2/api/img/86509186/large</a>
<b>LITERAL ELEMENT</b>	TAURUS
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>CANCELLATION PROCEEDING(S)</b>	
Cancellation No(s). 92062514 has/have been terminated. The applicant hereby requests removal of this application from suspension for further action by the examining attorney.	
<b>COMMENT(S)/REMARK(S)</b>	
A Notice of Suspension was mailed on November 27, 2015 in which action on this application was suspended pending the outcome of the Petition of Sport-Tiedje GmbH to cancel Registration No. 4161129. Said Petition was granted and Registration No. 4161129 was cancelled on February 24, 2016. Cancellation Proceeding No. 92062514 was terminated as of February 25, 2016.	
It is respectfully requested that the suspension be removed, and the mark be passed to publication.	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	028
<b>DESCRIPTION</b>	
Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for	



games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

**FILING BASIS** Section 1(b)

**GOODS AND/OR SERVICES SECTION (proposed)**

**INTERNATIONAL CLASS** 028

**DESCRIPTION**

Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

**FILING BASIS** Section 1(b)

**FOREIGN APPLICATION COUNTRY** European Community - CTM

**FILING BASIS** Section 44(e)

**FOREIGN REGISTRATION NUMBER** 006236889

**FOREIGN REGISTRATION COUNTRY** European Community - CTM

**FOREIGN REGISTRATION DATE** 01/28/2011

**FOREIGN EXPIRATION DATE** 08/29/2017

**SIGNATURE SECTION**

**RESPONSE SIGNATURE** /Donald S. Showalter/

**SIGNATORY'S NAME** Donald S. Showalter

**SIGNATORY'S POSITION** Attorney of Record, Florida Bar Member

**SIGNATORY'S PHONE NUMBER** (954) 761-7473

**DATE SIGNED** 05/11/2016

**AUTHORIZED SIGNATORY** YES

**FILING INFORMATION SECTION**

**SUBMIT DATE** Wed May 11 11:29:07 EDT 2016

USPTO/RS1-XXX.XXX.XXX.XXX  
-20160511112907246422-865

TEAS STAMP

09186-55066863fe4135b8171  
80e85e2379e9d2582b58b625c  
fc27103fa058536e241a3-N/A  
-N/A-20160511112319817464

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OMB No. 0651-0050 (Exp 07/31/2017)

## Response to Suspension Inquiry or Letter of Suspension

### To the Commissioner for Trademarks:

Application serial no. **86509186** TAURUS(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/ing/86509186/large>) has been amended as follows:

#### CANCELLATION PROCEEDING(S)

Cancellation No(s). 92062514 has/have been terminated. The applicant hereby requests removal of this application from suspension for further action by the examining attorney.

Comment(s)/Remark(s):

A Notice of Suspension was mailed on November 27, 2015 in which action on this application was suspended pending the outcome of the Petition of Sport-Tiedje GmbH to cancel Registration No. 4161129. Said Petition was granted and Registration No. 4161129 was cancelled on February 24, 2016. Cancellation Proceeding No. 92062514 was terminated as of February 25, 2016.

It is respectfully requested that the suspension be removed, and the mark be passed to publication.

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 028 for Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discs for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing reels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards, namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snow-boards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

Original Filing Basis:

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

Applicant has made of record the following information concerning a foreign application: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on [European Community - CTM

application number \_\_\_\_\_ filed \_\_\_\_\_ ].

**Filing Basis: Section 44(e), Based on Foreign Registration:** Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and submits a copy of [ European Community - CTM registration number 006236889 registered 01/28/2011 with a renewal date of \_\_\_\_\_ and an expiration date of 08/29/2017 ], and translation thereof, if appropriate. 15 U.S.C. Section 1126(e), as amended.

**Proposed:** Class 028 for Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumbbells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

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

Applicant has made of record the following information concerning a foreign application: Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on [European Community - CTM application number \_\_\_\_\_ filed \_\_\_\_\_ ].

**Filing Basis: Section 44(e), Based on Foreign Registration:** Applicant has a bona fide intention to use the mark in commerce on or in connection with the identified goods and /or services, and will submit a copy of [ European Community - CTM registration number 006236889 registered 01/28/2011 with a renewal date of \_\_\_\_\_ and an expiration date of 08/29/2017 ], and translation thereof, if appropriate, before the application may proceed to registration. 15 U.S.C. Section 1126(e), as amended.

**Response Suspension Inquiry Signature**

Signature: /Donald S. Showalter/ Date: 05/11/2016  
Signatory's Name: Donald S. Showalter  
Signatory's Position: Attorney of Record, Florida Bar Member  
Signatory's Phone Number: (954) 761-7473

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.

Serial Number: 86509186  
Internet Transmission Date: Wed May 11 11:29:07 EDT 2016  
TEAS Stamp: USPTO/RSI-XXX.XXX.XXX.XXX-20160511112907



246422-86509186-55066863fe4135b817180e85  
e2379e9d2582b58b625cfc27103fa058536e241a  
3-N/A-N/A-20160511112319817464

**To:** Sport-Tiedje GmbH ([IPDocket@gray-robinson.com](mailto:IPDocket@gray-robinson.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86509186 - TAURUS - 72261.155  
**Sent:** 11/27/2015 9:28:58 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86509186

MARK: TAURUS

**\*86509186\***

**CORRESPONDENT ADDRESS:**  
DONALD S. SHOWALTER  
Grayrobinson Pa  
PO Box 2328  
Fort Lauderdale, FL 33303-2328

**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/trademarks/index.jsp>

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** Sport-Tiedje GmbH

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
72261.155

**CORRESPONDENT E-MAIL ADDRESS:**  
[IPDocket@gray-robinson.com](mailto:IPDocket@gray-robinson.com)

**SUSPENSION NOTICE: NO RESPONSE NEEDED**

**ISSUE/MAILING DATE: 11/27/2015**

This Office action is in response to applicant's communication filed on November 3, 2015. The amended identification of goods is acceptable. The likelihood of confusion refusal under Trademark Act Section 2(d) for U.S. Registration Nos. 1943054 and 2463267 is withdrawn.

The trademark examining attorney is suspending action on the application for the reason stated below. See 37 C.F.R. §2.67; TMEP §§716 *et seq.*

**PENDING CIVIL PROCEEDING(S):** The pending civil proceeding(s) below pertains to (1) a registered mark that conflicts with applicant's mark under Trademark Act Section 2(d), (2) a mark in a pending application(s) that could conflict with applicant's mark under Section 2(d) if it registers, and/or (3) the registrability of applicant's mark. See 15 U.S.C. §1052; 37 C.F.R. §2.83; TMEP §§716.02(a), (c)-(d), 1208 *et seq.* Because the civil proceeding(s) pertains to an issue that could directly affect whether applicant's mark can be registered, action on this application is suspended pending termination of the civil proceeding(s). See 37 C.F.R. §2.67; TMEP §§716.02(a), (c)-(d).

- Cancellation No(s). 92062514

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the trademark examining attorney will issue as needed an inquiry letter to applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. See TMEP §716.04.

No response to this notice is necessary; however, if applicant wants to respond, applicant should use the "Response to Suspension Inquiry or Letter of Suspension" form online at <http://teasroa.uspto.gov/rsi/rsi>.

§1(B) & §44(E) DUAL BASES – OPTION TO DELETE §1(B)

The application specifies both an intent to use basis under Trademark Act Section 1(b) and reliance on a foreign registration(s) under Section 44(e). See 15 U.S.C. §§1051(b), 1126(e); 37 C.F.R. §2.34(a)(2)-(3). However, the foreign registration alone may serve as a basis for obtaining a

U.S. registration. See 37 C.F.R. §2.34(a)(3); TMEP §806.01(d). If applicant wants to rely solely on the foreign registration under Section 44(e) as the basis, applicant can request deletion of the Section 1(b) basis. See 37 C.F.R. §2.35(b)(1); TMEP §806.04.

Unless applicant indicates otherwise, the USPTO will presume that applicant is relying on both Sections 1(b) and 44(e). Thus, although the mark may be approved for publication, it will not register until an acceptable allegation of use has been filed for the goods based on Section 1(b).

#### ASSISTANCE

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Carol A. Spils/  
Trademark Attorney  
Law Office 104  
(571)272-9226  
carol.spils@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Sport-Tiedje GmbH ([IPDocket@gray-robinson.com](mailto:IPDocket@gray-robinson.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86509186 - TAURUS - 72261.155  
**Sent:** 11/27/2015 9:28:59 PM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **11/27/2015** FOR U.S. APPLICATION SERIAL NO. 86509186

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
 (Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86509186	FILING DATE	01/21/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SPILS, CAROL A	L.O. ASSIGNED	104

**PUB INFORMATION**

RUN DATE	11/05/2015		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	11/04/2015		
LITERAL MARK ELEMENT	TAURUS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	YES	44E	YES	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	TAURUS
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
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NAME	Sport-Tiedje GmbH
ADDRESS	Flensburger Strasse 55 Schleswig,
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Germany

### GOODS AND SERVICES

INTERNATIONAL CLASS	028
DESCRIPTION TEXT	Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snowboards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	028	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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### FOREIGN INFORMATION

PRIORITY CLAIMED	N/A
APPLICATION NO.	N/A
APPLICATION FILING DATE	N/A
FOREIGN REG NO.	006236889
FOREIGN REG DATE	01/28/2011

FOREIGN RNWL NUM	N/A
DATE OF FOREIGN RNWL	N/A
FOREIGN EXPIRATION	08/29/2017
FOREIGN RNWL EXPIRATION	N/A

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/04/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
11/03/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
11/03/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
05/03/2015	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
05/03/2015	GNRT	F	NON-FINAL ACTION E-MAILED	005
05/03/2015	CNRT	R	NON-FINAL ACTION WRITTEN	004
04/26/2015	DOCK	D	ASSIGNED TO EXAMINER	003
02/02/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/24/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Donald S. Showalter
CORRESPONDENCE ADDRESS	DONALD S. SHOWALTER Grayrobinson Pa PO Box 2328 Fort Lauderdale, FL 33303-2328
DOMESTIC REPRESENTATIVE	Donald S. Showalter



TAURUS

## Response to Office Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86509186
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 104
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/testing2/api/img/86509186/large">http://tmng-al.uspto.gov/testing2/api/img/86509186/large</a>
<b>LITERAL ELEMENT</b>	TAURUS
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ARGUMENT(S)</b>	
<p><b><u>Request for Suspension Under 37 C.F.R. §2.67 and TMEP 716.02(a).</u></b></p> <p>Non-final refusals to register have been made under Section 2(d) based on three cited registrations, namely, (1) U.S. Registration No. 4161129 for "TAURUS ELITE"; (2) Registration No. 1943054 for "TAURUS", and (3) U.S. Registration No. 2463267 for "TAURUS".</p> <p>On October 26, 2016, Applicant filed a Petition for Cancellation of cited U.S. Registration No. 4161129 for "TAURUS ELITE". The TTAB Proceeding Number is 92062514.</p> <p>Applicant respectfully submits that the pending Cancellation Proceeding against cited U.S. Registration No. 4161129 for "TAURUS ELITE" constitutes good and sufficient cause for Suspension of Proceedings Under 37 C.F.R. §2.67 and TMEP 716.02(a) pending outcome of the Cancellation Proceeding and Applicant hereby requests such suspension after entry of this Response which addresses all other outstanding issues.</p> <p>The filing of the Cancellation Proceeding and this Request for Suspension together constitute a proper response to the §2(d) refusal based on U.S. Registration No. 4161129 for "TAURUS ELITE." Applicant reserves the right to respond to the substance of this refusal if necessary pending the outcome of the Cancellation Proceeding.</p> <p><b><u>Response to Refusals under Section 2(d) based on Reg. No. 1943054 and Reg. No. 2463267, both for "TAURUS".</u></b></p> <p>Reconsideration and withdrawal of these refusals are respectfully solicited for the reasons explained below.</p> <p>A first ground warranting reconsideration and withdrawal of this refusal is that the refusal is moot in view of amendments presented herein to the identification of goods. Goods in the nature of toys have been deleted from the Application except that "pet toys" has been amended to , "pet toys, namely, toys intended for use by household pets". In some instances express exclusions of toys have been provided. For example, "kites" has been amended to ",kites, other than toy kites"; "kite reels" has been amended to "kite reels other than reels for toy kites"; balls for games, has been amended to "balls for games, other than toy balls"; "balls for playing games" has been amended to "balls for playing games, namely, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls"; "bats has been amended to "bats for games, namely, bats for use in sporting games, other than toy bats" and "darts" has been amended to "darts, other than toy darts". These deletions and amendments have been made without prejudice or disclaimer as Applicant respectfully submits that these refusals should be withdrawn on an independent and distinct second ground which will now be explained.</p> <p>The Examining Attorney bases the refusals on the premise that the goods are related because "the applied-for mark and U.S. Registration Nos. 1943054 and 2463267, the marks all identify toys". Applicant respectfully submits that this contention paints with too broad a brush and is irreconcilable with the evidence of record.</p>	

Before proceeding further it is to be noted that among the goods deleted from the present Application are “toy vehicles and “scale models of toy vehicles”. In light of those particular deletions, Applicant submits that maintaining these refusals would be incongruous with the evidence of record which demonstrates that even though the registered marks are identical and both list certain toys, the cited registrations are not commonly-owned yet have co-existed with one another on the Principal Register since 2001. Those facts demonstrate that it is not proper to construe either registration as covering toys different from the particular different types of toys expressly listed in those respective registrations, namely, “toy replicas of vehicles and collector replicas of vehicles” in Reg. No. 1943054 and “[t]oys; namely, model and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles” in Reg. No. 2463267.

The registrant and current owner of record of cited Reg. No. 1943054 for “TAURUS” is Ford Motor Company. That registration lists “toy replicas of vehicles and collector replicas of vehicles”. As reflected by attached Exhibit A, B, C, D and E, Ford Motor Company is a famous U.S. auto manufacturer and “TAURUS” is the well-known brand name of car which has been manufactured and sold in the U.S. Ford Motor Company since circa 1986. Attached Exhibit F is a true and correct copy of a specimen of record with the U.S.P.T.O. in U.S. Reg. 1943054. Exhibit G is a true and correct copy of an advertisement appearing online at <http://autoweek.com/article/car-news/toy-taurus-shos-arrive-time-holidays>. Together Exhibits F and G show that goods sold under the cited registered mark are replicas of Ford Motor Company “TAURUS” brand cars. Although Applicant acknowledges that no such limitation appears expressly on the face of the cited registration, to conclude otherwise would be to construe the registration as presumptively granting an exclusive right to engage in illegal conduct, namely to engage in false/deceptive advertising by using the registered TAURUS for replica cars that are not replicas of actual TAURUS brand cars. It is respectfully submitted that such an interpretation of the scope of the cited registration would not be a reasonable or proper one.

The registrant and current owner of record of cited Reg. No. 2463267 for “TAURUS” is Forjas Taurus SA. That registration lists “[m]odel and replica rifles and handguns and structural parts thereof, excluding telescopes, and ammunition and projectiles for model and replica handguns and rifles” and “[t]oys; namely, model and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles”. Attached Exhibit H is a true and correct copy of an image captured from a website of Taurus Forjas Taurus SA which appears at <http://www.taurususa.com/index.cfm>. Attached Exhibit I is a true and correct copy of an image captured from the aforementioned website at a page available at [www.taurususa.com/forjas-taurus-history.cfm](http://www.taurususa.com/forjas-taurus-history.cfm). As reflected by attached Exhibits H and I registrant Forjas Taurus SA is a manufacturer of firearms. Attached Exhibit J is a true and correct copy of a specimen of record with the U.S.P.T.O. in U.S. Reg. 2463267. Together, Exhibits H and I reflect that toy goods sold under the registered mark are replicas of Forjas Taurus SA “TAURUS” brand firearms. Although Applicant acknowledges that no such limitation appears expressly on the face of the cited registration, to construe the registration more broadly would be to consider the registration as presumptively granting an exclusive right to engage in illegal conduct, namely to engage in false/deceptive advertising by using the registered TAURUS for replica handguns or rifles that are not replicas of actual TAURUS brand firearms. It is respectfully submitted that such an interpretation of the scope of the cited registration would not be a reasonable or proper one.

It is neither surprising nor inconsistent with the evidence of record that a registration of TAURUS for toy models and replicas of firearms does not engender a likelihood of confusion with a non-commonly owned registration of TAURUS for toy replicas of vehicles, particularly when one considers that the former are replicas of actual TAURUS brand firearms of one Registrant and the latter are toy replicas of actual TAURUS brand cars of a different Registrant. However, since both recite species of toy replicas, it is clear that the respective goods listed in the two cited registrations are far more closely related to one another than are to any goods listed in the Application, which no longer lists “toy vehicles”, “scale models of toy vehicles” and does not list toy replicas of any kind.

In view of the foregoing and the evidence of record, it is respectfully submitted that the coexistence of the cited registrations with one another demonstrates that registration of Applicant’s mark will not result in a likelihood of confusion with either U.S. Registration No. 1943054 or U.S. Registration No 2463267

#### **Misc. Amendments to The Identification of Goods.**

Except as to suggestions relating to goods which have been deleted, the Identification of Goods has been amended for clarification generally along the lines suggested by the Examining Attorney with only minor deviation in some cases such as by using the word “namely” in some cases to help make more clear that amendments did not broaden the scope of the goods listed.

Parentheses have been removed from the Identification of Goods as required.

In addition, “punch bags” and “table tennis bats” have been amended to conform to the common ordinary commercial names for those goods in the U.S. namely, “punching bags” and “table tennis paddles”, respectively.

The statement in the Office Action that the “identification of goods includes a duplicate entry of the wording “billiard cues” has been noted but appears to have been in error. No duplicative entry of those goods has been found. However, a duplicative listing for “batting gloves” was noted and has been removed.

#### **Filing Basis.**

No filing basis is being deleted at this time.



**EVIDENCE SECTION**

EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">evi_162252125185-20151103151408022201_.TAURUS_EXHIBIT_A.pdf</a>
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DESCRIPTION OF EVIDENCE FILE	Exhibit A -- Screen Capture from <a href="http://corporate.ford.com/company/history.html">http://corporate.ford.com/company/history.html</a> ; Exhibit B -- Screen Capture from <a href="http://www.nadaguides.com/Cars/Ford/Taurus/Model-History">http://www.nadaguides.com/Cars/Ford/Taurus/Model-History</a> ; Exhibit C -- Screen Capture from <a href="http://www.edmunds.com/ford/taurus/history/">http://www.edmunds.com/ford/taurus/history/</a> ; Exhibit D -- Screen Capture from <a href="https://en.wikipedia.org/wiki/List_of_Ford_Taurus_models">https://en.wikipedia.org/wiki/List_of_Ford_Taurus_models</a> ; Exhibit E -- Copy of Certificate of Reg. No. 1407600 for TAURUS; Exhibit F - Specimen of record in U.S. Reg. 1943054; Exhibit G -- Screen Capture from <a href="http://autoweek.com/article/car-news/toy-aurus-shos-arrive-time-holidays">http://autoweek.com/article/car-news/toy-aurus-shos-arrive-time-holidays</a> ; Exhibit H -- Screen Capture from <a href="http://www.taurususa.com/index.cfm">http://www.taurususa.com/index.cfm</a> ; Exhibit I -- Screen Capture from <a href="http://www.taurususa.com/forjas-aurus-history.cfm">http://www.taurususa.com/forjas-aurus-history.cfm</a> ; Exhibit J -- Specimen of record in U.S. Reg. 2463267; Exhibit K -- Screen Capture from <a href="http://www.amazon.com/Taurus-Spring-Powered-Pistol-Black/dp/B000YIDE1K">http://www.amazon.com/Taurus-Spring-Powered-Pistol-Black/dp/B000YIDE1K</a> ;
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
INTERNATIONAL CLASS	028
DESCRIPTION	
Gymnastic and sporting articles not included in other classes; gym-nastic equipment; body-building apparatus; springboards (sporting articles); games and playthings; dumb-bells; tables for table tennis; table tennis bats, table tennis nets; table tennis requisites; machines for physical exercises; gloves (accessories for games and home sports); stationary exercise bicycles; boxing gloves; punch bags, boxing requisites; chest expanders; treadmills; rollers for stationary exercise bicycles; table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags with or without wheels; roller-skates; in-line skates; elbow guards (sports articles); knee guards (sports articles); protective paddings (part of sport suits); snow boards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; building games; building blocks (toys); bite sensors (fishing tackle); bob-sleighs; bows for archery; archery implements; board games; draughts (games); draughtboards; gut for rackets; discuses for sports; dominoes; kites; ice skates; electronic games; scale model vehicles; toy masks; fencing gauntlets; fencing masks; fencing weapons; badminton sets; foils for fencing; conjuring apparatus; parlor games; paragliders; hang gliders; harpoon guns (sports articles); kite reels; hockey sticks; horseshoe games; counters for games; fairground ride apparatus; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting or fishing; cricket bags; artificial fishing bait; bladders of balls for games; mah-jong games; puppets; bowling apparatus and machinery; nets for sports; quoits; creels (fishing equipment); ring games; toboggans; scooters (toys); strings for rackets; chessboards; chess sets; swings; rocking horses; skin guards (sports articles); targets; batting gloves (accessories for games); sleighs (sports articles); skating boots; ice skates; skating boots with skates attached; swimming pools (play articles); floats; swim fins; sailboards; skate-boards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; snowboards; balls for games; playing balls; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons (targets); clay pigeon traps; backgammon games; water skis; cups for dice; darts; quoits (toys)	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	006236889



FOREIGN REGISTRATION COUNTRY	European Community
FOREIGN REGISTRATION DATE	01/28/2011
FOREIGN EXPIRATION DATE	08/29/2017
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
INTERNATIONAL CLASS	028
<b>TRACKED TEXT DESCRIPTION</b>	
<p><del>Gymnastic and sporting articles not included in other classes; Gymnastic horizontal bars; gym-nastic equipment; gymnastic apparatus; body-building apparatus; <u>springboards (sporting articles); spring boards; games and playthings; action skill games; dumb-bells; tables for table tennis; table tennis bats; table tennis nets; table tennis paddles; table tennis requisites; table tennis nets; machines for physical exercises; table tennis requisites, namely, table tennis balls; gloves (accessories for games and home sports); machines for physical exercise, namely, rowing machines and stationary exercise bicycles; stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; punch bags; boxing requisites; boxing gloves; punching bags; treadmills; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; table football; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard cues; billiard balls; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf bags with or without wheels; golf clubs; golf bags, with or without wheels; roller-skates; elbow guards (sports articles); in-line skates; knee guards (sports articles); elbow guards, namely, elbow guards for athletic use; protective paddings (part of sport suits); knee guards, namely, knee guards for athletic use; snowboards; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; building games; baseball gloves; building blocks (toys); fishing tackle, namely, bite sensors; bite sensors (fishing tackle); bob-sleighs; board games; bows for archery; draughts, namely boards for playing draughts; archery implements; gut for rackets; discuses for sports; draughts (games); dominoes; draughtboards; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; kites; badminton sets; magic tricks in the nature of a conjuring apparatus; electronic games; parlor games; scale model vehicles; paragliders; toy masks; hang gliders; kite reels other than reels for toy kites; hockey sticks; fencing weapons; horseshoe games; counters for games; foils for fencing; fairground ride apparatus, namely, children's self-propelled roundabouts; conjuring apparatus; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; harpoon guns (sports articles); cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; kite reels; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; fairground ride apparatus; nets for sports; fishing creels; ring games; toboggans; decoys for hunting or fishing; strings for rackets; cricket bags; chessboards; chess sets; bladders of balls for games; swings; shin guards namely, shin guards for athletic use; puppets; targets; ice skates; skating boots with skates attached; quoits; snowboards; ereels (fishing equipment); swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; scooters (toys); sail boards; skateboards; sole coverings for skis; ski bindings; skis; rocking horses; edges of skis; skin guards (sports articles); scrapers for skis; wax for skis; batting gloves (accessories for games); balls for games, other than toy balls; sleighs (sports articles); balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; skating boots; dice; ice skates; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; swimming pools (play articles); surfboards; floats; tennis nets; clay pigeons; sailboards; clay pigeon traps; skateboards; backgammon games; water skis; cups for dice; darts, other than toy darts; balls for games; playing balls; pet toys; toy vehicles; bats for games; clay pigeons (targets); darts; quoits (toys)</u></del></p>	
<b>FINAL DESCRIPTION</b>	
<p>Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard cues; billiard balls; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets;</p>	

chessboards: chess sets: swings; shin guards namely, shin guards for athletic use; targets: ice skates; skating boots with skates attached; snowboards: swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis: edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls: balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards: tennis nets: clay pigeons: clay pigeon traps; backgammon games: water skis: cups for dice; darts, other than toy darts

FILING BASIS	Section 1(b)
FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	006236889
FOREIGN REGISTRATION COUNTRY	European Community
FOREIGN REGISTRATION DATE	01/28/2011
FOREIGN EXPIRATION DATE	08/29/2017
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Donald S. Showalter/
SIGNATORY'S NAME	Donald S. Showalter
SIGNATORY'S POSITION	Attorney of Record, Florida Bar Member
SIGNATORY'S PHONE NUMBER	(954) 761-7473
DATE SIGNED	11/03/2015
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue Nov 03 16:33:39 EST 2015
TEAS STAMP	USPTO/ROA-XXX.XXX.XXX.XXX -20151103163339628484-865 09186-540ddacb1273169d29a fdee9a92633551fb2686c9f52 3122a493a17927bfd729a-N/A -N/A-20151103151408022201

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **86509186** TAURUS(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86509186/large>) has been amended as follows:

#### ARGUMENT(S)

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

#### Request for Suspension Under 37 C.F.R. §2.67 and TMEP 716.02(a).

Non-final refusals to register have been made under Section 2(d) based on three cited registrations, namely, (1) U.S. Registration No. 4161129 for "TAURUS ELITE"; (2) Registration No. 1943054 for "TAURUS", and (3) U.S. Registration No. 2463267 for "TAURUS".

On October 26, 2016, Applicant filed a Petition for Cancellation of cited U.S. Registration No. 4161129 for "TAURUS ELITE". The TTAB



Proceeding Number is 92062514.

Applicant respectfully submits that the pending Cancellation Proceeding against cited U.S. Registration No. 4161129 for "TAURUS ELITE" constitutes good and sufficient cause for Suspension of Proceedings Under 37 C.F.R. §2.67 and TMEP 716.02(a) pending outcome of the Cancellation Proceeding and Applicant hereby requests such suspension after entry of this Response which addresses all other outstanding issues.

The filing of the Cancellation Proceeding and this Request for Suspension together constitute a proper response to the §2(d) refusal based on U.S. Registration No. 4161129 for "TAURUS ELITE." Applicant reserves the right to respond to the substance of this refusal if necessary pending the outcome of the Cancellation Proceeding.

**Response to Refusals under Section 2(d) based on Reg. No. 1943054 and Reg. No. 2463267, both for "TAURUS".**

Reconsideration and withdrawal of these refusals are respectfully solicited for the reasons explained below.

A first ground warranting reconsideration and withdrawal of this refusal is that the refusal is moot in view of amendments presented herein to the identification of goods. Goods in the nature of toys have been deleted from the Application except that "pet toys" has been amended to , "pet toys, namely, toys intended for use by household pets". In some instances express exclusions of toys have been provided. For example, "kites" has been amended to "kites, other than toy kites": "kite reels" has been amended to "kite reels other than reels for toy kites"; balls for games, has been amended to "balls for games, other than toy balls"; "balls for playing games" has been amended to "balls for playing games, namely, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls"; "bats has been amended to "bats for games, namely, bats for use in sporting games, other than toy bats" and "darts" has been amended to "darts, other than toy darts". These deletions and amendments have been made without prejudice or disclaimer as Applicant respectfully submits that these refusals should be withdrawn on an independent and distinct second ground which will now be explained.

The Examining Attorney bases the refusals on the premise that the goods are related because "the applied-for mark and U.S. Registration Nos. 1943054 and 2463267, the marks all identify toys". Applicant respectfully submits that this contention paints with too broad a brush and is irreconcilable with the evidence of record.

Before proceeding further it is to be noted that among the goods deleted from the present Application are "toy vehicles and "scale models of toy vehicles". In light of those particular deletions, Applicant submits that maintaining these refusals would be incongruous with the evidence of record which demonstrates that even though the registered marks are identical and both list certain toys, the cited registrations are not commonly-owned yet have co-existed with one another on the Principal Register since 2001. Those facts demonstrate that it is not proper to construe either registration as covering toys different from the particular different types of toys expressly listed in those respective registrations , namely, "toy replicas of vehicles and collector replicas of vehicles" in Reg. No. 1943054 and "[t]oys: namely, model and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles" in Reg. No. 2463267.

The registrant and current owner of record of cited Reg. No. 1943054 for "TAURUS" is Ford Motor Company. That registration lists "toy replicas of vehicles and collector replicas of vehicles". As reflected by attached Exhibit A , B, C, D and E, Ford Motor Company is a famous U.S. auto manufacturer and "TAURUS" is the well-known brand name of car which has been manufactured and sold in the U.S. Ford Motor Company since circa 1986. Attached Exhibit F is a true and correct copy of a specimen of record with the U.S.P.T.O. in U.S. Reg. 1943054 . Exhibit G is a true and correct copy of an advertisement appearing online at <http://autoweek.com/article/car-news/toy-aurus-shos-arrive-time-holidays> . Together Exhibits F and G show that goods sold under the cited registered mark are replicas of Ford Motor Company "TAURUS" brand cars. Although Applicant acknowledges that no such limitation appears expressly on the face of the cited registration, to conclude otherwise would be to construe the registration as presumptively granting an exclusive right to engage in illegal conduct, namely to engage in false/deceptive advertising by using the registered TAURUS for replica cars that are not replicas of actual TAURUS brand cars. It is respectfully submitted that such in interpretation of the scope of the cited registration would not be a reasonable or proper one.

The registrant and current owner of record of cited Reg. No. 2463267 for "TAURUS" is Forjas Taurus SA. That registration lists "[m]odel and replica rifles and handguns and structural parts thereof, excluding telescopes, and ammunition and projectiles for model and replica handguns and rifles" and "[t]oys: namely, model and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles". Attached Exhibit H is a true and correct copy of an image captured from a website of Taurus Forjas Taurus SA which appears at <http://www.taurususa.com/index.cfm> . Attached Exhibit I is a true and correct copy of an image captured from the aforementioned website at a page available at [www.taurususa.com/forjas-aurus-history.cfm](http://www.taurususa.com/forjas-aurus-history.cfm) . As reflected by attached Exhibits H and I registrant Forjas Taurus SA is a manufacturer of firearms. Attached Exhibit J is a true and correct copy of a specimen of record with the U.S.P.T.O. in U.S. Reg. 2463267. Together, Exhibits H and I reflect that toy goods sold under the registered mark are replicas of Forjas Taurus SA "TAURUS" brand firearms. Although Applicant acknowledges that no such limitation appears expressly on the face of the cited registration, to construe the registration more broadly would be to consider the registration as presumptively granting an exclusive right to engage in illegal conduct, namely to engage in false/deceptive advertising by using the registered TAURUS for replica handguns or rifles that are not replicas of actual TAURUS brand firearms. It is respectfully submitted that such in interpretation of the scope of the cited registration would not be a reasonable or proper one.

It is neither surprising nor inconsistent with the evidence of record that a registration of TAURUS for toy models and replicas of firearms does not engender a likelihood of confusion with a non-commonly owned registration of TAURUS for toy replicas of vehicles, particularly when one considers that the former are replicas of actual TAURUS brand firearms of one Registrant and the latter are toy replicas of actual TAURUS brand cars of a different Registrant. However, since both recite species of toy replicas, it is clear that the respective goods listed in the two cited registrations are far more closely related to one another than are to any goods listed in the Application, which no longer lists "toy vehicles", "scale models of toy vehicles" and does not list toy replicas of any kind.

In view of the foregoing and the evidence of record, it is respectfully submitted that the coexistence of the cited registrations with one another demonstrates that registration of Applicant's mark will not result in a likelihood of confusion with either U.S. Registration No. 1943054 or U.S. Registration No 2463267

#### **Misc. Amendments to The Identification of Goods.**

Except as to suggestions relating to goods which have been deleted, the Identification of Goods has been amended for clarification generally along the lines suggested by the Examining Attorney with only minor deviation in some cases such as by using the word "namely" in some cases to help make more clear that amendments did not broaden the scope of the goods listed.

Parentheses have been removed from the Identification of Goods as required.

In addition, "punch bags" and "table tennis bats" have been amended to conform to the common ordinary commercial names for those goods in the U.S. namely, "punching bags" and "table tennis paddles". respectively.

The statement in the Office Action that the "identification of goods includes a duplicate entry of the wording "billiard cues" has been noted but appears to have been in error. No duplicative entry of those goods has been found. However, a duplicative listing for "batting gloves" was noted and has been removed.

#### **Filing Basis.**

No filing basis is being deleted at this time.

#### **EVIDENCE**

Evidence in the nature of Exhibit A -- Screen Capture from <http://corporate.ford.com/company/history.html>; Exhibit B -- Screen Capture from <http://www.nadaguides.com/Cars/Ford/Taurus/Model-History>; Exhibit C -- Screen Capture from <http://www.edmunds.com/ford/taurus/history/>; Exhibit D -- Screen Capture from [https://en.wikipedia.org/wiki/List\\_of\\_Ford\\_Taurus\\_models](https://en.wikipedia.org/wiki/List_of_Ford_Taurus_models); Exhibit E -- Copy of Certificate of Reg. No. 1407600 for TAURUS; Exhibit F - Specimen of record in U.S. Reg. 1943054; Exhibit G -- Screen Capture from <http://autoweek.com/article/car-news/toy-taurus-shos-arrive-time-holidays>; Exhibit H -- Screen Capture from <http://www.taurususa.com/index.cfm>; Exhibit I -- Screen Capture from <http://www.taurususa.com/forjas-taurus-history.cfm>; Exhibit J -- Specimen of record in U.S. Reg. 2463267; Exhibit K -- Screen Capture from <http://www.amazon.com/Taurus-Spring-Powered-Pistol-Black/dp/B000YIDE1K>; has been attached.

##### **Original PDF file:**

[evi\\_162252125185-20151103151408022201\\_.TAURUS\\_EXHIBIT\\_A.pdf](evi_162252125185-20151103151408022201_.TAURUS_EXHIBIT_A.pdf)

**Converted PDF file(s) ( 1 page)**

[Evidence-1](#)

##### **Original PDF file:**

[evi\\_162252125185-20151103151408022201\\_.TAURUS\\_EXHIBIT\\_B.pdf](evi_162252125185-20151103151408022201_.TAURUS_EXHIBIT_B.pdf)

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[Evidence-1](#)

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[evi\\_162252125185-20151103151408022201\\_.TAURUS\\_EXHIBIT\\_C.pdf](evi_162252125185-20151103151408022201_.TAURUS_EXHIBIT_C.pdf)

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[Evidence-1](#)

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[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

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[evi\\_162252125185-20151103151408022201\\_.TAURUS\\_EXHIBIT\\_D.pdf](evi_162252125185-20151103151408022201_.TAURUS_EXHIBIT_D.pdf)

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[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

**Original PDF file:**

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Converted PDF file(s) ( 2 pages)

[Evidence-1](#)

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[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

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[Evidence-1](#)

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[evi\\_162252125185-20151103151408022201 . TAURUS EXHIBIT I.pdf](#)

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[Evidence-1](#)

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[evi\\_162252125185-20151103151408022201 . TAURUS EXHIBIT J.pdf](#)

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[Evidence-1](#)

**Original PDF file:**

[evi\\_162252125185-20151103151408022201 . TAURUS EXHIBIT K.pdf](#)

Converted PDF file(s) ( 1 page)

[Evidence-1](#)

## CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 028 for Gymnastic and sporting articles not included in other classes: gym-nastic equipment: body-building apparatus: springboards (sporting articles): games and playthings: dumb-bells: tables for table tennis: table tennis bats, table tennis nets: table tennis requisites: machines for physical exercises: gloves (accessories for games and home sports): stationary exercise bicycles: boxing gloves: punch bags, boxing requisites: chest expanders: treadmills: rollers for stationary exercise bicycles: table football: tables for indoor football: billiard table cushions: skittles: chalk for billiard cues: billiard balls: billiard cues: billiard tables: coin-operated billiard tables: billiard cue tips: billiard markers: golf gloves: golf clubs: golf bags with or without wheels: roller-skates: in-line skates: elbow guards (sports articles): knee guards (sports articles): protective paddings (part of sport suits): snow boards: fishing tackle: fish hooks: lines for fishing: reels for fishing: fishing rods: gut for fishing: baseball gloves: building games: building blocks (toys): bite sensors (fishing tackle): bob-sleighs: bows for archery: archery implements: board games: draughts (games): draughtboards: gut for rackets: discuses for sports: dominoes: kites: ice skates: electronic games: scale model vehicles: toy masks: fencing gauntlets: fencing masks: fencing weapons: badminton sets: foils for fencing: conjuring apparatus: parlor games: paragliders: hang gliders: harpoon guns (sports articles): kite reels: hockey sticks: horseshoe games: counters for games: fairground ride apparatus: ninepins: landing nets for anglers: climbers' harnesses: decoys for hunting or fishing: cricket bags: artificial fishing bait: bladders of balls for games: mah-jong games: puppets: bowling apparatus and machinery: nets for sports: quoits: creels (fishing equipment): ring games:



toboggans; scooters (toys); strings for rackets; chessboards; chess sets; swings; rocking horses; skin guards (sports articles); targets; batting gloves (accessories for games); sleighs (sports articles); skating boots; ice skates; skating boots with skates attached; swimming pools (play articles); floats; swim fins; sailboards; skate-boards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; snowboards; balls for games; playing balls; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons (targets); clay pigeon traps; backgammon games; water skis; cups for dice; darts; quoits (toys)

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Filing Basis: Section 44(e), Based on Foreign Registration: For all applications:** The applicant attaches a copy of [ European Community registration number 006236889 registered 01/28/2011 with a renewal date of \_\_\_\_\_ and an expiration date of 08/29/2017 ], and translation thereof, if appropriate. **For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users on or in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant.

**Proposed:**

**Tracked Text Description:** ~~Gymnastic and sporting articles not included in other classes; Gymnastic horizontal bars; gymnastic equipment; gymnastic apparatus; body-building apparatus; springboards (sporting articles); spring boards; games and playthings; action skill games; dumb-bells; tables for table tennis; table tennis bats, table tennis nets; table tennis paddles; table tennis requisites; table tennis nets; machines for physical exercises; table tennis requisites, namely, table tennis balls; gloves (accessories for games and home sports); machines for physical exercise, namely, rowing machines and stationary exercise bicycles; stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; punch bags, boxing requisites; boxing gloves; punching bags; treadmills; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; table football; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf bags with or without wheels; golf clubs; golf bags, with or without wheels; elbow guards (sports articles); in-line skates; knee guards (sports articles); elbow guards, namely, elbow guards for athletic use; protective paddings (part of sport suits); knee guards, namely, knee guards for athletic use; snow boards; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; building games; baseball gloves; building blocks (toys); fishing tackle, namely, bite sensors; bite sensors (fishing tackle); bob-sleighs; board games; bows for archery; draughts, namely boards for playing draughts; archery implements; gut for rackets; discs for sports; draughts (games); dominoes; draughtboards; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; kites; badminton sets; magic tricks in the nature of a conjuring apparatus; electronic games; parlor games; scale model vehicles; paragliders; toy masks; hang gliders; kite reels other than reels for toy kites; hockey sticks; fencing weapons; horseshoe games; counters for games; foils for fencing; fairground ride apparatus, namely, children's self-propelled roundabouts; conjuring apparatus; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; harpoon guns (sports articles); cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; kite reels; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; fairground ride apparatus; nets for sports; fishing creels; ring games; toboggans; decoys for hunting or fishing; strings for rackets; cricket bags; chessboards; chess sets; bladders of balls for games; swings; shin guards, namely, shin guards for athletic use; puppets; targets; ice skates; skating boots with skates attached; quoits; snow-boards; creels (fishing equipment); swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; scooters (toys); sail boards; skateboards; sole coverings for skis; ski bindings; skis; rocking horses; edges of skis; skin guards (sports articles); scrapers for skis; wax for skis; batting gloves (accessories for games); balls for games, other than toy balls; sleighs (sports articles); balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; skating boots; dice; ice skates; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; swimming pools (play articles); surfboards; floats; tennis nets; clay pigeons; sailboards; clay pigeon traps; skate boards; backgammon games; water skis; cups for dice; darts, other than toy darts; balls for games; playing balls; pet toys; toy vehicles; bats for games; clay pigeons (targets); darts; quoits (toys)~~

Class 028 for Gymnastic horizontal bars; gymnastic apparatus; body-building apparatus; spring boards; action skill games; dumb-bells; tables for table tennis; table tennis paddles; table tennis nets; table tennis requisites, namely, table tennis balls; machines for physical exercise, namely, rowing machines and stationary exercise bicycles; gloves, namely, batting gloves; rollers for stationary exercise bicycles; boxing gloves; punching bags; boxing requisites, namely, punching bags, striking bags, speed bags and heavy bags for boxing practice and exercise; chest expanders; treadmills, namely, exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags, with or without wheels; roller-skates; in-line skates; elbow guards, namely, elbow guards for athletic use; knee guards, namely, knee guards for athletic use; protective paddings, namely, protective paddings for use in skateboarding, snowboarding, and Taekwondo; snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; fishing tackle, namely, bite sensors; bob-sleighs; board games; draughts, namely boards for playing draughts; gut for rackets; discuses for sports; dominoes; kites, other than toy kites; electronic dart games; fencing gauntlets; fencing masks; badminton sets; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; kite reels other than reels for toy kites; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children's self-propelled roundabouts; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting and fishing, namely, animal hunting decoys, bird hunting decoys and fish decoys; cricket bags, namely, bags specially designed to hold sporting equipment for the sport of cricket; artificial fishing bait; bladders of balls for games, namely, inflatable bladders used in balls for sporting games; mah-jong games; bowling apparatus and machinery; nets for sports; fishing creels; ring games; toboggans; strings for rackets; chessboards; chess sets; swings; shin guards namely, shin guards for athletic use; targets; ice skates; skating boots with skates attached; snow-boards; swimming pools, namely, inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games, other than toy balls; balls for playing games, namely, balls for playing baseball-like indoor and outdoor games, other than toy balls; dice; pet toys, namely, toys intended for use by household pets; bats for games, namely, bats for use in sporting games, other than toy bats; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; cups for dice; darts, other than toy darts

**Filing Basis: Section 1(b), Intent to Use:** *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Filing Basis: Section 44(e), Based on Foreign Registration:** *For all applications:* The applicant attaches a copy of [ European Community registration number 006236889 registered 01/28/2011 with a renewal date of \_\_\_\_\_ and an expiration date of 08/29/2017 ], and translation thereof, if appropriate, before the application may proceed to registration. *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. *For a certification mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users on or in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant.

#### **SIGNATURE(S)**

##### **Response Signature**

Signature: /Donald S. Showalter/ Date: 11/03/2015

Signatory's Name: Donald S. Showalter

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

Signatory's Phone Number: (954) 761-7473

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 owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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.

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# EXHIBIT A

## Company Timeline

1890 1900 1910 1920 1930 1940 1950 1960 1970 1980 1990 2000 2010 Today

<p>1896</p> <p>Henry Ford builds the Quadricycle.</p> 	<p>1899</p> <p>Henry Ford joins a group that founds the Detroit Automobile Company.</p> 	<p>1901</p> <p>Henry Ford defeats the top racecar driver of the era.</p> <p>Ford designed the 20-horsepower Sweepstakes and defeated Alexander Winton's 70-horsepower Bullitt in 10 laps around the one-mile oval of the Detroit Driving Club. The victory led to Henry Ford's second short-lived attempt at auto manufacture: the Henry Ford Company.</p>	<p>1903</p> <p>The Ford Motor Company is incorporated.</p> <p>With 12 investors and 1,000 shares, the company had spent almost all of its \$28,000 cash investment by the time it sold the first Ford Model A on July 23, 1903. But by October 1, 1903 Ford Motor</p>	<p>1904</p> <p>Ford Motor Company of Canada is founded.</p> 	<p>1907</p> <p>Ford introduces the scripted typeface of trademark.</p>  <p>Childe Harold Wills designed the Ford logo. He used his grandfather's steel, which was based on r</p>
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Home / New Cars / Ford / Taurus / History



### Ford Taurus History



#### Upcoming Models

**2016 Ford Taurus Sedan** MSRP not available for Pre-Production vehicles  
[View photos](#)

#### New Models

**2015 Ford Taurus Sedan** MSRP from \$27,055  
[View Inventory](#)  
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[View photos](#) [View Inventory](#)

**2014 Ford Taurus Sedan** MSRP from \$26,780  
[View Inventory](#)  
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**2014 Ford Taurus SHO** MSRP from \$39,980  
[View Inventory](#)  
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#### Used Models

**2015 Ford Taurus Sedan Used** TMV from \$19,307  
[Find Used Inventory](#)  
[View photos](#)

#### 1986-1991

Every so often, an automobile company brings out a car that wins them new respect (or respect, period). When Ford introduced the Taurus (and fraternal twin Mercury Sable) in 1985 as a 1986 model, it hit one out of the park and won over thousands of new fans. Suddenly, Honda and Toyota had someone in their rearviews.

Taking a cue from Audi, who had introduced its aerodynamically sound and visually stunning 5000 a few years prior, Ford enveloped the Taurus with a smooth, jellybean-like body. The futuristic shape had no grille, just a body-color panel where the Ford oval resided between the headlights. The Sable went one better (or worse, depending on one's taste in car styling) by having a full-width light bar in place of the Taurus' panel. The Mercury's light panel was mostly a styling gimmick as the lamps contained in it were of low wattage. Both cars had large glass areas with slim pillars, which granted excellent visibility. The Sable went for a more futuristic look in this area with all but the A-pillars blacked out, giving the glass a near wrap-around appearance. With an aerodynamic drag coefficient of only 0.29, the Sable was one of the slickest cars in the world.

body style. The car weighed in at around 3,200 and rode on a 106-inch wheelbase. Unlike its Je competition, the Taurus could seat six (or even eight in the wagon) as it was available with either seat or bucket seats up front, as opposed to the bucket arrangements in the Accord and Camry.

Four trim levels of the Taurus were available, L, and LX. L and MT-5 versions were fairly basic, the difference between these two being the transmi was hooked up to the four-cylinder engine; the I automatic and the MT-5 had a manual five-speed, hence that car's corny name. A GL came with a few upgrades, such as dual visor mirrors, cargo net and, in the sedan, rear headrests and a rear seat fold-down center armrest. The LX was loaded with features such as A/C, power windows/locks/driver's seat, stereo cassette and cruise control, among others.

The base engine for all except the LX was a four cylinder

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#### Most Researched Vehicles

- Honda CR-V
- Honda Accord
- Honda Pilot
- Mazda CX-5
- Toyota Highlander

Top 50 Most Researched Vehicles



#### New Car Resources

- 8 Steps to Buying a New Car
- Guide for First-Time New-Car Buyers
- New Car Buying Guides
- Compare Popular Vehicles
- Car Finder
- New Car Ratings

Price Promise™ Get instant savings Make Model Year Car Type New Cars Used Cars Car Research Alerts Search

#### Price Drop Alert

We have a FORD TAURUS that has dropped in price. [View this deal](#)

Full Name

Email Address

Sqr Jt

YUNDALELANTBA

#### New Car Buying Guides

See which cars and trucks our editors recommend

Ford Taurus History

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2015 Ford Taurus SHO Used  
TMV from \$28,591  
[View photos](#)  
[Find Used Inventory](#)

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2014 Ford Taurus Sedan Used  
TMV from \$16,802  
[View photos](#)  
[Find Used Inventory](#)

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2014 Ford Taurus SHO Used  
TMV from \$25,535  
[View photos](#)  
[Find Used Inventory](#)

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2013 Ford Taurus Limited Sedan Exterior  
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- 2008 Ford Taurus Sedan Used  
TMV from \$6,686

of 2.5 liters and 90 horsepower. As this was not really enough to propel a midsize car, most buyers went with the optional 3.0-liter V6 that put out a more respectful 140 horses. Transmission choices for the four banger were either a five-speed manual or three-speed automatic. The V6 came only with a four-speed automatic gearbox.

As Mercury has always been considered a step above its Ford relative, the Sable was marketed as a more upscale car than the Taurus. For this reason, the Sable came in just two versions, the GS and the more luxurious LS. Aside from a late-year run of four-cylinder/automatic Sable GSs (quite rare, and for good reason) both came with the V6 and four-speed automatic powertrain. The Sable LS was similar to the Taurus LX in terms of being filled with numerous luxury features.

Pricing for the '88 Taurus ranged from \$10,050 for an L Sedan to \$14,300 for an LX Wagon. Sable prices ranged from \$10,700 for a GS (four-cylinder) Sedan to \$13,088 for an LS Wagon.

For 1987 air conditioning was made standard on the Sable LS and all Sables were V6 powered. No changes occurred for the Ford Taurus as sales continued to rocket upward for the hot-selling duo.

A larger (3.8-liter) V6 engine became optional for all Tauruses, except the L and MT-5 versions, and all Sables for 1988. Although rated at the same horsepower (140) as the standard 3.0-liter V6, the bigger engine produced more torque, and thus better off-the-line response, than the smaller engine. The Taurus MT-5 Wagon was axed, and the Taurus L got more standard features, such as power mirrors and split front seats with dual armrests and recliners. Likewise, the Sable GS received numerous standard equipment upgrades such as air conditioning, split front seats, and intermittent wipers.

Driving enthusiasts received a treat for 1989 when Ford brought out the Taurus SHO, Sporting a 220-horsepower, 24-valve, 3.0-liter Yamaha engine, along with a sport suspension package, the SHO (Super High Output) gave certain car companies a run for their Deutchmarks. The interior continued the serious, performance-oriented theme of the car with a 140-mph speedometer, an 8,000-rpm tach with a 7,000-rpm redline, aggressive side bolsters on the front bucket seats and a console from which sprouted only a five-speed manual gearshift, as no automatic tranny was available for the SHO.

Performance figures proved that this SHO had plenty of go: zero-to-60 mph took only around seven seconds and the car had no problem pegging the needle on the speedo. Four-wheel disc brakes were fitted and handling was competent as well, with a firmer ride indicating the SHO's sporting demeanor. There was no Sable equivalent to the Taurus SHO.

Along with the introduction of the high-performance SHO, 1989 also saw the extinction of the low-performance (a manual transmission alone does not a sporty car make)

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MT-5. Slight revisions to the grilles, headlights and taillights summed up the changes for the rest of the Taurus family as well as the Sable.

1990 saw the addition of a driver's side airbag and a revised instrument panel. Newly optional wore antilock brakes (on sedans only) and a compact disc player. A four-speed automatic replaced the three-speed unit formerly fitted to the 3.0-liter V6. The Sable's changes for this year mirrored those of the Taurus.

LX Sedans and Wagons came with ABS (antilock brakes) as standard for 1991. The four-cylinder engine (the standard powerplant for the L and GL Sedans) got a much-needed boost in power, from the prior 90 horsepower to 115 horses. The 3.0-liter V6 got sequential fuel injection but no increase in its output and LX Wagons now came with the torquey 3.8-liter V8. A new option package, dubbed the "L-Plus," became available for the Taurus L and bundled A/C, automatic transmission and power door locks.

The SHO received some refinements this year as well. Larger (16-inch) tires and wheels replaced the former 15-inchers, and the manual gearbox and clutch were modified for smoother operation.

Alterations to the Sable line consisted of the fuel-injection system upgrade to the 3.0 V6 and two new options for the wagons; antilock brakes and a power moonroof.

1992-1995

After the first generation's six-year run, Ford revamped the Taurus (and the Mercury Sable) for 1992. The restyle of the body was evolutionary; the overall shape was the same, yet many of the body panels were new. Updates consisted of slimmer headlight (and in the Sable's case, lightbar) treatments, revised taillights and smoothed-out bodysides. Dimensions remained the same except overall length, which went up almost 4 inches, to 192 inches.

Interiors were freshened with a less angular dash, illuminated power window switches, and new seat and door trim designs. Gauges were larger and a passenger's side airbag was made optional.

Trim levels remained at L, GL, LX and SHO for the Taurus and GS and LS for the Sable. The four-cylinder engine was history as Ford realized that most, if not all, buyers shopping in this class demanded the power and smoothness of V8 motivation. The Taurus' popularity was ever more on the rise, as it nipped at the heels of Honda's Accord for the title of best-selling car in America.

In spite of the revamp one year earlier, the 1993 Taurus lineup underwent

some changes. The L trim level was dropped, GLs got new seat trim and LX models acquired some new color choices as well as a new center console. The biggest news was that the SHO now had the option of an automatic transmission, for which shiftless enthusiasts (who no doubt had to deal with rush-hour traffic) had



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	1996 Ford Taurus Sedan Used	TMV from \$2,000

been waiting.

A larger (3.2-liter) version of the DOHC V6 came with automatic SHOs, and though peak horsepower was the same (220 ponies) as the 3.0 motor, more torque down low offset the fitment of the auto gearbox. In fact, according to one major car magazine, zero-to-60 mph times of the manual versus automatic SHOs differed by only a tenth of a second. Other enhancements to the SHO included a decklid spoiler with integrated stop lamp and chrome dual exhaust outlets.

The Sable had a few more standard features added for this year, including a center console with floor shift, dual illuminated visor mirrors and a passenger's side airbag. The last item was still optional on the Taurus. New seat fabrics completed the changes.

The addition of a passenger's side airbag to the standard features list was the lone change for the Taurus in 1994. The Sable likewise had a former option made standard, the rear window wiper/washer for the station wagons.

1995, the last year of the second-generation Taurus/Sable, saw the debut of the Taurus SE. This was essentially a sporty Taurus Sedan that featured alloy wheels, bucket seats and a console. More standard equipment, in the form of air conditioning and a rear window defroster, was added to lower-line models to make the Taurus even more competitive in the tough family car market segment. Evidently, Ford knew what they were doing, as the Taurus took the title of "Best-Selling Car in America" every year (albeit including fleet sales) from 1992 through 1995.

In the Mercury stable, the new Sable LTS joined the family. This was a sporty Sable similar to the Taurus SE but more upscale with a leather interior and power adjustment for the driver's bucket seat.

### 1996-1999

Holy ellipses! For 1996 Ford went overboard on ovals with the design of the third-generation Taurus and Sable. Evidently some big cheese in the design center had a thing for ovals. Maybe Ford's own logo was the inspiration — who knows, but the result was the overly ovoid '96 Taurus. The grille opening, rear window, greenhouse and the taillights all had the elliptical influence. The new Taurus lineup included the new base-level version G, high-volume GL, luxury LX and high-performance SHO.

Inside the car, the dash continued this styling misadventure with oval shapes for the instrument-cluster housing and center panel for the climate and stereo controls.

Many changes took place underhood, as a new "Duratec" 24-valve, DOHC V8 with 200 horsepower debuted and was standard on the LX. The workhorse 3.0-liter V6 gained 5 horsepower, for a total of 145 horses. And the SHO now had V8 power, a Yamaha-engineered, 3.4-liter, 32-valve unit that pumped out 235 horsepower to the

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front wheels. There was no longer a manual gearbox available on the SHO; as with all the other Tauruses an electronically controlled, four-speed automatic tranny handled gear changes. And the SHO had some additional questionable design elements, such as a small, misshapen rear spoiler stuck on the decklid that was so much narrower than the Taurus that it looked like it belonged on a much smaller car.

In spite of this year's controversial redesign, the Taurus continued its "Best-Selling Car in America" streak, keeping the honor for another year.

The Sable was also reborn for 1996 and had the same basic shape as the Taurus, albeit with a more conventional rear window and taillight design. Inside, however, the Sable was identical to the Taurus, save for upholstery fabrics. Mechanical changes were the same as for the Ford, and the Sable LS featured the 200-horsepower Duratec V6 as standard. The "G thing" continued with the Sable as it was offered as a new base-level "G" Sedan as well as GS and LS Sedans and Wagons.

Engine engineering was the hot topic for 1997 as a multitude of changes occurred for the 3.0-liter V6. The motor was modified to run cleaner and received California's low-emission vehicle (LEV) status as a result. Also, in addition to the standard gasoline-fueled version, the 3.0 offered two "flexible fuel" options, one that allowed the engine to run on mostly methanol and the other that allowed it to run on mostly ethanol.

After topping the best-selling list for five years running, the Taurus slipped to third place, behind Toyota's Camry and Honda's Accord.

Unlike Ford with the Taurus, Mercury didn't offer the flex-fuel engines in the Sable lineup. 1997 instead saw a beefed-up option list for the GS models that included some features previously available only on the LS, such as a power moonroof, CD changer and leather interior.

Streamlining the Taurus model lineup for 1998, Ford did away with the G and GL trim levels and reintroduced the SE, now available as a wagon in addition to the sedan. The LX (which became the value and volume leader) and SHO models remained mostly unchanged. The 145-horsepower V6 was again the standard engine for the LX and SE models. An optional Sport group for the SE put the 200-horsepower Duratec V6 into the car's engine bay and a spoiler (that actually fit the car) onto the trunk lid. The Duratec engine was also available on the SE as a stand-alone option.

Other changes involved minor revisions to the grille (a horizontal bar inserted into the "mouth") and taillights (clear lenses replaced orange ones). On the safety front, second-generation (reduced force) airbags, which were designed to reduce the chance of airbag related injuries, debuted on the 1998 models.





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1992 Ford Taurus SHO Used  
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few other updates included optional side-impact airbags and power-adjustable pedals.

The Mercury Sable was likewise revised, but kept the trim levels at base GS and upscale LS.

In an effort to keep the Taurus on consumers' shopping lists, Ford offered a slew of no-cost options for 2002. These free goodies varied according to trim level and included a power driver seat and CD player for the SE, a choice of a power moonroof or leather seating for the SES and both of the latter for the SEL, which also gained power-adjustable pedals as standard. A new SEL wagon joined the lineup, as did a couple of option packages for the SES and SEL that added features such as side airbags, traction control and an auto-dimming rearview mirror with built-in compass. All but the base (LX) model got security approach lamps.

Once again, Mercury kept things simple with the Sable, adding a few niceties such as the auto-dimming mirror with compass and the security approach lamps.

Changes for 2003 were minimal; the SEL versions attempted to up the luxury quotient with a unique, satin-finished instrument cluster, "Tmoja" leather seating surfaces and dark wood trim. A real wood- and leather-trimmed steering wheel option furthered this effort, and even base Taurus models came with power windows and door locks.

Mercury pared down the Sable lineup as both the G Sedan and GS Wagon were nixed. Buyers now had a choice of a GS Sedan, LS Sedan or LS Wagon. And although the Duratec V6 was formerly standard on the LS versions, it was now optional for both LS and GS trim levels. As with the Taurus, the grille was facelifted (although the Sable's taillights remained the same as before) and second-generation airbags came on line.

Safety was the big selling point for 1999, as the Taurus and Sable received the government's highest rating for frontal crash tests. Both the sedan and wagon body styles garnered five stars for driver and passenger sides in the frontal impact test.

Oddly, the Duratec V6 was made available only in the Taurus SE for this year, denying the buyers of '99 LX models the satisfying thrust of 200 horsepower. As if to make up for the lack of a sporty engine, Ford fitted bucket seats and a console to the LX, although one could still get the three-passenger front bench at no additional cost.

The Sable GS Wagon was brought back from the dead. And interiors on both the Taurus and Sable were updated with new fabrics, larger door-release levers and hard map pockets (which replaced the former net pockets) in the doors. A few new colors became available and price cuts ranging from \$1,000 to \$2,000 attempted to stir up some more sales action for Ford's former success-story twins.

## 2000-2006

Ford did away with the overly ovoid style of the Taurus for 2000 by adopting a less thematic but more attractive body style. A pair of 3.0-liter V6 engines remained as the source of propulsion, the base version with 155 horsepower and a higher-output 24-valve twin-cam unit kicking out 200 ponies. Either way, a four-speed automatic sent the power to the front wheels.

Trim levels were revised as well, as Ford dropped the slow-selling V8 SHO and by 2001 added a couple of more luxurious Tauri to the base LX and midlevel SE models, dubbed SES and SEL. Springing for the latter meant the 200-horse V6, an in-dash six-disc CD player and automatic climate control were all standard features. A

Mercury followed suit by offering a Platinum Edition package (optional only on the LS Premium trim) that featured the obligatory special wheels, perforated leather seating and identifying badges.

For 2004, the Taurus received a slight update of its front and rear styling. There were also minor interior enhancements including a revised instrument cluster, a new steering wheel design and a passenger seat weight sensor for determining airbag deployment.

Updates to the Mercury were similar, with all Sables also gaining a 60/40-split rear seat. The LS Premium trim received new standard foglights and six-spoke alloy wheels.

Taurus trim levels were pared down for 2005 to include only the SE and SEL, while the previous huge selection of option packages was consolidated. A tire-pressure monitor also became standard on all models with alloy wheels.

Mercury also eliminated trim levels for the Sable, with GS and LS remaining on the sedan, while the wagon could only be had as the LS. A CD player became standard on the LS along with wood trim and antilock brakes. Power-adjustable pedals were dropped altogether. 2005 was the last year for this generation of Mercury Sable.

Model-year 2006 was the last for this generation Ford Taurus and it went out with a whimper. The wagon and Duratec V6 were bumped off first, leaving the sedan as the only body style and the anemic 153-hp "Vulcan" V6 as the only engine.

### Current Generation

The Ford Taurus was sort of revived for 2008. We say "sort of" because Ford essentially rebadged its Five Hundred sedan as the Taurus in order to bring better public awareness for the struggling car. However, a new name wasn't the only change made to the Five Hundred. Replacing the Five Hundred's overwhelmed 203-hp V6 was a new 263-horse V6 that was much better suited to the Taurus' full-size body style. A six-speed automatic transmission was standard, while customers could choose from front- and all-wheel drive.

Other changes made to transform Five Hundred to Taurus included a revised, more interesting front end that included Ford's chrome three-bar corporate grille. The rear end was also tweaked, while chrome was liberally strewn about the rest of the exterior. The interior received a less noticeable redress, although added sound insulation reduced road and wind noise significantly. Revised suspension tuning also gave the Taurus a more comfy ride. In terms of equipment, stability control was added to all Taurus and Ford's new Sync electronics interface system debuted. Trim levels included the base Taurus, SEL and top-level Limited.

The Mercury Sable also reemerged from its two-year exile for 2008, as a rebadged and updated version of the Mercury Montego full-size sedan. It received the same type of revisions that the Five Hundred went through to become the new Taurus. There were two Sable trim levels: base and Premier.



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# List of Ford Taurus models

EXHIBIT D


From Wikipedia, the free encyclopedia

This is a **list of models of the Ford Taurus**. The Taurus has been in production since 1986; its first run was as a mid-size sedan on the Ford D186 platform, and its second and current production run has been as a full-size sedan on the Ford D3 platform.

## Contents

- 1 First generation
- 2 Second generation
- 3 Third generation
  - 3.1 1996–1997
  - 3.2 1998–1999
- 4 Fourth generation
- 5 Fifth generation
- 6 Sixth generation

## First generation

Image	Years	Engines/Transmissions
<b>Taurus MT5</b>		
	1986–1988	<ul style="list-style-type: none"> <li>▪ 2.5 L <i>HSC</i> I4</li> <li>▪ 88 hp (66 kW), 130 lb·ft (176 N·m)</li> <li>▪ 5-speed <i>MTX</i> manual</li> </ul>
<b>Taurus L</b>		
	1986–1991	<ul style="list-style-type: none"> <li>▪ 2.5 L <i>HSC</i> I4 (sedans, 1986–1990)</li> <li>▪ 88 hp (66 kW), 130 lb·ft (176 N·m)</li> <li>▪ 3-speed <i>ATX</i> automatic</li> </ul>
		<ul style="list-style-type: none"> <li>▪ 3.0 L <i>Vulcan</i> V6 (Optional in sedans, standard in wagons, 1986–1990)</li> <li>▪ 140 hp (104 kW), 160 lb·ft (217 N·m)</li> <li>▪ 4-speed <i>AXOD</i> automatic</li> </ul>
		<ul style="list-style-type: none"> <li>▪ 2.5 L SFI <i>HSC</i> I4 (sedans, 1991)</li> <li>▪ 105 hp (78 kW), 140 lb·ft (190 N·m)</li> <li>▪ 3-speed <i>ATX</i> automatic</li> </ul>
		<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6 (Optional in sedans, standard in wagons, 1991)</li> <li>▪ 140 hp (104 kW), 160 lb·ft (217 N·m)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic</li> </ul>
<b>Taurus GL</b>		
	1986–1991	<ul style="list-style-type: none"> <li>▪ 2.5 L <i>HSC</i> I4 (sedans, 1986–1990)</li> <li>▪ 88 hp (66 kW), 130 lb·ft (176 N·m)</li> <li>▪ 3-speed <i>ATX</i> automatic</li> </ul>
		<ul style="list-style-type: none"> <li>▪ 2.5 L SFI <i>HSC</i> I4 (sedans, 1991)</li> <li>▪ 105 hp (78 kW), 140 lb·ft (190 N·m)</li> <li>▪ 3-speed <i>ATX</i> automatic</li> </ul>
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		<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6 (Optional in sedans,</li> </ul>



- standard in wagons, 1991)
- 140 hp (104 kW), 160 lb·ft (217 N·m)
- 4-speed *AXOD-E* automatic

- 3.8 L *Essex* V6 (Optional, 1988–1991)
- 120 hp (89 kW), 205 lb·ft (278 N·m) (1988–1990)
- 140 hp (104 kW), 215 lb·ft (292 N·m) (1991)
- 4-speed *AXOD* automatic (1988–1990)
- 4-speed *AXOD-E* automatic (1991)

**Taurus LX**



1986–  
1991

- 3.0 L *Vulcan* V6 (1986–1987; sedans, 1988–1990)
- 140 hp (104 kW), 160 lb·ft (217 N·m)
- 4-speed *AXOD* automatic

- 3.8 L *Essex* V6 (Optional in sedans, standard in wagons, 1988–1991)
- 120 hp (89 kW), 205 lb·ft (278 N·m) (1988–1990)
- 140 hp (104 kW), 215 lb·ft (292 N·m) (1991)
- 4-speed *AXOD* automatic (1988–1990)
- 4-speed *AXOD-E* automatic (1991)

- 3.0 L SFI *Vulcan* V6 (sedans, 1991)
- 140 hp (104 kW), 160 lb·ft (217 N·m)
- 4-speed *AXOD-E* automatic

**Taurus SHO**

1989–  
1991

- 3.0 L *SHO* V6
- 220 hp (164 kW), 200 lb·ft (271 N·m)
- 5-speed *MTX-IV* manual







11/2/2015

List of Ford Taurus models - Wikipedia, the free encyclopedia



## Second generation

Image	Years	Engines/Transmissions
<b>Taurus L</b>		
	1992	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 140 hp (104 kW), 160 lb·ft (217 N·m)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic</li> </ul>
<b>Taurus GL</b>		
	1992–1995	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 140 hp (104 kW), 160 lb·ft (217 N·m) (1992)</li> <li>▪ 140 hp (104 kW), 165 lb·ft (224 N·m) (1993–1995)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic (1992)</li> <li>▪ 4-speed <i>AX4S</i> automatic (1993–1995)</li> <li>▪ 4-speed <i>AX4N</i> automatic (1994–1995)</li> </ul> <hr/> <ul style="list-style-type: none"> <li>▪ 3.8 L <i>Essex</i> V6 (Optional)</li> <li>▪ 140 hp (104 kW), 215 lb·ft (292 N·m)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic (1992)</li> <li>▪ 4-speed <i>AX4S</i> automatic (1993–1995)</li> </ul>
<b>Taurus LX</b>		
	1992–1995	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6 (Not available on Wagon)</li> <li>▪ 140 hp (104 kW), 160 lb·ft (217 N·m) (1992)</li> <li>▪ 140 hp (104 kW), 165 lb·ft (224 N·m) (1993–1995)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic (1992)</li> <li>▪ 4-speed <i>AX4S</i> automatic (1993–1995)</li> </ul> <hr/> <ul style="list-style-type: none"> <li>▪ 3.8 L <i>Essex</i> V6 (Optional on sedan, standard on Wagon)</li> <li>▪ 140 hp (104 kW), 215 lb·ft (292 N·m)</li> <li>▪ 4-speed <i>AXOD-E</i> automatic (1992)</li> <li>▪ 4-speed <i>AX4S</i> automatic (1993–1995)</li> </ul>
<b>Taurus SE</b>		
		<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> </ul>




	1995	<ul style="list-style-type: none"> <li>■ 140 hp (104 kW), 165 lb·ft (224 N·m)</li> <li>■ 4-speed <i>AX4S</i> automatic</li> </ul>
<b>Taurus SHO</b>		
	1992–1995	<ul style="list-style-type: none"> <li>■ 3.0 L <i>SHO</i> V6 (Only available with manual, 1992–1995)</li> <li>■ 220 hp (164 kW), 200 lb·ft (271 N·m)</li> <li>■ 5-speed <i>MTX-IV</i> manual (1992–1995)</li> </ul> <hr/> <ul style="list-style-type: none"> <li>■ 3.2 L <i>SHO</i> V6 (Only available with automatic, 1993–1995)</li> <li>■ 220 hp (164 kW), 215 lb·ft (292 N·m)</li> <li>■ 4-speed <i>AX4S</i> automatic (1993–1995)</li> </ul>

## Third generation

1996–1997

Image	Years	Engines/Transmissions
<b>Taurus G</b>		
	1996–1997	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 145 hp (108 kW), 170 lb·ft (230 N·m)</li> <li>▪ 4-speed <i>AX4S</i> automatic</li> </ul>
<b>Taurus GL</b>		
	1996–1997	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 145 hp (108 kW), 170 lb·ft (230 N·m)</li> <li>▪ 4-speed <i>AX4S</i> automatic</li> <li>▪ 4 speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus LX</b>		
	1996–1997	<ul style="list-style-type: none"> <li>▪ 3.0 L DOHC <i>Duratec 30</i> V6</li> <li>▪ 200 hp (149 kW), 200 lb·ft (271 N·m)</li> <li>▪ 4-speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus SHO</b>		
	1996–1997	<ul style="list-style-type: none"> <li>▪ 3.4 L <i>SHO</i> V8</li> <li>▪ 235 hp (175 kW), 230 lb·ft (312 N·m)</li> <li>▪ 4-speed <i>AX4N</i> automatic</li> </ul>

**1998–1999**

Image	Years	Engines/Transmissions
<b>Taurus LX</b>		
	1998–1999	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 145 hp (108 kW), 170 lb·ft (230 N·m)</li> <li>▪ 4-speed <i>AX4S</i> automatic</li> </ul>
<b>Taurus SE</b>		
	1998–1999	<ul style="list-style-type: none"> <li>▪ 3.0 L SFI <i>Vulcan</i> V6</li> <li>▪ 145 hp (108 kW), 170 lb·ft (230 N·m)</li> <li>▪ 4-speed <i>AX4S</i> automatic</li> </ul> <hr/> <ul style="list-style-type: none"> <li>▪ 3.0 L DOHC <i>Duratec 30</i> V6 (optional)</li> <li>▪ 200 hp (149 kW), 200 lb·ft (271 N·m)</li> <li>▪ 4-speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus SHO</b>		
	1998–1999	<ul style="list-style-type: none"> <li>▪ 3.4 L <i>SHO</i> V8</li> <li>▪ 235 hp (175 kW), 230 lb·ft (312 N·m)</li> <li>▪ 4-speed <i>AX4N</i> automatic</li> </ul>


## Fourth generation



Image	Years	Engines/Transmissions
<b>Taurus LX</b>		
	2000– 2004	<ul style="list-style-type: none"> <li>■ 3.0 L SFI <i>Vulcan</i> V6</li> <li>■ 155 hp (116 kW), 185 lb·ft (251 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus SE</b>		
	2000– 2007	<ul style="list-style-type: none"> <li>■ 3.0 L SFI <i>Vulcan</i> V6</li> <li>■ 155 hp (116 kW), 185 lb·ft (251 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus SES</b>		
	2000– 2004	<ul style="list-style-type: none"> <li>■ 3.0 L SFI <i>Vulcan</i> V6</li> <li>■ 155 hp (116 kW), 185 lb·ft (251 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul> <hr/> <ul style="list-style-type: none"> <li>■ 3.0 L DOHC <i>Duratec 30</i> V6 (Optional)</li> <li>■ 200 hp (149 kW), 200 lb·ft (271 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul>
<b>Taurus SEL</b>		
	2000– 2007	<ul style="list-style-type: none"> <li>■ 3.0 L SFI <i>Vulcan</i> V6 (2006–2007)</li> <li>■ 155 hp (116 kW), 185 lb·ft (251 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul> <hr/> <ul style="list-style-type: none"> <li>■ 3.0 L DOHC <i>Duratec 30</i> V6 (2000–2005)</li> <li>■ 200 hp (149 kW), 200 lb·ft (271 N·m)</li> <li>■ 4-speed <i>AX4N</i> automatic</li> </ul>



## Fifth generation

Image	Years	Engines/Transmissions
<b>Taurus SEL</b>		
	2008–2009	<ul style="list-style-type: none"> <li>▪ 3.5 L <i>Cyclone</i> V6</li> <li>▪ 263 hp (196 kW), 249 lb·ft (338 N·m)</li> <li>▪ 6-speed 6F automatic</li> </ul>
<b>Taurus Limited</b>		
	2008–2009	<ul style="list-style-type: none"> <li>▪ 3.5 L <i>Cyclone</i> V6</li> <li>▪ 263 hp (196 kW), 249 lb·ft (338 N·m)</li> <li>▪ 6-speed 6F automatic</li> </ul>

## Sixth generation

Image	Years	Engines/Transmissions
<b>Taurus SE, SEL, Limited</b>		
	2010–present	<ul style="list-style-type: none"> <li>▪ 3.5 L <i>Cyclone</i> V6</li> <li>▪ 263 hp (196 kW), 249 lb·ft (338 N·m)</li> <li>▪ 6-speed 6F automatic</li> </ul>
<b>Taurus SHO</b>		
	2010–present	<ul style="list-style-type: none"> <li>▪ 3.5 L <i>EcoBoost</i> V6</li> <li>▪ 365 hp (272 kW), 350 lb·ft (475 N·m)</li> <li>▪ 6-speed 6F automatic</li> </ul>

Retrieved from "[https://en.wikipedia.org/w/index.php?title=List\\_of\\_Ford\\_Taurus\\_models&oldid=642440299](https://en.wikipedia.org/w/index.php?title=List_of_Ford_Taurus_models&oldid=642440299)"

Categories: Lists of automobiles | Ford Taurus

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EXHIBIT E

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

Reg. No. 1,407,600

Registered Sep. 2, 1986

TRADEMARK  
PRINCIPAL REGISTER

TAURUS

FORD MOTOR COMPANY (DELAWARE COR-  
PORATION)  
THE AMERICAN RD.  
DEARBORN, MI 48126

FIRST USE 8-3-1983; IN COMMERCE  
8-3-1983.  
THE ENGLISH TRANSLATION OF THE  
LATIN WORD "TAURUS" IS "BULL".

FOR: AUTOMOBILES AND THEIR STRUC-  
TURAL PARTS. IN CLASS 12 (U.S. CL. 19).

SER. NO. 442,614, FILED 9-6-1983.  
DAVID H. STINE, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 19

**United States Patent and Trademark Office**

Reg. No. 1,407,600

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THE AMERICAN RD.  
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FOR: AUTOMOBILES AND THEIR STRUC-  
TURAL PARTS, IN CLASS 12 (U.S. CL. 19).

SER. NO. 442,614, FILED 9-6-1983.  
DAVID H. STINE, EXAMINING ATTORNEY

EXHIBIT F



Mirai



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# AUTOWEEK

## Toy Taurus SHOs arrive in time for the holidays

DECEMBER 6, 2010



Replicas of the Ford Taurus SHO are available through GreenLight—just in time for the holidays  
PHOTO BY FORD

With the holiday season upon us, enthusiasts are looking for ways to broaden their collections without breaking the bank. To that end, an Indianapolis company is making the Taurus SHO a bit more accessible.

GreenLight Collectibles is offering 1:24 scale replicas of the reborn Taurus SHO in the factory-correct paint schemes of red candy (limited to 756 copies), tuxedo black (504 units) and ingot silver (504 units). The cars have working hoods, detailed engines, metal chassis and bodies and rubber tires.

The SHO returned after more than a decade off the market with a reveal at the 2009 Chicago auto show. The car has a 355-hp EcoBoost V6 and serves as a halo for Ford's flagship sedan line.

The SHO replicas will be available this month at hobby shops around the nation. They cost \$32.99.

GreenLight has previously done replicas of auction cars, muscle cars and police cruisers.

By Greg Migliore





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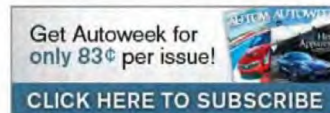
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EXHIBIT H

The image is a screenshot of the Taurus website homepage. At the top left is the Taurus logo, a circular emblem with a bull's head. To its right is a navigation menu with links for "Home", "About Us", "Products", "Contact Us", and "Search". A search bar is located to the right of the menu. The main content area is divided into several sections. The largest section on the left features a large image of a black handgun, the Millennium G2, with the text "MILLENNIUM G2" in orange. Below the image, it says "MODEL # 14AG2". To the right of the image is a list of features: "Available in 9mm and .40 S&W", "Man or Woman Magazine", "Loaded Chamber Indicator", "Three-Notch Slide Adjustable Sights", "Short, Compact SA/DA Trigger Pull", "Picatinny Accessory Rail, MIL STD 1913", "Manual and Toggler Safety", and "Taurus Safety Spine™". Below this section are two smaller images of handguns, one labeled "PISTOLS" and the other "REVOLVERS". To the right of the main handgun image is a vertical banner for "2015 PRODUCT" featuring a smaller image of the handgun and the text "REPLACING THE ALL-STAR Taurus COPY". Below that is another vertical banner for "NRA FREE 1 YEAR MEMBERSHIP" with an image of a person holding a handgun. At the bottom right, there is a small banner that says "We're available!" with a small Taurus logo.



- WHAT'S NEW
- PISTOLS
- REVOLVERS
- ONLINE STORE
- Search

OUR PRODUCTS

- WHAT'S NEW
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- 201 FULL LINE CATALOG
- ACCESSORIES
- FIREARMS ONLINE REBATE

HOME » THE HISTORY OF FORJAS TAURUS IN THE FIREARMS INDUSTRY

« BACK

THE HISTORY OF FORJAS TAURUS IN THE FIREARMS INDUSTRY

Based in Porto Alegre, Brasil, Forjas Taurus (translation: Taurus Forge) is a diversified, international company and one of the largest small arms manufacturers in the world. The company produced its first revolver in 1941. In 1970, Bangor Punta, which owned Smith & Wesson, purchased a controlling interest in Forjas Taurus. During the next seven years, a great deal of technology and methodology was passed between the two companies.

In 1974 Beretta had won a contract to produce small arms for the Brazilian Army. The contract required Beretta to build a Brazilian factory and use Brazilian labor. When the contract ran out in 1980, Beretta sold the plant to Forjas Taurus. By that time, Forjas Taurus had new Brazilian controlling owners that had purchased Forjas Taurus from Bangor Punta in 1977. Forjas Taurus now owned everything that once belonged to Beretta, including drawings, tooling, machinery, and employed a very experienced work force. Forjas Taurus was in the pistol business, and immediately sought to improve on the Beretta design, resulting in the popular and acclaimed Taurus PT-92 and PT-99 9mm pistols.

The next milestone for Forjas Taurus came in 1982. Forjas Taurus formed Taurus Holdings, Inc., in Miami, Florida. Taurus Holdings, in turn formed Taurus International Manufacturing, Inc. The Taurus brand was unknown in the United States at that time. This situation was to change dramatically in the next few years.

In 1984, Taurus Holdings made an announcement that had a tremendous impact on the entire industry. Taurus Holdings became the first company to offer its customers an unqualified LIFETIME REPAIR POLICY. This changed the course of the company in the U.S. market. Only recently has this policy been matched. It has never been exceeded. This innovative policy made everyone sit up and take notice of Taurus brand firearms.

Products	Customer Care	Dealer Services	Safety	Company	News
Gun Selector	Product Manuals	Dealer Login	Ammunition Guide	About Taurus Holdings	What's New
Pistols	Catalog Request	Image Bank	Taurus Security System	History Of Forjas Taurus	Press Releases
Revolvers	Find A Dealer		Home Safety	Awards	Videos
Rifles	Find My Model	Contract Manufacturing	Child Safety	Taurus Downloads	T.V. Shows
Accessories	Product Enrollment	Taurus MIM	Range Safety	Shop Taurus	Jessie Duff
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**Subject:** U.S. TRADEMARK APPLICATION NO. 86509186 - TAURUS - 72261.155  
**Sent:** 5/3/2015 11:32:54 AM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
[Attachment - 5](#)

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86509186

MARK: TAURUS

**\*86509186\***

**CORRESPONDENT ADDRESS:**

DONALD S. SHOWALTER  
Grayrobinson Pa  
PO Box 2328  
Fort Lauderdale, FL 33303-2328

**CLICK HERE TO RESPOND TO THIS LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

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APPLICANT: Sport-Tiedje GmbH

CORRESPONDENT'S REFERENCE/DOCKET NO. :

72261.155

CORRESPONDENT E-MAIL ADDRESS:

[IPDocket@gray-robinson.com](mailto:IPDocket@gray-robinson.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 5/3/2015**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711. 718.03.

SUMMARY OF ISSUES that applicant must address:

- LIKELIHOOD OF CONFUSION REFUSAL
- §1(B) & §44(E) DUAL BASES – OPTION TO DELETE §1(B)
- IDENTIFICATION OF GOODS

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 1943054, 2463267, and 4161129. Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 *et seq.* See the enclosed registrations.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the goods of the applicant and registrant. See 15 U.S.C. §1052(d). A determination

of likelihood of confusion under Section 2(d) is made on a case-by case basis and the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) aid in this determination. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing *On-Line Careline, Inc. v. Am. Online, Inc.*, 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the *du Pont* factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d at 1355, 98 USPQ2d at 1260; *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); see *In re E. I. du Pont de Nemours & Co.*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods, and similarity of the trade channels of the goods. See *In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

## SIMILARITY OF THE MARKS

The applied-for mark is TAURUS for a variety of goods including “Gymnastic and sporting articles not included in other classes: gym-nastic equipment; body-building apparatus; springboards (sporting articles); games and playthings; dumb-bells,” “machines for physical exercises,” “stationary exercise bicycles,” “boxing requisites, chest expanders; treadmills; rollers for stationary exercise bicycles,” “scale model vehicles,” and “toy vehicles” in International Class 28.

The registered marks are:

TAURUS for “Toy replicas of vehicles and collector replicas of vehicles” in International Class 28;

TAURUS for goods including “Toys: namely, model and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles” in International Class 28; and

TAURUS ELITE for “Exercise equipment, namely, manually operated jogging machines; Exercising equipment, namely, manually operated jogging machines; Manually-operated exercise equipment for physical fitness purposes; Sporting goods, namely, a sports training device to improve strength, toning, conditioning, balance, and proprioception” in International Class 28.

Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. See *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Nat'l Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 751 (Fed. Cir. 1985); TMEP §1207.01(b)(viii), (c)(ii). Greater weight is often given to this dominant feature when determining whether marks are confusingly similar. See *In re Nat'l Data Corp.*, 753 F.2d at 1058, 224 USPQ at 751. In this case, TAURUS is the dominant element in the marks.

Concerning the deletion of the word ELETE from U.S. Registration No. 4161129, the mere deletion of wording from a registered mark may not be sufficient to overcome a likelihood of confusion. See *In re Mighty Leaf Tea*, 601 F.3d 1342, 94 USPQ2d 1257 (Fed. Cir. 2010); *In re Optica Int'l*, 196 USPQ 775, 778 (TTAB 1977); TMEP §1207.01(b)(ii)-(iii). Applicant's mark does not create a distinct commercial impression because it contains the same common wording as the registered mark, and there is no other wording to distinguish it from the registered mark. In this case, the deletion of word ELETE from the registered mark is not sufficient to overcome a likelihood of confusion.

Concerning the applied-for mark and U.S. Registration No. 4161129, when comparing marks, the test is not whether the marks can be distinguished in a side-by-side comparison, but rather whether the marks are sufficiently similar in terms of their overall commercial impression that confusion as to the source of the goods offered under the respective marks is likely to result. *Midwestern Pet Foods, Inc. v. Societe des Produits Nestle S.A.*, 685 F.3d 1046, 1053, 103 USPQ2d 1435, 1440 (Fed. Cir. 2012); *In re Davia*, 110 USPQ2d 1810, 1813 (TTAB 2014); TMEP §1207.01(b). The proper focus is on the recollection of the average purchaser, who retains a general rather than specific impression of trademarks. *United Global Media Grp., Inc. v. Tseng*, 112 USPQ2d 1039, 1049, (TTAB 2014); *L'Oreal S.A. v. Marcon*, 102 USPQ2d 1434, 1438 (TTAB 2012); TMEP §1207.01(b). In this case, the marks are sufficiently similar in their entireties that confusion as to the source of the goods is likely to result because the recollection of the average purchaser will be that of TAURUS.

Thus, the marks are confusingly similar.

## RELATEDNESS OF THE GOODS

The goods are related. Concerning the applied-for mark and U.S. Registration Nos. 1943054 and 2463267, the marks all identify toys. Concerning the applied-for mark and U.S. Registration No. 4161129, the marks identify exercise equipment and sporting goods.

The goods of the parties need not be identical or even competitive to find a likelihood of confusion. See *On-line Careline Inc. v. Am. Online Inc.*,

229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000) (“[E]ven if the goods in question are different from, and thus not related to, one another in kind, the same goods can be related in the mind of the consuming public as to the origin of the goods.”); TMEP §1207.01(a)(i).

The respective goods need only be “related in some manner and/or if the circumstances surrounding their marketing [be] such that they could give rise to the mistaken belief that [the goods] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i). In this case, all of the marks identify toys, exercise equipment, and/or sporting goods in International Class 28.

With respect to applicant’s and registrant’s goods, the question of likelihood of confusion is determined based on the description of the goods stated in the application and registration at issue, not on extrinsic evidence of actual use. See *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1323, 110 USPQ2d 1157, 1162 (Fed. Cir. 2014) (quoting *Octocom Sys. Inc. v. Hous. Computers Servs. Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990)).

Absent restrictions in an application and/or registration, the identified goods are “presumed to travel in the same channels of trade to the same class of purchasers.” *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1268, 62 USPQ2d 1001, 1005 (Fed. Cir. 2002)). Additionally, unrestricted and broad identifications are presumed to encompass all goods of the type described. See *In re Jump Designs, LLC*, 80 USPQ2d 1370, 1374 (TTAB 2006) (citing *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981)); *In re Linkvest S.A.*, 24 USPQ2d 1716, 1716 (TTAB 1992).

In this case, the identification set forth in the application and registrations has no restrictions as to nature, type, channels of trade, or classes of purchasers. Therefore, it is presumed that these goods travel in all normal channels of trade, and are available to the same class of purchasers. Further, concerning the applied-for mark and U.S. Registration No. 1943054, the application uses the broad wording of “scale model vehicles” and “toy vehicles” to describe the goods and this wording is presumed to encompass all goods of the type described, including those in registrant’s identification. Concerning the applied-for mark and U.S. Registration No. 2463267, the application uses broad wording of “games and playthings” to describe the goods and this wording is presumed to encompass all goods of the type described, including those toys in registrant’s identification. Also, concerning the applied-for mark and U.S. Registration No. 4161129, the application uses the broad wording of “gymnastic and sporting articles not included in other classes,” “body-building apparatus,” and “machines for physical exercises” to describe the goods and this wording is presumed to encompass all goods of the type described, including those in registrant’s more narrow identification.

Thus, the goods are related. In conclusion, the marks are confusingly similar due to the similarity of the marks and the similarity and nature of the goods.

Although applicant’s mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration.

#### §1(B) & §44(E) DUAL BASES – OPTION TO DELETE §1(B)

The application specifies both an intent to use basis under Trademark Act Section 1(b) and reliance on a foreign registration(s) under Section 44(e). See 15 U.S.C. §§1051(b), 1126(e); 37 C.F.R. §2.34(a)(2)-(3). However, the foreign registration alone may serve as a basis for obtaining a U.S. registration. See 37 C.F.R. §2.34(a)(3); TMEP §806.01(d). If applicant wants to rely solely on the foreign registration under Section 44(e) as the basis, applicant can request deletion of the Section 1(b) basis. See 37 C.F.R. §2.35(b)(1); TMEP §806.04.

Unless applicant indicates otherwise, the USPTO will presume that applicant is relying on both Sections 1(b) and 44(e). Thus, although the mark may be approved for publication, it will not register until an acceptable allegation of use has been filed for the goods based on Section 1(b).

#### IDENTIFICATION OF GOODS

Some of the wording in the identification of goods is indefinite and must be clarified. See TMEP §1402.01. Wording such as “Gymnastic and sporting articles not included in other classes” and “games and playthings” is indefinite. Applicant must further specify the nature of indefinite language. Please see the suggested definite language below for indefinite language.

The identification of goods contains parentheses. Generally, parentheses and brackets should *not* be used in identifications because the USPTO generally uses these punctuation marks to indicate goods that have been deleted from registrations. See TMEP §1402.12. Parenthetical or bracketed information is permitted in identifications only if it serves to explain or translate the matter immediately preceding the parenthetical phrase in such a way that it does not affect the clarity of the identification, e.g., “obi (Japanese sash).” *Id.*

Therefore, applicant must remove the parentheses from the identification of goods and incorporate any parenthetical or bracketed information into the description.

The identification of goods includes a duplicate entry of the wording “billiard cues.” Applicant may either (1) modify one of these two identical descriptions of goods such that it will no longer be duplicative, or (2) delete one entry. See TMEP §707.02. However, if applicant modifies the goods, applicant may do so only to clarify or limit them; adding to or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); see

TMEP §§1402.06 *et seq.* 1402.07.

Applicant may substitute the following wording, if accurate:

“**Gymnastic horizontal bars; Gymnastic apparatus:** body-building apparatus: **spring boards; action skill games; beanbags in the form of playthings; dumb-bells; tables for table tennis; table tennis bats; table tennis nets; table tennis balls and paddles; exercise equipment, namely, rowing machines; batting gloves;** stationary exercise bicycles **and rollers therefor;** boxing gloves: **boxing punch bags; punching balls for boxing practice; chest expanders; exercise treadmills; tables for table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs, golf bags, with or without wheels; roller-skates; in-line skates; elbow guards for athletic use; knee guards for athletic use; protective paddings for skateboarding, snowboarding, and Taekwondo;** snowboards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; building games; **toy building blocks; fishing tackle, namely, bite sensors; Bob-sleighs; bows for archery; archery implements; board games; draughtboards; gut for rackets; discuses for sports; dominoes; kites; electronic dart games; scale model vehicles; toy masks; fencing gauntlets; fencing masks; fencing weapons; badminton sets; foils for fencing; magic tricks in the nature of a conjuring apparatus; parlor games; paragliders; hang gliders; scuba equipment, namely, spearfishing harpoon guns; kite reels; hockey sticks; horseshoe games; counters for games; fairground ride apparatus, namely, children’s self-propelled roundabouts; ninepins; landing nets for anglers; climbers’ harnesses; animal hunting decoys; bags specially designed to hold cricket equipment; artificial fishing bait; balls for games, namely, bladders of balls for games; mah-jong games; puppets; bowling apparatus and machinery; nets for sports; quoits; fishing creels; ring games; toboggans; toy scooters; strings for rackets; chessboards; chess sets; swings; rocking horses; shin guards for athletic use; targets; batting gloves; ice skates, skating boots with skates attached; snowboards; inflatable swimming pools; swimming floats; swim fins; sail boards; skateboards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; balls for games; game apparatus, namely, balls for playing baseball-like indoor and outdoor games; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons; clay pigeon traps; backgammon games; water skis; component parts for toy guns, namely, tappet plate; cups for dice; darts; quoits”** in International Class 28.

An applicant may only amend an identification to clarify or limit the goods, but not to add to or broaden the scope of the goods. 37 C.F.R. §2.71(a): *see* TMEP §§1402.06 *et seq.* 1402.07.

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO’s online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netahtml/tidm.html>. *See* TMEP §1402.04.

#### ASSISTANCE

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

**TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE:** Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (*see* TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$50 per international class of goods. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner’s amendment by telephone without incurring this additional fee.

\Carol A. Spils\  
Trademark Attorney  
Law Office 104  
(571)272-9226  
carol.spils@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application.

For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



**Print: May 2, 2015**

**74652279**

**DESIGN MARK**

**Serial Number**

74652279

**Status**

REGISTERED AND RENEWED

**Word Mark**

TAURUS

**Standard Character Mark**

No

**Registration Number**

1943054

**Date Registered**

1995/12/19

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

FORD MOTOR COMPANY CORPORATION DELAWARE One American Road Dearborn  
MICHIGAN 48126

**Goods/Services**

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: toy  
replicas of vehicles and collector replicas of vehicles. First Use:  
1988/09/15. First Use In Commerce: 1988/09/15.

**Prior Registration(s)**

1407600

**Filing Date**

1995/03/28

**Examining Attorney**

STINE, DAVID

**Attorney of Record**

Elizabeth Janda

**Print: May 2, 2015**

**75711681**

**DESIGN MARK**

**Serial Number**

75711681

**Status**

REGISTERED AND RENEWED

**Word Mark**

TAURUS

**Standard Character Mark**

No

**Registration Number**

2463267

**Date Registered**

2001/06/26

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

FORJAS TAURUS SA CORPORATION BRAZIL AV. DO FORTO, 511 91360-000 PORTO ALEGRE- RS BRAZIL

**Goods/Services**

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Toys; namely, [ mode ] \* model \* and replica handguns and rifles and structural parts thereof, excluding telescopes, and toy ammunition and projectiles for toy model and replica handguns and rifles.

**Goods/Services**

Class Status -- ACTIVE. IC 013. US 002 009. G & S: Model and replica rifles and handguns and structural parts thereof, excluding telescopes, and ammunition and projectiles for model and replica handguns and rifles.

**Foreign Country Name**

FRANCE

**Foreign Registration Number**

95593406

**Print: May 2, 2015**

**75711681**

**Foreign Registration Date**

1995/10/20

**Foreign Expiration Date**

2005/10/20

**Translation Statement**

The word "TAURUS" is Spanish and has translation equivalent in English as the term "bull".

**Filing Date**

1999/05/21

**Examining Attorney**

STRASER, RICHARD A

**Attorney of Record**

A. Tally Eitan

**Print: May 2, 2015**

**85455103**

**DESIGN MARK**

**Serial Number**

85455103

**Status**

REGISTERED

**Word Mark**

TAURUS ELITE

**Standard Character Mark**

Yes

**Registration Number**

4161129

**Date Registered**

2012/06/19

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Anthony Maguire INDIVIDUAL IRELAND Suite 1 10768 South Tropical Trail  
Merritt Island FLORIDA 32952

**Goods/Services**

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S;  
Exercise equipment, namely, manually operated jogging machines;  
Exercising equipment, namely, manually operated jogging machines;  
Manually-operated exercise equipment for physical fitness purposes;  
Sporting goods, namely, a sports training device to improve strength,  
toning, conditioning, balance, and proprioception. First Use:  
2011/06/01. First Use In Commerce: 2011/09/02.

**Filing Date**

2011/10/25

**Examining Attorney**

POVARCHUK, REBECCA

# Taurus Elite

**To:** Sport-Tiedje GmbH ([IPDocket@gray-robinson.com](mailto:IPDocket@gray-robinson.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86509186 - TAURUS - 72261.155  
**Sent:** 5/3/2015 11:32:55 AM  
**Sent As:** ECOM104@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **5/3/2015** FOR U.S. APPLICATION SERIAL NO. 86509186

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **5/3/2015** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

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Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All **official** USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).



\*\*\* User:cpils \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	17395	N/A	0	0	T/0:08	*tSrS{"sz"}*[bi.ti]
02	475431	N/A	0	0	1:19	*tSrS{"sz"}*[bi.ti]
03	17395	N/A	0	0	T/0:02	*taSrS{"sz"}*[bi.ti]
04	17471	N/A	0	0	0:01	*taSrS{"sz"}*[bi.ti]
05	875	603	272	222	0:01	*taSrSu{"sz"}*[bi.ti]
06	275	199	76	56	0:01	*taurus*[bi.ti]
07	108	81	27	20	0:01	6 and "028"[cc]

Session started 5/2/2015 9:47:07 AM

Session finished 5/2/2015 10:08:06 AM

Total search duration 1 minutes 35 seconds

Session duration 20 minutes 59 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 86509186

# NOTE TO THE FILE

SERIAL NUMBER: 86509186  
DATE: 04/26/2015  
NAME: cspils

## NOTE:

### Searched:

Google  
 Lexis/Nexis  
 OneLook  
 Wikipedia  
 Acronym Finder  
 Other:

### Discussed ID with:

Senior Atty  
 Managing Atty  
  
 Protest evidence reviewed

### Checked:

Geographic significance  
 Surname  
 Translation  
 ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

Senior Atty  
 Managing Atty

Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

phone  
 email

Left message with  
Attorney/Applicant

Requested Law Library search  
for:

Issued Examiner's Amendment  
and entered changes in TRADEUPS

PRINT  DO NOT PRINT

Description of the mark  
 Translation statement

Added design code in TRADEUPS

Negative translation statement  
 Consent of living individual

Re-imaged standard character  
drawing

Changed TRADEUPS to:

Contacted TM MADRID ID/CLASS  
about misclassified definite ID

OTHER:

TAURUS

## Trademark/Service Mark Application, Principal Register

Serial Number: 86509186

Filing Date: 01/21/2015

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86509186
<b>MARK INFORMATION</b>	
*MARK	<a href="#">TAURUS</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	TAURUS
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Sport-Tiedje GmbH
*STREET	Flensburger Strasse 55
*CITY	Schleswig
*COUNTRY	Germany
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Germany
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	028
*IDENTIFICATION	Gymnastic and sporting articles not included in other classes; gym-nastic equipment; body-building apparatus; springboards (sporting articles); games and playthings; dumb-bells; tables for table tennis; table tennis bats, table tennis nets; table tennis requisites; machines for physical exercises; gloves (accessories for games and home sports); stationary exercise bicycles; boxing gloves; punch bags, boxing requisites; chest expanders; treadmills; rollers for stationary exercise bicycles; table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags with or without wheels; roller-skates; in-line skates; elbow guards (sports articles); knee guards (sports articles); protective paddings (part of sport suits); snow boards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; building games; building blocks (toys); bite sensors (fishing tackle); bob-sleighs; bows for archery; archery implements; board games; draughts (games); draughtboards; gut for rackets; discuses for sports; dominoes; kites; ice skates; electronic games; scale model vehicles; toy masks; fencing

	gauntlets; fencing masks; fencing weapons; badminton sets; foils for fencing; conjuring apparatus; parlor games; paragliders; hang gliders; harpoon guns (sports articles); kite reels; hockey sticks; horseshoe games; counters for games; fairground ride apparatus; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting or fishing; cricket bags; artificial fishing bait; bladders of balls for games; mah-jong games; puppets; bowling apparatus and machinery; nets for sports; quoits; creels (fishing equipment); ring games; toboggans; scooters (toys); strings for rackets; chessboards; chess sets; swings; rocking horses; skin guards (sports articles); targets; batting gloves (accessories for games); sleighs (sports articles); skating boots; ice skates; skating boots with skates attached; swimming pools (play articles); floats; swim fins; sailboards; skate-boards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; snowboards; balls for games; playing balls; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons (targets); clay pigeon traps; backgammon games; water skis; cups for dice; darts; quoits (toys).
<b>FILING BASIS</b>	SECTION 1(b)
<b>FILING BASIS</b>	SECTION 44(e)
<b>FOREIGN REGISTRATION NUMBER</b>	006236889
<b>FOREIGN REGISTRATION COUNTRY</b>	European Community
<b>FOREIGN REGISTRATION DATE</b>	01/28/2011
<b>FOREIGN REGISTRATION EXPIRATION DATE</b>	08/29/2017
<b>FOREIGN REGISTRATION FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">reg-162252125185-090054267 . Certificate of Registration - TAURUS.pdf</a>
<b>CONVERTED PDF FILE(S) (17 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\865\091\86509186\xml1\RFA0003.JPG</a>
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	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\865\091\86509186\xml1\RFA0010.JPG</a>
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<b>STANDARD CHARACTERS OR EQUIVALENT</b>	YES
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Donald S. Showalter
<b>ATTORNEY DOCKET NUMBER</b>	72261.155
<b>FIRM NAME</b>	GrayRobinson, PA
<b>STREET</b>	P.O. Box 2328
<b>CITY</b>	Fort Lauderdale
<b>STATE</b>	Florida
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	33303-9998
<b>PHONE</b>	(954) 761-7473
<b>FAX</b>	(954) 761-8112
<b>OTHER APPOINTED ATTORNEY</b>	Thomas L. Kautz
<b>DOMESTIC REPRESENTATIVE INFORMATION</b>	
<b>NAME</b>	Donald S. Showalter
<b>FIRM NAME</b>	GrayRobinson, PA
<b>STREET</b>	P.O. Box 2328
<b>CITY</b>	Fort Lauderdale
<b>STATE</b>	Florida
<b>COUNTRY</b>	United States
<b>ZIP CODE</b>	33303-9998
<b>PHONE</b>	(954) 761-7473
<b>FAX</b>	(954) 761-8112
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Donald S. Showalter
<b>FIRM NAME</b>	GrayRobinson, PA
<b>STREET</b>	P.O. Box 2328
<b>CITY</b>	Fort Lauderdale
<b>STATE</b>	Florida
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	33303-9998
<b>PHONE</b>	(954) 761-7473
<b>FAX</b>	(954) 761-8112
<b>*EMAIL ADDRESS</b>	IPDocket@gray-robinson.com
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	



<b>APPLICATION FILING OPTION</b>	TEAS RF
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	275
<b>*TOTAL FEE DUE</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Donald S. Showalter/
<b>SIGNATORY'S NAME</b>	Donald S. Showalter
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Florida Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	(954) 761-7473
<b>DATE SIGNED</b>	01/21/2015

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## Trademark/Service Mark Application, Principal Register

Serial Number: 86509186

Filing Date: 01/21/2015

### To the Commissioner for Trademarks:

**MARK:** TAURUS (Standard Characters, see [mark](#))

The literal element of the mark consists of TAURUS.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Sport-Tiedje GmbH, a limited liability company legally organized under the laws of Germany, having an address of  
Flensburger Strasse 55  
Schleswig  
Germany

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 028: Gymnastic and sporting articles not included in other classes; gym-nastic equipment; body-building apparatus; springboards (sporting articles); games and playthings; dumb-bells; tables for table tennis; table tennis bats, table tennis nets; table tennis requisites; machines for physical exercises; gloves (accessories for games and home sports); stationary exercise bicycles; boxing gloves; punch bags, boxing requisites; chest expanders; treadmills; rollers for stationary exercise bicycles; table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues; billiard balls; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips; billiard markers; golf gloves; golf clubs; golf bags with or without wheels; roller-skates; in-line skates; elbow guards (sports articles); knee guards (sports articles); protective paddings (part of sport suits); snow boards; fishing tackle; fish hooks; lines for fishing; reels for fishing; fishing rods; gut for fishing; baseball gloves; building games; building blocks (toys); bite sensors (fishing tackle); bob-sleighs; bows for archery; archery implements; board games; draughts (games); draughtboards; gut for rackets; discs for sports; dominoes; kites; ice skates; electronic games; scale model vehicles; toy masks; fencing gauntlets; fencing masks; fencing weapons; badminton sets; foils for fencing; conjuring apparatus; parlor games; paragliders; hang gliders; harpoon guns (sports articles); kite reels; hockey sticks; horseshoe games; counters for games; fairground ride apparatus; ninepins; landing nets for anglers; climbers' harnesses; decoys for hunting or fishing; cricket bags; artificial fishing bait; bladders of balls for games; mah-jong games; puppets; bowling apparatus and machinery; nets for sports; quoits; creels (fishing equipment); ring games; toboggans; scooters (toys); strings for rackets; chessboards; chess sets; swings; rocking horses; skin guards (sports articles); targets; batting gloves (accessories for games); sleighs (sports articles); skating boots; ice skates; skating boots with skates attached; swimming pools (play articles); floats; swim fins; sailboards; skate-boards; sole coverings for skis; ski bindings; skis; edges of skis; scrapers for skis; wax for skis; snowboards; balls for games; playing balls; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons (targets); clay pigeon traps; backgammon games; water skis; cups for dice; darts; quoits (toys).

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

Based on Foreign Registration: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services, and submits a copy of European Community registration number 006236889, and/or proof of renewal, registered 01/28/2011 with a renewal date of \_\_\_\_\_ and an expiration date of 08/29/2017, and translation thereof, if appropriate.

#### Original PDF file:

[reg-162252125185-090054267 . Certificate of Registration - TAURUS.pdf](#)

#### Converted PDF file(s) (17 pages)

[Foreign Registration-1](#)

[Foreign Registration-2](#)

[Foreign Registration-3](#)

[Foreign Registration-4](#)

[Foreign Registration-5](#)

[Foreign Registration-6](#)

[Foreign Registration-7](#)

[Foreign Registration-8](#)

[Foreign Registration-9](#)

[Foreign Registration-10](#)

[Foreign Registration-11](#)  
[Foreign Registration-12](#)  
[Foreign Registration-13](#)  
[Foreign Registration-14](#)  
[Foreign Registration-15](#)  
[Foreign Registration-16](#)  
[Foreign Registration-17](#)

The foreign registration that is the basis of the U.S. application under Section 44(e) of the Trademark Act (15 U.S.C. Section 1126(e)) includes a claim of standard characters or the country of origin's standard character equivalent.

The applicant's current Attorney Information:

Donald S. Showalter and Thomas L. Kautz of GrayRobinson, PA  
P.O. Box 2328  
Fort Lauderdale, Florida 33303-9998  
United States

The attorney docket/reference number is 72261.155.

The applicant hereby appoints Donald S. Showalter of GrayRobinson, PA

P.O. Box 2328  
Fort Lauderdale Florida 33303-9998  
United States

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Donald S. Showalter  
GrayRobinson, PA  
P.O. Box 2328  
Fort Lauderdale, Florida 33303-9998  
(954) 761-7473(phone)  
(954) 761-8112(fax)

IPDocket@gray-robinson.com (authorized)

**E-mail Authorization:** I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### **Declaration**

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

#### **Declaration Signature**

Signature: /Donald S. Showalter/ Date: 01/21/2015  
Signatory's Name: Donald S. Showalter  
Signatory's Position: Attorney of Record, Florida Bar Member

RAM Sale Number: 86509186  
RAM Accounting Date: 01/21/2015

Serial Number: 86509186  
Internet Transmission Date: Wed Jan 21 10:20:02 EST 2015  
TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XXX-20150121102002  
455548-86509186-5307b44a782cb7aac2b6578f  
f5351dabc9916cf024b34ac039158fadd0d6cdb4  
-DA-9860-20150121101435195902

TAURUS



Eingetragen / Registered 28/01/2011

No 006236889

**HABM – HARMONISIERUNGSAMT FÜR DEN  
BINNENMARKT  
MÄRKEN, MUSTER UND MODELLE**

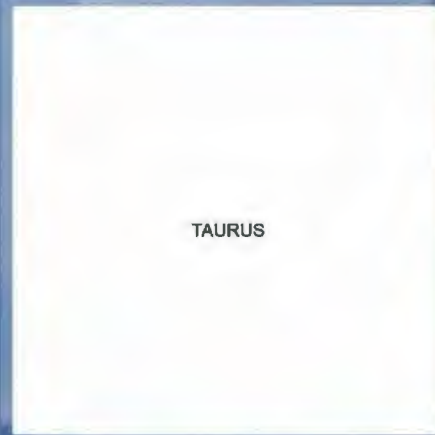
**EINTRAGUNGSURKUNDE**

Diese Eintragungsurkunde wird für die unten angegebene Gemeinschaftsmarke ausgestellt. Die betreffenden Angaben sind in das Register für Gemeinschaftsmarken eingetragen worden.

**OHIM – OFFICE FOR HARMONIZATION IN THE  
INTERNAL MARKET  
TRADE MARKS AND DESIGNS**

**CERTIFICATE OF REGISTRATION**

This Certificate of Registration is hereby issued for the Community Trade Mark identified below. The corresponding entries have been recorded in the Register of Community Trade Marks.



TAURUS

Der Präsident / The President

António Campinos





210	006236889		рибарски куки; въдици за риболов; макари за риболов;
220	29/08/2007		въдичарски пръти, влакна за риболов беизболни
400	04/08/2008		ръкавици строителни игри, строителни кубчета (играчки),
151	28/01/2011		сензори за кълвене на риба [рибарски принадлежности];
450	02/02/2011		бобслеи, лъкове за стрелба принадлежности за стрелба
196	29/08/2017		с лък; игри, които се играят на табло; пулове [игри]; дъски
541	TAURUS		за игра на двама, влакна за ракети; дискове за спортуване,
521	0		домино игра, хвърчила, зимни кънки, електронни игри;
732	Sport-Tiedje GmbH Flensburger St 55 24837 Schleswig DE		моделни на превозни средства, умалени играчки маски,
740	LORENZ & KOLLEGEN Patentanwälte Partnerschaftsgesellschaft Alte Ulmer Str 2-4 89522 Heidenheim DE		фехтовални ръкавици, фехтовални маски; фехтовални
270	DE EN		оръжия; комплекти за федербал; рапири за фехтовка,
511	BG - 9 Ергометри BG - 10		апарати за фокуси; салонни игри; параланери;
			хидроплан, оръдие за изхвърляне на харпун (спортни
			артикули); макари за хвърчила, хокеини стикове, игри с
			хвърляне на подкова върху колче, жетони за игри,
			въртележки с кончета игра на кегли; рибарски мрежи,
			алпинистки колани (спортни артикули); примамки за лов
			или риболов, чанти за крикет, изкуствена стръв за
			риболов; маркучи към топки за игра, маджонг (китайска
			игра); кукли марионетки, боулинг уреди и съоръжения;
			моделни на превозни средства, умалени, мрежи за спорт;
			обръч, който се хвърля върху закрепена пръчка,
			живарници (рибарски такъми); обръчи за игри; шейни;
			тротинетки играчки, корди за тенис ракети, шахматни
			дъски, шахове; плочки; детски люлеещи се кончета;
			предлазни кори (спортни артикули), мишени, боксови
			ръкавици [игрални принадлежности], шейни (спортни
			артикули); кънки за пързаляне на лед; зимни кънки; обувки
			за кънки; Сноуборд, плувни басейни (артикули за игра),
			поплавак; плавници; дъски за плуване; скейтбордове;
			индивидуални капъци за ски; ремъци за привагане на ски;

упражнения за медицински цели; апарати за физически упражнения за медицински цели; ортопедични изделия ортопедични ставни превръзки; ортопедични превръзки за коляно; апарати за медицински анализ; апарати за изследване на кръв; апарати за измерване на кръвно налягане; диагностични апарати за медицински цели; ледени торбички за медицински цели; еластични биндажи; апарати за електроакупунктура; електроди за медицинско използване; електрокардиографи; галванични терапевтични прибори; колани за медицински цели; ръкавици за медицински цели; презервативи; Дишащи матраци за медицинска употреба; ортопедични обувки; ортопедични подметки; стелки за обувки при плоско стъпало; метатарзални подложки [ортопедични артикули]; апарати за рентгенотерапия, ултравиолетови лампи за медицински цели, масажни вибратори

**BG - 28**

Гимнастически и спортни артикули, които не са включени в други класове; гимнастическо оборудване; уреди за бодибилдинг, трамплини (спортни стоки); игри и играчки, уреди за бодибилдинг, гири; маси за тенис на маса; килки за тенис на маса, мрежи за тенис на маса; принадлежности за тенис на маса, уреди за гимнастически упражнения; ръкавици (принадлежности за игри и спорт в домашни условия); стационарни велосипеди за упражнения, боксови ръкавици, боксови круши, принадлежности за бокс; експандери; фитнес-тренажори; колела за стационарни велосипеди; футбол на маса, маси за футбол на закрито, уплътнени ръбове на билиардни маси; кегли; креда за билиардни щетки; билиардни топки; билиардни щетки; билиардни щетки билиардни маси; билиардни маси с отвор за пари; върхове за билиардни щетки; билиардни маркировачи; голфръкавици; стикове за голф; чанти за голф, със или без колела; ролкови кънки, едноредни ролери; налакътници (спортни артикули); наколенки (спортни артикули); защитни подпънки [спортни екипи]; сноубордове; рибарски принадлежности;

инструменти за масаж; ролери за фитнес; масажни ски, наточващи средства за ски, стъргалки за ски, вакса за ски, сноубордове; топки за игри; игри, доколкото са включени в клас 28; топки за игра; зарове; играчки, изобразяващи домашни любимци, превозни средства играчки; бухалки за игри; сърфове; мрежи за тенис; глинени дискове (мишени), апарати за хвърляне на глинени дискове за прицел при ловни състезания; игли на табла; водни ски; люлки; чашки за зарове; хвърляне на стрелички; обръч, които се хвърля върху закрепена пръчка (играчки).

**BG - 29**

Хранителни концентрати приготвени за храна или за смесване предимно състоящи се от мляко на прах и/или животински и/или растителни белтъци и/или въглехидрати включително дабавени витамини минерали и захар и в двете форми течно и твърдо; хранителни концентрати приготвени за храна или за смесване, предимно състоящи се от животински или растителни белтъци и/или въглехидрати, сушени плодове, включително дабавени растителни фибри, ядки и захар, в течна и твърда форма, консервирани, сушени, варени и печени плодове и зеленчуци; желета, конфитюри, плодови сосове; яйца, мляко и млечни произведения, хранителни масла и мазнини; екстракти от водорасли за хранителни цели; алгинати за хранителни цели, жълтък, яйца на прах; яичен белтък [течен белтък], белтъчини за хранителни цели, Млечни питиета, или които са на млечна основа, млечни продукти, суроватка

**ES - 9**

Ergómetros.

**ES - 10**

aparatos médicos, en particular aparatos para mover cargas de peso variables para fisioterapia aparatos para la fisioterapia; aparatos de masaje; aparatos para masajes estéticos; guantes para masajes; guantes de crin para masajes aparatos médicos para ejercicios físicos; aparatos médicos para



fines medicos; artículos ortopédicos vendajes de soporte; rodilleras ortopédicas, aparatos para su uso en análisis médicos aparatos para análisis de sangre; esfigmómetro; aparatos de diagnóstico para uso médico; bolsas de hielo para uso médico; vendajes elásticos aparatos de electroacupuntura electrodos para uso médico; electrocardiógrafos; aparatos terapéuticos galvanicos; cinturones medicos, guantes para uso médico; preservativos; colchones de aire para uso médico, calzado ortopédico, suelas ortopédicas, Soporles para pies planos, resortes para curvaturas de zapatos; equipos de radioterapia, lámparas de rayos ultravioletas para uso médico; aparatos de masajes vibratorios.

**ES** - 28

Artículos de gimnasia y de deporte no comprendidos en otras clases, aparatos de gimnasia, aparatos para el culturismo, trampolines (artículos de deporte), juegos, juguetes, aparatos para el culturismo, pesas de gimnasia, mesas para tenis de mesa, palas de ping pong, redes de ping pong; artículos para ping pong; aparatos para ejercicios corporales, guantes (accesorios para juegos y deportes); bicicletas de entrenamiento estaticas, guantes de boxeo; sacos de boxeo, artículos de boxeo; extensores, cintas móviles para ejercicios de andar, rodillos para bicicletas fijas de entrenamiento futbolines; futbolines, bandas de billar, bolos (juego); tiza para tacos de billar; bolas de billar; tacos de billar; tacos de billar; mesas de billar; mesa de billar accionadas con monedas; suelas para tacos de billar, dispositivos de marcar los puntos para el billar, guantes de golf, palos de golf; bolsa para palos de golf, con o sin ruedas; patines de ruedas; patines en linea; codera (artículos de deporte); rodilleras (artículos de deporte); hamaca; aparatos; aparatos de uso de deporte; tablas

columnpios; cubiletes para juegos de dados; dardos; tejos (juguetes)

**ES** - 29

concentrados de nutrientes en forma de alimentos preparados o para mezclas especiales, compuestos principalmente por leche en polvo y/o preparados de albumina animales y/o vegetales y/o hidratos de carbono, también con adición de vitaminas, sustancias minerales y azúcares, tanto solidos como liquidos; concentrados de nutrientes en forma de alimentos preparados o para mezclas especiales, compuestos principalmente por preparados de albumina animales y/o vegetales y/o hidratos de carbono frutas secas, también con adición de fibras vegetales, cereales y azúcar, tanto solidos como liquidos, frutas y legumbres en conserva secas y cocidas, gelatinas, mermeladas, compotas, huevos, leche y productos lácteos, aceites y grasas comestibles, extractos de algas, para uso alimenticio; alginatos para uso alimenticio; yema de huevo; huevos en polvo; clara de huevo; albumina para uso alimenticio, bebidas lacteadas en las que predomine la leche, productos lácteos; suero de leche.

**ES** - 9

Ergometry

**CS** - 10

přístroje lékařské, zejména přístroje pro pohyb variabilních těžkých břemen pro fyzikální terapii; fyzioterapeutická zařízení; masážní zařízení; přístroje pro estetickou masáž; masážní rukavice; žíně (masážní rukavice z-); zařízení pro tělesné cvičení k lékařským účelům, zařízení na fyzická cvičení pro lékařské účely, ortopedické výrobky ortopedické bandáže na zpevnění kloubu; bandáže na kolenní kloubu (ortopedické);

numéricas de protección (partes de ropa de deporte), tablas de snowboard, aparejos de pesca, anzuelos, sedales para la pesca, carretes para la pesca, cañas de pescar, líneas de pesca, guantes de béisbol, juegos de construcción, juegos de arquitectura, sensores de indicación de mordedura (accesorios de pesca con caña), bobsleighs, arcos para tiro, instrumentos para el tiro con arco, juegos de mesa, juegos de damas, daderos, tripas (cuerdas) de raquetas, discos para el deporte, juegos de dominó, cometas, patines de hielo, juegos electrónicos, modelos de vehículos, reducidos, máscaras de juguete, guantes de esgrima, máscaras de esgrima, armas de esgrima, conjuntos de badminton, floretes para la esgrima, aparatos de prestidigitadores, juegos de salón, parapentes, alas delta, fusiles lanza-arpones (artículos de deporte), carretes para cometas, palos de hockey, juegos de herradura de caballo, fichas para juegos, atracciones de feria, bolos (juego), salabardos para pescadores con caña, cinturones de escalada, cebos para la caza o la pesca, sacos de cricket, cebos artificiales para la pesca, cámaras de aire para balones de juego, mah-jong, marionetas, maquinaria y aparatos para el juego de bolos, modelos de vehículos, reducidos, redes para deportes, juego del herrón, nasas (aparejos de pesca), juegos de anillas, toboganes (juego), patinetes, cuerdas de raquetas, tableros de ajedrez, juegos de ajedrez, columpios, caballitos de balancín, espinilleras (artículos de deporte), blancos de tiro, guantes para bateadores (accesorios de juegos), Inneos [artículos de deporte], patines para hielo, botas de patinaje, patines de hielo, patines con bota (combinados), tablas de snowboard, Piscinas (artículos de juego), Flotadores, aletas de buceo, tablas de vela, monopatines, revestimientos de esquís, fijaciones de esquís, esquís, cantos (bordes) de esquís, raspadores para esquís, cera para esquís, tablas de snowboard, pelotas de juego, dados (juegos), juguetes para animales de compañía, vehículos de juguete, palas, tablas de surf, redes de tenis, pichones de arcilla (blancos de tiro); tiro al pichón, chaquetas (tablas reales), esquís acuáticos,

zařízení pro použití při lékařských analýzách, zařízení pro vyšetření krve, tlakoměry (přístroje na měření krevního tlaku), diagnostické přístroje k lékařským účelům, vaky na led pro lékařské účely, elastické obvazy, přístroje pro elektroakupunkturu, elektrody pro lékařské použití, elektrokardiografy, galvanické terapeutické přístroje, pásy pro lékařské účely, rukavice k lékařským účelům, prezervativy, kondomy, matrace natukovací pro lékařské účely, ortopedická obuv, ortopedické vložky do bot, vložky pro ploché nohy, vyztuže do bot pro podporu nožní klenby, zařízení pro radioterapii, ultrařítavé lampy pro léčebné účely, přístroje na vibrační masáže

CS - 28

Gymnastické a sportovní zboží a zařízení nezahrnuté do jiných tříd: gymnastické potřeby; posilovací stroje pro kulturistiku; odrazové mstky (sportovní nářadí) hry a hračky, posilovací stroje pro kulturistiku; činky; stoly na stolní tenis; pátky na stolní tenis, sítky na stolní tenis, potřeby pro stolní tenis, nářadí na cvičení rukavice (příslušenství pro hry a domácí sport); rotopedy; boxerské rukavice; boxovací pytlík; boxovací potřeby, silnice svaļu; běžecké pásy, rotopedové valce, stolní fotbal; stoly pro stolní fotbal; mantinely kulečnickového stolu; kulečky, křída na kulečnicková taga, kulečnickové koule, kulečnicková taga, kulečnicková taga; kulečnickové stoly, billardové (kulečnickové) stoly uvedené do činnosti vhozením mince; špičky kulečnickových tag, tabulky na zaznamenávání stavu kulečnickové hry; golfové rukavice; golfové hole, vaky na golfové hole na kolečkách nebo bez koleček; kolečkové brusle; jednořadé brusle, chrániče loktu (potřeby pro sport), chrániče kolenní; nákolenníky (sportovní potřeby) ochranné vycpávky (části sportovní výstroje); snowboardy; rybářské náčiní; rybářské háčky; rybářské vlasce; rybářské navijáky; rybářské udice; materiál na rybářské vlasce; baseballové rukavice; stavebnice (hračky), kostky stavebnicové (hračky) navnadý pro rybaře; bobý (triditelné), luky na lukostřelbu; lukostřelecké náčiní, stolní hry, dáma jako hra šachovnice pro dámu, materiál na vyplétání raket; disky (sportovní potřeby); domina (stolní hra); draci (létající) brusle (na led), elektronické hry, modely vozi-



del, zmenšene; masky na hrani; šermířské rukavice; šermířské masky, šermířské zbraně, badmintonové soupravy, fleretý pro šerm; kouzelnická zařízení, společenské hry, paraglidery (padákové kluzáky); rogala; harpunové pušky [sportovní potřeby] navijáky na draky, hokejky, házení podkovy (hra), žetony hrači; zařízení pro poutové atrakce; kuželky; podběráky pro rybaře, vstroj pro horolezce, navnady pro lov a rybolov, kriketové tašky, umělé rybářské návnady, duše míčů na hrani, mah-jong (čínská společenská hra) maňásci, loutky; zařízení a přístroje pro kuželky (bowling), modely vozidel zmenšené; síť (sportovní potřeby); kroužky (hra, při které se kroužky házají na koliky); vrše (rybářské náčiní); hry s kroužky; skuzavky (hry); skultry (hračky), struny pro rakety, šachovnice; šachy, houpačky, houpačací koně, chraniče na holeně (sportovní zboží), terče, palkářské rukavice na kriket nebo baseball (herní potřeby) sánky (sportovní potřeby) obuv bruslařská s upevňujícími bruslemi; brusle (na led); bruslařská obuv s připevňujícími bruslemi, snowboardy, bazeny plavecké (potřeby pro hru), bóje, plováky, ploutve na plavání, prkna pro windsurfing, skateboardy; desky k lyžařskému vázání, lyžařská vázání, lyže; hrany lyží, stěrky na lyže, lyžařské vosky, snowboardy, míče pro míčové hry, hry, zařazené do třídy 28, hrací míče; kostky (stolní hra); hračky pro zvířata; autička na hrani; rakety, pátky (sportovní náčiní), surfova prkna; tenisové síť, hliněný holub (terče); zařízení na vypouštění hliněných holubů, vrhací; vodní lyže, houpačky, pohárky na vrhání kostek, šipky (hra); talíře létající (hračky)

CS - 29

Potravinové koncentráty připravované pro konzervování potravin nebo pro vytváření směsí na zakázku, které se zejména

håndvægte; bordtennisborde; bordtennisbat, net til bordtennis, udstyr til bordtennis, maskiner til legemsøvelser; handsker (tilbehør til spil og hjemmetræning), stationære motionscykler, boksehandsker; boksesække, tilbehør til boksning; ekspandere; trædemøller; ruller til faststående motionscykler; kicker; borde til indendørs fodbold; billardbænder, kegler til spil; knedt til billardkøer, billardkugler, billardkøer; billardkøer, billardborde; manstyrede billardborde; spider til billardkøer; billardpointtavler, golfhandsker, golfkøller, golftasker med og uden hjul, rulleskojter; inlineskojter, alubeskyttere (sportsartikler); knæbeskyttere (sportsartikler); beskyttende polstring (dele af sportstøj); snowboards; fiskegrejer; fiskekroge; snore og liner til fiskeri, hjul til fiskestænger, fiskestænger, fiskeliner, basebalhandsker, byggelegetøj byggeklodser; bidsensorer (tilbehør til fiskeri), bobsælde, buer til bueskydning, bueskydningsrekvisitter, bræstspil, dam som spil, dambrætter, tarme til ketchere; diskos til sportsbrug; dominospil; drager; skojter; elektroniske spil, modelkøretøjer, i miniatureudgave, legetøjsmasker, fægtehandsker, fægtemasker, fægtevåben, badmintonstæt, fægtekardar, trylleapparater, selskabsspil; paraglidere (firkantede faldskærme ikke til udspring fra fly); dragefly; geværharpuner (sportsartikler); spoler til drager, hockeystave, hesteskospil; tællere til spil; apparater til forlystelsesparker, kegler til spil, fangene til fiskeri, liner til bjergbestigning, lokkemidler til jagt og fisken; crickettasker; kunstige madding; blærer til bolde, mah-jong, marionetdukke, apparater og maskiner til bowling, modelkøretøjer i miniatureudgave, net til sportsbrug; kastinger til ringespil, nuser (fiskegrej); ringespil; kælike, løbehjul, strenge til ketsjere; skakbrætter, skakspil, gyngere; gyngeheste; skinnbensbeskyttere (sportsartikler); skudleskiver, slahandsker til cricket; slæder (sportsartikler)







cke; Blutuntersuchungsgeräte; Blutdruckmessgeräte; Diagnosegeräte für medizinische Zwecke; Eisbeutel für medizinische Zwecke; elastische Bandagen; Elektroakupunkturgeräte; Elektroden für medizinische Zwecke; Elektrokardiographen; galvanische Therapiegeräte; Gurtel für medizinische Zwecke; Handschuhe für medizinische Zwecke; Kondome; Luftmatratzen für medizinische Zwecke; orthopädische Schuhe; orthopädische Sohlen; Schuheinlagen gegen Senkfüße; Schuhgelenkfedern [orthopädische Artikel]; Strahlentherapiegeräte; Ultraviolettlampen für medizinische Zwecke; Vibromassagegeräte.

**DE - 28**

Turn- und Sportartikel, soweit sie nicht in anderen Klassen enthalten sind; Turngeräte; Bodybuilding-Geräte; Trampolins (Sportartikel); Spiele, Spielzeug, Bodybuilding-Geräte, Hanteln; Tischtennistische; Tischtennisschläger; Tischtennisnetz; Tischtennisbedarf; Geräte für Körperübungen; Handschuhe (Zubehör für Spiele und Heimsport); stationäre Trainingsfahräder; Boxhandschuhe; Boxsack; Boxbedarf; Expander; Laufbänder; Rollen für Fahrrad-Heimtrainer; Tischfußball; Spieltische für Tischfußball; Billardbanden; Kegel; Billardkredde; Billardkugeln; Billardstöcke; Billardtische; Billardtische mit Geldwurf; Kuppen für Billardqueues; Punktmarkierer für Billards; Golfhandschuhe; Golfschläger; Golfaschen mit oder ohne Räder; Rollschuhe; Inlineskates; Ellbogenschützer (Sportartikel); Knieschützer (Sportartikel); Schutzpolster (als Teile von Sportanzügen); Snowboards; Angelgeräte; Angelhaken; Angelschnüre; Angelrollen; Angeln; Angelschnüre; Baseball-Handschuhe; Baukästen zum Spielen; Bauklötze; Bissanzeigersensoren [Angelzubehör];

draten, getrocknetem Obst, auch unter Zugabe von Pflanzenfasern, Getreide und Zucker, sowohl in fester als auch in flüssiger Form, konserviertes, getrocknetes und gekochtes Obst und Gemüse; Gallerten (Gelees), Konfitüren, Fruchtmusse, Eier, Milch und Milchprodukte; Speiseöle und -fette, Algenextrakte für Nahrungszwecke; Alginate für Nahrungszwecke; Eigelb; Eipulver; Eiweiß [Eiklar]; Eiweiß für Nahrungszwecke; Milchgetränke mit überwiegendem Milchanteil; Milchprodukte; Molke.

**ET - 9**

Ergomeetrid

**ET - 10**

meditsiiniseadmed, eelkõige füüsilise teraapia muutuvate koormuste ligutamise seadmed, fusioteraapiaaparaadid; massaažiaparaadid; esteetiliseks iluraviks kasutatavad massaažiaparaadid; kindad (massaaži-), massaažikindad, hobusejõhvideest massaažikindad, võimlemisseadmed (meditsiinilised); võimlemisseadmed (meditsiinilised), ortopeedilised ortopeedilised tooted; tugisidemed; põlvesidemed (ortopeedilised); testimisseadmed (meditsiinilised); vereanalüüsiaparaadid; sfügmomanomeetrid; diagnoosiaparaadid (meditsiinilised); jääkotid (meditsiinilised), elastised sidemed, elektrilised akupunktuurseadmed, elektroodid (meditsiinilised); elektrokardiograafid; galvanoteraapiaseadmed; võõd (meditsiinilised) ravivõõd, kindad (meditsiinilised); kondoomid, preservatiivid; õhkmadratsid (meditsiinilised); ortopeedilised jalatsid, ortopeediliste jalatsite sisetafjad, lampjalgade tallatõed, tallatõed (jalatsite), kiiritusraviaparaadid, kvartslambid (meditsiinilised), vibromassaažiaparaadid.

**ET - 28**

boué, boué (bouéenschieten), bouéenschietgerate, Bierspiele, Dame als Spiel, Damebretter (Spiele); Darmsaiten für Schläger, Wurfscheiben (Diskusse); Dominospiele, Drachen, Schlittschuhe; elektronische Spiele; Fahrzeugmodelle, verkleinert, Spielzeugmasken, Fechthandschuhe, Fechtmasken, Fecht Waffen; Badminton-Sets; Florette zum Fechten; Geräte für Zauberkinster, Gesellschaftsspiele, Paragliders (Gletschirne), Hängegleiter; Harpunengewehre (Sportartikel), Haspel für Drachen, Hockeyschläger, Hufeisenspiele, Jetons für Spiele, Geräte für Volksfestfahrge schäfte, Kegel (Spiel), Keschel, Klettergurte (Sportartikel), Köder für die Jagd oder den Angelsport, Kricketsacke, künstliche Fischköder, Luftkammern für Bälle, Mah-jong, Manonetten, maschinelle Einnchtungen und Geräte für Kegeibahnen, Fahrzeugmodelle, verkleinert, Netze (Sportartikel), Diskuswerfen, Reusen (Angelgeräte), Ringspiele, Rodelschlitten, Roller (Kinderfahrzeug), Saiten für Schläger, Schachbretter, Schachspielsel, Schaukeln; Schaukelperle, Schienbeinschutzer (Sportartikel), Schießscheiben, Schlägerhandschuhe (Spielzubehör), Schlitten (Sportartikel), Schlittschuh-, Eislaufstiefel, Schlittschuhe, Schlittschuhstiefel, Schneebretter, Snowboards, Schwimmbecken (Spielwaren), Schwimmer, Schwimmflossen, Segelbretter, Skateboards; Skibeläge, Skibindungen; Skier, Skikanten, Skischaber, Skiwachs, Snowboards, Spielbälle, Spiele soweit in Klasse 28 enthalten; Spielkugeln; Spielwürfel; Spielzeug für Haustiere, Spielfahrzeuge, Sportschläger, Surfbretter, Tennisnetze, Torttauben, Torttaubenwurfmaschinen; Backgammonspiele; Wasserskier; Schaukeln, Würfelbecher, Wurfpeile, Wurfscheiben (Spielzeug)

**DE** - 29

Nährstoffkonzentrate als fertige Nahrungsmittel oder zur eigenen Anmischung, im Wesentlichen bestehend aus Milchpulver und/oder tierischen und/oder pflanzlichen Eiweißstoffen und/oder Kohlenhydraten, auch unter Zusatz von Vitaminen, Mineralstoffen und Zucker sowohl in fester als auch in flüssiger Form; Nährstoffkonzentrate als fertige Nahrungsmittel oder zur eigenen Anmischung, im Wesentlichen bestehend aus tierischen oder pflanzlichen Eiweißstoffen und/oder Kohlenhy-

Vöimlemis- ja sportimisstarbed (mis ei kuulu teistesse klassidesse); vöimlemisriistad' atleetvöimlemisseadmed; hoolauad (spordivahendid), mängud ja manguasjad, atleetvöimlemisseadmed; hanlid, lauad (lauatennise-), lauatenniselauad, lauatenisereketid, lauatenisevõrgud; lauatenisetarvikud; vöimlemisriistad kindad (mangu- ja kodusporditarbed) jalgrattavahendid (statsionaarsed), poksikindad, poksikotid, poksitarbed, ekspandrid, tömmitsad; jooksuindid; jalgrattavahemendi rullikud (statsionaarse), lauajalgpall, jalgpallilauad (tmamängud), piljardilauapolstrid, keeglikurikad, veeremängunuiad; kriit (piljardikepi-), piljardikepikriit, piljardikuulid, piljardikepid, kind piljardikepid, kiid, piljardilauad, muntkäitatavad piljardilauad, piljardikepiotsakud; marköönd, golfkindad, goffikep'd; goffikotid (ratastega või ilma) rullisud, ühe rattareaga rullisud, kuunahukaitsemed (spordikaitvad), põlvekaitseid (sporditarbed) kaitsepadjad (spordimetuse osad), lumelauad, kalastustarbed, õngekonksud, õngenoorid, spinningurullid, õngerduvad, sooled (õngendõri-), õngendõrisooleid, pesapallikindad (sportmänguvahendid); ehituskonstruktõid (mängud); ehitusklotsid (manguasjad), näkkamisandurid (kalastustarbed) bobikõlgud; vibud (sportrelvad); ammu- ja vibulaskmisvahendid, lauamängud, kabe kui mäng, kabelauad, reketikeelesooleid; kettad (spordiriistad) doominod, tuulelohed; uisud; elektronmängud; vähendatud mudelsõidukid; mängumaskid, karnevalimaskid kindad (vehklemis-), vehklemiskindad, maskid (vehklemis-), vehklemismaskid; vehklemisrelvad; suigpallikomplektid, floretid, vehkiemisböögad, mustkunstiseadmed, seltskonnamängud, luuglangevarjud, lohelenukid, dellaplaanid, harpuunpüssid (spordivahendid), tuulelohe niidkettad, -poolid, hokikepid, hobuserauamängud (rõngaviskamismängud) margid (arvestus- või mängu-), arvestusmargid, mängumargid, lõbustuspargi seadmed, keegli- veeremängud, kahvad, mägronijate rihmad, peibutised (jahi- või kalastus-) jahipeibutised, kalastuspeibutised, kriketikotid, tehissõõd, sisekummid (mängupallide); mah-jong, Hiina varblas mäng (lauamäng) hupiknukud, manonetid, keegliseadmed ja -masinad, vähendatud mudelsõidukid; võrgud (spordi-), spordivõrgud;

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toivaiyhiitaaau, tuutivkoitane, tuutivruuwei, tuutivvaiye, ai-  
bumiin (toidu- ), toiduaibumini, toiduvalk; piimajoogid (põ-  
hikomponent piim), piimalooted, piimavadak

**EL - 9**

Εργαγράφοι.

**EL - 10**

ιατρικές συσκευές, ειδικότερα συσκευές για τη μετακίνηση ποικίλων φορτίων για τη φυσική θεραπεία όργανα για τη φυσιοθεραπεία· συσκευές μασάζ (μσασζ)· συσκευές μασάζων (μσασζ) για αισθητικούς σκοπούς γάντια για μασάζ (μσασζ)· γάντια μασάζων από τριχες αλόγου· ιατρικές συσκευές για σωματική άσκηση συσκευές σωματικής άσκησης για ιατρική χρήση ορθοπεδικά είδη επίδεσμοι υποστηρίξεις επίδεσμοι γοναίου (ορθοπεδικοί) συσκευές για χρήση στις ιατρικές αναλύσεις· συσκευές αιματολογικής ανάλυσης σφυγμομανόμετρα συσκευές διάγνωσης για ιατρική χρήση· σακουλάκια για πάγο που χρησιμοποιούνται στην ιατρική ελαστικοί επίδεσμοι ηλεκτρικές συσκευές παρακέντησης ηλεκτροδία για ιατρική χρήση ηλεκτροκαρδιογράφοι· γαλβανικές θεραπευτικές συσκευές· ζώνες για ιατρική χρήση γάντια για ιατρικές χρήσεις· προφυλακτικά· στρώματα αέρος για ιατρική χρήση· ορθωτικά υποδήματα· ορθοπεδικές σόλες στρεινίματα για την πλάτυπαδία υποδήματα με ελατήρια για τις αρθρώσεις [ορθοπεδικά είδη] συσκευές ακτινοθεραπείας· λαμπτήρες υπεριώδων ακτίνων για ιατρικές χρήσεις συσκευές μάλαξης με δονήσεις.

**EL - 28**

Είδη γυμναστικής και αθλητισμού (μη περιλαμβανομένα σε άλλες κλάσεις)· εξοπλισμός γυμναστικής συσκευές σωματοδόμησης (body building) εφελγηρια (αθλητικά είδη) παιχνίδια αθώματα συσκευές σωματοδόμησης (body building) βαράκια τραπεζία επιτραπέζιας αντισφαίρισης (πινγκ-πονγκ)· ρακέτες επιτραπέζιας αντισφαίρισης, δίχτυα επιτραπέζιας αντισφαίρισης αντικείμενα για τις ανάγκες της επιτραπέζιας αντισφαίρισης· μηχανήματα σωματικής άσκησης γάντια (εξάρτηματα για παιχνίδια και για άσκηση στο

παιχνίδια)· πορτα· παρ· βού· μπουσου· γκ· με· στίβ· πορτα· σ· σπ· όχες για ψαράδες· ιμάντες για ορειβάτες· δολώματα (κράχτες) για το κυνήγι και το ψάρεμα· αόκοι του κρικε· τεχνήτα δολώματα φυσερα, εσωτερικα, για μπολές παιχνιδιών εξοπλισμός για το παιχνίδι Mahjong (είδος γτόμινό)· μαριονέτες· συσκευές και εξοπλισμός για μπόουλινγκ· μοντέλα αυτοκινήτων· μινιστούρες· δίχτυα για αθλήματα κρικό κοφίνια (σύνεργα αλειας) παιχνίδια με κρικόυς έλκηθρα πατίνια χορδες για ρακέτες· βράκια για σκακι σετ σκακιού· κουνίες (παιδικής χαράς κλπ)· κουνιστα αλογάκια περικνήμιο (αθλητικά είδη) στόχοι σκοποβολής γάντια για παιχνίδια με χτυπήματα· έλκηθρα (αθλητικά είδη)· παγοπέδιλα· παγοπέδιλα· μπότες τροχοδρομίας με προσαρτημένους τροχούς πέδιλα κυματοδρομίας πισίνες (είδη παιχνιδιού)· καταβυστές· βατραχοπέδιλα· ιστιοσανίδες· τροχοσανίδες (skateboard)· καλύμματα για χιονοπέδιλα· δέτηρες χιονοπέδιλων· χιονοπέδιλα· πλευρικές ακμές χιονοπέδιλων· αποξεστήρες για χιονοπέδιλα· κερί για χιονοπέδιλα· χιονοσανίδες· μπάλες για παιχνίδια παιχνίδια περιλαμβανόμενα στη κλάση 28· μπάλες παιχνιδιού ζάρια παιχνίδια για κατοικίδια ζώα· ουτακινητακια· ρακέτες, μπαστούνια για παιχνίδια· σανίδες κυματοδρομίας (surfboard)· δίχτυα αντισφαίρισης περισσότερα από αργίλο (σαν στόχοι σκοποβολής) μηχανήματα εκτόξευσης πήλινων περιστεριών (πήλινων αντικειμένων με τη μορφή δίσκου, τα οποία χρησιμοποιούνται ως στόχος από κυνηγούς)· παιχνίδια τάβλι· σκι επί υδάτων· κούνιες (παιδικής χαράς κλπ)· κύπελλα για ζάρια· βελακια· δισκοι ρηψής (παιχνίδια)

**EL - 29**

συμπυκνώματα θρεπτικών ουσιών ως έτοιμα τρόφιμα ή για ίδια ανάμιξη, σπασελομμενα κυρίως από σκόνη γάλακτος και/ή ζωικές και/ή φυτικές πρωτεΐνες και/ή υδατάνθρακες, και με προσθήκη βιταμινών· μεταλλικών στοιχείων και ζάχαρης, τόσο σε στερεή όσο και σε υγρή μορφή συμπυκνώματα θρεπτικών ουσιών ως έτοιμα τρόφιμα ή για ίδια ανάμιξη, αποτελούμενα κυρίως από ζωικές ή φυτικές πρωτεΐνες και/ή υδατάνθρακες, σποζηραμένο φρούτων, και με προσθήκη φυτικών ινών· δημητριακών και ζάχαρης, τόσο σε στερεή όσο



και σε υγρή μορφή φρούτα και λαχανικά διατηρημένα (κονσέρβες), αποξηραθέντα και μαγειρεμένα: ζελέ, μαρμελάδες, κομποστές (σάλτσες από φρούτα); αυγά γάλα και γαλακτοκομικά προϊόντα: έλαια και λιπτή βρώσιμα εκχυλίσματα φυκιών για χρήση στη διατροφή παράγωγα από φύκια για χρήση στη διατροφή: κρόκος ή λιπών, βιταμινών, αμινοξέων, μικροβιακών προϊόντων μεταβολισμού, δευτερευόντων ουσιών που περιέχονται σε φυτά και προβιοτικών ουσιών, για μη ιατρικές χρήσεις: ασπράδι αβγών-αλβουμίνες για τρόφιμα· ροφήματα με κύριο συστατικό το γάλα προϊόντα γάλακτος· ορός γάλακτος.

**EN** - 9

Ergometers.

**EN** - 10

Medical apparatus, in particular apparatus for moving variable weight loads for physical therapy purposes; physiotherapy apparatus; massage apparatus; esthetic massage apparatus; gloves for massage; horsehair gloves for massage; physical exercise apparatus, for medical purposes; physical exercise apparatus for medical purpose orthopaedic articles, supporting bandages; knee bandages (orthopaedic); apparatus for use in medical analysis, blood testing apparatus, sphygmomanometers, diagnostic apparatus for medical purposes; ice bags for medical purposes; elastic bandages; electric acupuncture apparatus; electrodes for medical use, electrocardiographs; galvanic therapeutic appliances; belts for medical purposes; gloves for medical purposes; condoms; air mattresses, for medical purposes; orthopaedic footwear, orthopaedic soles, supports for flat feet arch supports for boots and shoes radiotherapy apparatus, ultraviolet ray lamps for medical pur-

boots; ice skates; skating boots with skates attached; snowboards; swimming pools (play articles), floats, swim fins, sail boards, skateboards; sole coverings for skis; ski bindings, skis; edges of skis; scrapers for skis; wax for skis; snow boards; balls for games, games included in class 28; playing balls; dice; pet toys; toy vehicles; bats for games; surfboards; tennis nets; clay pigeons (targets); clay pigeon traps; backgammon games; water skis, swings; cups for dice; darts quoits (toys).

**EN** - 29

Food concentrates being prepared foodstuffs or for custom mixing mainly consisting of powdered milk and/or animal and/or vegetable proteins and/or carbohydrates, including with added vitamins, minerals and sugar, both in solid and liquid form; food concentrates being prepared foodstuffs or for custom mixing, mainly consisting of animal or vegetable proteins and/or carbohydrates, dried fruit, including with added plant fibres, cereals and sugar, both in solid and liquid form; preserved dried and cooked fruits and vegetables, jellies, jams, compotes; eggs, milk and milk products; edible oils and fats; weed extracts for food; alginates for food, yolk of eggs; powdered eggs; white of eggs; albumen for food; milk beverages (milk predominating); milk products; whey

**FR** - 9

Ergométries

**FR** - 10

appareils médicaux, en particulier appareils permettant de déplacer des charges variables pour la thérapie physique, appareils pour la physiothérapie appareils de massage, appareils pour massage esthétique; gants pour massages; gants

poses; vibromassage apparatus.

**EN** - 28

Gymnastic and sporting articles not included in other classes, gymnastic equipment, body-building apparatus, springboards (sporting articles); games and playthings, body-building apparatus, dumb-bells; tables for table tennis, table tennis bats, table tennis nets; table tennis requisites; machines for physical exercises; gloves (accessories for games and home sports); stationary exercise bicycles; boxing gloves; punch bags, boxing requisites; chest expanders; treadmills; rollers for stationary exercise bicycles; table football; tables for indoor football; billiard table cushions; skittles; chalk for billiard cues, billiard balls; billiard cues; billiard cues; billiard tables; coin-operated billiard tables; billiard cue tips, billiard markers; golf gloves; golf clubs, golf bags with or without wheels, roller-skates; in line skates, elbow guards (sports articles), knee guards (sports articles), protective paddings (part of sport suits); snow boards, fishing tackle, fish hooks; lines for fishing reels for fishing; fishing rods; gut for fishing; baseball gloves; building games, building blocks (toys); bite sensors (fishing tackle); bob-sleighs; bows for archery; archery implements; board games, draughts (games); draughtboards, gut for rackets; discs for sports; dominoes; kites; ice skates; electronic games; scale model vehicles; toy masks; fencing gauntlets; fencing masks; fencing weapons, badminton sets, foils for fencing; conjuring apparatus; parlor games; paragliders; hang gliders, harpoon guns (sports articles), kite reels; hockey sticks, horseshoe games; counters for games fairground ride apparatus, ninepins, landing nets for anglers, climbers' harnesses; decoys for hunting or fishing, cricket bags; artificial fishing bait; bladders of balls for games mah-jong, puppets; bowling apparatus and machinery, scale model vehicles, nets for sports, quoits, creels (fishing equipment), ring games; toboggans; scooters (toys) strings for rackets, chessboards; chess sets; swings; rocking horses; shin guards (sports articles); targets, batting gloves (accessories for games); sleighs (sports articles); ice skates, skating

de crin pour massages; appareils médicaux pour exercices physiques; appareils pour l'exercice physique à usage médical; articles orthopédiques bandages orthopédiques pour les articulations; genouillères orthopédiques, appareils d'analyse médicale; appareils pour l'analyse du sang; sphymomanomètres, appareils de diagnostic à usage médical, sacs à glace à usage médical; bandages élastiques; appareils électriques d'acupuncture; électrodes à usage médical; électrocardiographes, appareils thérapeutiques galvaniques; ceintures médicales; gants à usage médical préservatifs, matelas à air à usage médical; chaussures orthopédiques; semelles orthopédiques, supports pour pieds plats; ressorts pour cambrures de chaussures; appareils pour la radiothérapie, lampes à rayons ultraviolets à usage médical, appareils de massage par vibrations.

**FR** - 28

Articles de gymnastique et de sport non compris dans d'autres classes, appareils de gymnastique, appareils pour le culturisme; tremplins (articles de sport); jeux, jouets; appareils pour le culturisme, haltères, tables pour tennis de table; raquettes de tennis de table, filets de tennis de table; équipements de tennis de table; engins pour exercices corporels; gants (accessoires de jeux et de sport à domicile); bicyclettes fixes d'entraînement; gants de boxe; sacs de boxe; équipements de boxe; extenseurs (exerciceurs); tapis de jogging, rouleaux pour bicyclettes fixes d'entraînement; kickers; tables pour football de salon; bandes de billard; quilles de billard, craie pour queues de billards, billes de billard, queues de billard, queues de billard; tables de billard; tables de billard à préparation; procédés pour queues de billard; dispositifs à marquer les points pour billards; gants de golf, clubs de golf, sacs de golf, avec ou sans roues; patins à roulettes; patins à roulettes en ligne; protège-coudes (articles de sport); protège-genoux (articles de sport); rembourrages de protection [parties d'habillement de sport], surfs de neige; attirail de pêche, hameçons; lignes pour la pêche, moulinets pour la pêche, cannes à pêche, boyau pour la pêche; gants de base-ball,





jeux de construction; blocs de construction; indicateurs de morsures (accessoires de pêche à la ligne), bobsleighs, arcs pour le tir à l'arc; matériel de tir à l'arc; jeux de société; jeux de dames; damiers; boyaux de raquettes; disques pour le sport; jeux de dominos; cerfs-volants; patins à glace; jeux électroniques; modèles réduits de voitures; masques de carnaval; gants d'escrime; masques d'escrime; armes d'escrime; sets de badminton; fleurets pour l'escrime; appareils de prestidigitateurs; jeux de société; parapentes; ailes delta; fusils lance-harpons (articles de sport); tournettes pour cerfs-volants; crosses de hockey; jeux de fers à cheval; jetons pour jeux; appareils à monter pour les foires; quilles (jeu); epuisettes pour la pêche; baudriers d'escalade; leurres pour la chasse ou la pêche; sacs de cricket; amorces artificielles pour la pêche; chambres à air pour ballons de jeu; mah-jong; marionnettes; machinerie et appareils pour le bowling; modèles réduits de voitures; filets (articles de sport); jeu du palet; nasses (attrail de pêche); jeux d'anneaux; toboggan (jeu); trottinettes; cordes de raquettes; échiquiers; jeux d'échecs; balançoires; chevaux à bascule; protège-tibias (articles de sport); cibles; gants pour batteurs (accessoires de jeux); traîneaux (articles de sport); bottines-patins; patins à glace; bottines-patins; planches à neige; snowboards; piscines (articles de jeu); flotteurs; palmes; planches à voile; planches à roulettes; revêtements de skis; fixations de skis; skis; carres de skis; racloirs pour skis; fart; surfs de neige; balles de jeu; jeux, compris dans la classe 28; balles de jeu; dés (jeux); jouets pour animaux de compagnie; véhicules-jouets; raquettes; planches de surf; filets de tennis; pigeons d'argile (cibles); tirs au pigeon; intracs; skis nautiques; balançoires; anneaux pour jeux de dés; flechettes; palets (jouets).

per radioterapia; lampade a raggi ultravioletti per uso medico; apparecchi vibromassaggiatori.

**IT** - 28

Articoli per la ginnastica e lo sport non compresi in altre classi; attrezzi per la ginnastica; apparecchi per il body-building; trampolini (articoli sportivi); giochi, giocattoli; apparecchi per il body-building; manubri (ginnastica); tavoli da ping-pong; racchette da ping-pong; reti da ping-pong; accessori per ping-pong; attrezzi per esercizi fisici; guanti (accessori per giochi e sport in casa); biciclette fisse per allenamento; guantoni da pugilato; sacche da pugilato; accessori per il pugilato; estensori (attrezzi ginnici); tappeti rotanti; rulli per biciclette fisse per allenamento; calcio da tavolo; tavoli per calcio da sala; sponde di biliardo; birilli da biliardo; gesso per stecche da biliardo; palle da biliardo; stecche da biliardo; stecche da biliardo; tavoli da biliardo; tavoli da biliardo a moneta o gettone; punte di cuoio per stecche da biliardo; dispositivi per segnare i punti al biliardo; guanti da golf; mazze da golf; borse per mazze da golf con o senza ruote; pattini a rotelle; pattini in linea; protezioni per i gomiti (articoli per lo sport); protezioni per le ginocchia (articoli sportivi); imbottiture di protezione [parti dell'abbigliamento sportivo]; tavole da snowboard; ami; ami; lenze per la pesca; mulinelli per la pesca; canne da pesca; crini per la pesca; guanti da baseball; giochi di costruzione; blocchi per costruzioni; sensori indicatori di morso [accessori per la pesca]; guidoslitte; archi per tiro con l'arco; attrezzatura per il tiro con l'arco; giochi di società; dama come gioco; tavolo (per il gioco della dama); budelli per racchette; dischi per lo sport; giochi di domino; aquiloni; pattini da ghiaccio; giochi elettronici; modellini di veicoli, in miniatura; maschere da

gestione per gioco da sala, ricreazione, parco giochi.

**FR** - 29

concentrés alimentaires sous forme d'aliments préparés et à mélanger soi-même composés essentiellement de lait en poudre et/ou de protéines animales et/ou végétales et/ou d'hydrates de carbone, également avec ajout de vitamines, minéraux et sucre, tant sous forme solide que liquide, concentrés alimentaires sous forme d'aliments préparés et à mélanger soi-même composés essentiellement de protéines animales ou végétales et/ou d'hydrates de carbone, fruits séchés également avec ajout de fibres végétales, de céréales et de sucre, tant sous forme solide que liquide, fruits et légumes en conserve, seches et cuits; gelées, confitures compotes, oeufs lait et produits laitiers, huiles et graisses comestibles, extraits d'algues à usage alimentaire, alginales à usage alimentaire, jaune d'oeuf, oeufs en poudre blanc d'oeuf; protéines à usage alimentaire; boissons lactées où le lait predomine, produits laitiers, petit-lait.

**IT** - 9

Ergometri.

**IT** - 10

apparecchiature mediche, in particolare apparecchiature per muovere i carichi di peso variabili a scopo di fisioterapia; apparecchi per la fisioterapia; apparecchi per il massaggio; apparecchi per massaggio estetico, guanti per massaggi, guanti di crine per massaggi; apparecchi medici per esercizi fisici; apparecchi medici per esercizi fisici, articoli ortopedici, fasciature per articolazioni, ginocchiere ortopediche; apparecchi di analisi per uso medico, apparecchi per l'analisi del sangue, sfigmomanometri, apparecchi di diagnostica per uso medico, borse del ghiaccio per uso medico; fasciature elastiche; strumenti da elettroagopuntura, elettrodi per uso medico, elettrocardiografi, apparecchi terapeutici galvanici; cinture per uso medico; guanti per uso medico, preservativi; materassi ad aria per uso medico, scarpe ortopediche; soles ortopediche; supporti per piedi piatti, molle per fiondi di scarpe; apparecchi

cannevaie, guanti per la scherma, maschere per la scherma, armi per la scherma, set da volano, fioretti per la scherma, apparecchi per giochi di prestigio giochi di società, parapendio; dellaplani; fucili lancia-arpioni (articoli per lo sport); rochetti per aquiloni, mazze da hockey; gioco del ferro di cavallo, gettoni per giochi; giostre per luna park; birilli (gioco); retini da pesca, imbragature per scalate, esche (richiami) per la caccia o la pesca borse per il cricket, esche artificiali per la pesca, camere d'aria per palloni da gioco, "mah-jong" (gioco cinese con tessere); marionette; macchinario ed apparecchi per il gioco dei birilli (bowling); modellini di veicoli, in miniatura, reti (articoli sportivi); gioco degli anelli; nasse (arnesi da pesca), giochi di anelli, toboga (gioco), monopattini, corde per racchette, scacchiere, set completi per il gioco degli scacchi, aitalene; cavalli a dondolo (giocattoli), parastinchi (articoli per lo sport) bersagli; guanti per battitori (accessori per giochi), slitte (articoli per lo sport); stivaletti da pattinaggio su ghiaccio; pattini da ghiaccio; stivaletti con pattini attaccati; tavole da snowboard, piscine (articoli per il gioco), galleggianti; pinne da nuoto, tavole a vela, skate board, rivestimenti di sci, attacchi di sci; sci; spigoli di sci, raschini per sci, sciolina, tavole da snowboard, palle da gioco, giochi, compresi nella classe 28; palloni; dadi; giocattoli per animali da compagnia; veicoli giocattolo, mazza da gioco, tavole da surf, reti per tennis, piattelli in argilla per il tiro al bersaglio, tiro al piccione; backgammon, sci d'acqua, aitalene, bussolotti per giochi, freccette, frisbee (giocattoli).

**IT** - 29

concentrati a base di sostanze nutritive come prodotti alimentari pronti o da miscelare costituiti essenzialmente da latte in polvere e/o proteine animali e/o vegetali e/o carboidrati, anche con aggiunta di vitamine, minerali, oligoelementi e zucchero, in forma sia solida che liquida, concentrati a base di sostanze nutritive come prodotti alimentari pronti o da miscelare, costituiti essenzialmente da proteine animali o vegetali e/o carboidrati, frutta essiccata, anche con aggiunta di fibre vegetali, cereali e zucchero in forma sia solida che liquida; frutta e ortaggi conservati, essiccati e cotti; gelatine, marmellate.



composte: uova, latte e prodotti derivati dal latte; oli e grassi commestibili estratti d'alghe per uso alimentare, alginati per uso alimentare tuorlo d'uovo uova in polvere, bianco d'uovo [albume]; albumina per uso alimentare; bevande lattee, in cui il latte costituisce l'ingrediente principale, prodotti a base di latte; siero di latte

LV - 9

Ergometri

LV - 10

Medicīniskas ierīces, jo īpaši ierīces dažāda svāra kravu pārvietošanai fiziskajai terapijai, fizioterapijas ierīces; masāžas aparāti; aparāti, kas paredzēti estētiskajai masāžai; masāžas cimdi; masāžas cimdi no aštriem; fizisko vingrinājumu aparāti medicīniskiem nolūkiem; trenāžieri medicīniskiem mērķiem; ortopēdiskās preces; ortopēdiskie pārsēji locītavām; ortopēdiskās ceļu bandāžas; medicīnisko analīžu veikšanai paredzētās iekārtas, asins analīžu iekārtas; sfingomanometri, medicīniskiem mērķiem paredzētās diagnosticēšanas iekārtas; medicīniskās ledus somas; elastīgās saites; elektroakupunktūras ierīces medicīniskie elektrodri; elektrokardiogrāfi; galvaniskās terapeitiskās ierīces; medicīniskās jostas; medicīniskiem nolūkiem paredzētie cimdi, prezervatīvi, piepūšamie matraču medicīniskiem nolūkiem; ortopēdiskie apavi, ortopēdiskās zoles; apavu zoliņas pret plakano pēdu; apavu locītavu atspēres [ortopēdiskie izstrādājumi]; radioterapijas iekārtas; medicīniskiem nolūkiem paredzētās ultravioletās lāmpas; aparāti, kas paredzēti vibromasāžai.

LV - 28

Vingrošanas un sporta preces, kas nav ielvertas citās klasēs, vingrošanas aprīkojums; kultūrisma ierīces; trampīni (sporta

dēļi, sniegadēļi; peldbaseini [rotalietas]; peldēšanas pludīni; peldpiezinas, buru dēļi, skrituļdēļi; slēpju zoliņu pārsegi, slēpju stiprinājumi slēpes; slēpju apmales, slēpju kasīki; slēpju vasks; sniegadēļi; spēļu bumbas; spēles, kas iekļautas 28. klasē; rotaļu bumbas, spēļu kauliņi, mājas dzīvnieku rotalietas, rotaļu transporta līdzekļi; spēļu nūjas; vējdēļi; tenisa tīkli; šautuvju mērķi, šautuvju mērķu lūkas, narda spēles ūdensslēpes; šūpoles, spēļu kauliņu kausi; šautriņas; frīzbijs

LV - 29

Pārtikas koncentrāti, kas ir pagatavota pārtika vai piemēroti maisījumi, kuri galvenokārt sastāv no pulverveida piena un/vai dzīvnieku un/vai augu proteīniem un/vai ogļhidrātiem tostarp ar pievienotiem vitamīniem, minerālvielām un cukuru, gan cietā, gan šķidrā veidā pārtikas koncentrāti, kas ir pagatavota pārtika vai piemēroti maisījumi, kuri galvenokārt sastāv no dzīvnieku vai augu proteīniem un/vai ogļhidrātiem, žāvētiem augļiem, tostarp ar pievienotām augļu šķiedrām, graudaugiem un cukuru, gan cietā, gan šķidrā veidā; konservēti, žāvēti (kaitēti) un termiski apstrādāti augļi un dārzeņi, želejas, dzēmi, kompoti; olas, piens un piena produkti; pārtikas eļļas un tauki; augu ekstrakti izmantošanai pārtikā, augu ekstrakti izmantošanai pārtikā, olas dzeltenums; olu pūderis, olu baltums; olbaltumvielas pārtikai; piena dzērieni, kuru sastāvā pārsvarā ir piens, piena produkti, sūkalas

LT - 9

Ergometri

LT - 10

medicīnos aparatūra, ypat prietaisai jvariems svoniams naudojamiems fizikineje terapijoje, perkelti fizioterapijos aparatai; masažo aparatai; estetinio masažo aparatai; masažo

preces) spēles un rotaļlietas; kultūrisma ierīces: hanteles, svaru bumbas; galda tenisa galdi; galda tenisa raketes, galda tenisa rīki; galda tenisa piederumi; vingrinājumu ierīces, cimdi (spēļu un mājas sporta veidu piederumi); stacionārie treniņu velospēdi; boksa cimdi, bumbieri, boksa piederumi; espendari; gumijas, stacionāro treniņu velosipēdu veliņi; galda futbols, istabas futbola galdi; biljarda galdu posterējums, ķēglu spēles; biljarda kiju krītiņi; biljarda bumbas; biljarda kijas; biljarda kijas; biljarda galdi; ar monētām vadāmi biljarda galdi; biljarda kiju uzgali, biljarda marķieri; golfa cimdi; golfa nūjas; golfa somas ar vai bez nleņiem, skrituļslidas; viennindas skrituļslidas; elkoņu aizsargi [sporta preces]; ceļgalu sargi (sporta piederumi); aizsargājoši posterējumi (sporta apģērba daļas); snieģadēļi; makšķerēšanas piederumi, makšķerāji, makšķerēšanu šņores, makšķeru spoles, makšķerkāli, sīgas makšķerēšanas nolūkiem, beisbola cimdi, spēles, kuras modelē ceļtniecību rotaļu konstruktoru bloki, ēsmas sensori [makšķerēšanas piederumi], bobsleja kamanas, šaujamloki, loka šaušanas rīki, galda spēles; dāma kā spēle; dambretes galdiņi; sīgas raketēm; sportam paredzētie diski; domino, pūķi; ledus slidas, elektroniskās spēles; transportlīdzekļu modeļi, samazināti; rotaļu maskas, paukošanās cimdi ar atlokiem, paukošanas sejsēgi, paukošanās ieroči; badmintonā komplekti; paukošanas floretes; iluzionistu iekārtas; istabas spēles; planieri; deltoplāni; harpūnieroči (sporta preces), pūķu spoles, hokeja nūjas; pakavu spēles; programmu nodrošinājumi spēlēm; ierīces vizināšanai; gadatīģos, ķēglu spēles, makšķerēšanu tīkliņi, alpinistu piederumi, medību un makšķerēšanas māneklī, kriketa somas; mākslīgā zivju ēsmas, spēļu bumbu kameras, "majong" (ķīniešu spēle); marionetes, boulinga ierīces un mehānismi, transportlīdzekļu modeļi, samazināti; tīkli sportam; metāma nīķi, murdi (makšķerēšanas piederumi), rīņķa spēles; skrituļslidas; skrejīteņi (rotaļu); rakešu sīgas, šaha galdiņi, šaha komplekti; šūpoles; šūputzirdzini, sīlbu aizsargi [sporta izstrādājumi]; mērķi; sitēja cimdi [spēļu piederumi]; kamanas [sporta preces]; slidzābaki ar piestiprinātām slidām, ledus slidas; slidzābaki ar piestiprinātām slidām; sniega sērfošanas

pirštīnes, ašulnēs pirštīnes (masažīnes —); fizīņu pralīmū aparātā, medicīnos reikmēs; fizīņu pralīmū aparātā (medicīnos reikmēs); ortopedīnāi garmīnāi palātkomējāi tvarsčāi; ķelū tvarsčāi (ortopedijā), medicīnīnū tyrimū aparātā, kraujū tyrimū aparātā; sfigmomanometrā, diagnostīkos aparātā (medicīnos reikmēs); ledū pūslēs (medicīnos reikmēs), eleasīnāi tvarsčāi; Elektroakupunktūros prietāisāi; elektrodāi (medicīnos reikmēs); elektrokardiogrāfāi; galvanoterapijās aparātā, dižāi (medicīnos reikmēs), pirštīnēs (medicīnos reikmēs); prezervatīvāi; pripūčāmi čūzīnāi (medicīnos reikmēs), ortopedīnē avalīnē; ortopedīnāi puspādžāi, alrāmos nuo piokščālapedystēs, ortopedīnāi vidpadžāi; radioterapijās aparātā; Ultravioletīnēs lēmpos (medicīnos reikmēs); vibrācīnū masažo aparātā.

#### LT - 28

Gīmnastīkos ir sporto reikmenys, nepriskīrti prie kitū klasiķ; gīmnastīkos īrangā; kultūnzmo trenīruoklāi; tramplynāi (sporto īrangīnāi); Žaidīmāi ir žaislāi kultūnzmo trenīruoklāi; svarmēnys; stalo teniso stalāi; stalo teniso raketēs, stalo teniso tīnkļelāi; stalo teniso reikmenys. fizīņu pralīmū īrangā; pirštīnēs (žaidīmū ir namū sporto priedāi); stacionārūs dvīračāi (trenīruoklāi); bokso pirštīnēs, bokso maišāi, bokso reikmenys, tampykļēs; begimo takelāi; stacionāriū dvīračū (trenīruoklīū) ratukāi; stalo futbolas, kambarīnū futbolo stalāi; biliardo stalū šonāi; ķēglīāi, kreīdā biliardo lazdoms; biliardo rutulāi; biliardo lazdos biliardo lazdos, biliardo stalāi; monetīnāi biliardo stalāi; biliardo lazdu antgalāi; biliardo žymeklāi; golfo pirštīnes; golfo lazdos, golfo krepšāi (su ratukāis ar be jū), nedučāi, lygiagrečios pačiūžos antalkūnāi (sporto reikmenys), antkelāi (sporto reikmenys); apsāugīnēs pagāivēlēs (sportīnū kostumū daļys), snieģlentes, žvejybos reikmenys, žuvū gaudymo kabluukāi; žvejybos valāi; žvejybinēs nīēs; meškerykočāi; žarnīnāi valāi; žvejybos reikmēs; beisbolo pirštīnēs; konstravīmo žaidīmāi; konstrukcīnāi kubelāi (žaislāi), Nībīno jutlklāi (žvejybos reikmenys), ledrogēs; šaudymo lankāi, šaudymo īš lanko reikmenys; stalo žaidīmāi, šāškes (žaidīmas); šāšklū lentos rakečū stygos (gyvullū žarnū) diskāi (sportīnāi) do-



maisto koncentratu kaip paruošti maisto produktai arba skirti pasirinktinai maistyti, daugiausia sudaryti iš pieno mišinių ir (arba) gyvūnų ir (arba) augalinių baltyminių medžiagų, ir (arba) angliavandenių, įskaitant produktus papildytus vitaminais, mineralais ir cukrumi ir kieta, ir skysta forma, maisto koncentratu kaip paruošti maisto produktai arba skirti pasirinktinai maistyti daugiausia sudaryti iš gyvūnų ar augalinių baltymų ir (arba) angliavandenių, įskaitant produktus, papildytus džiovintais vaisiais, grūdais ir cukrumi ir kieta, ir skysta forma konservuoti, džiovinoti ir virti vaisiai ir daržovės: drebučiai, džemai, vaisių tyrės; kiaušiniai, pienas ir pieno produktai, vaigomasis aliejus ir riebalai; dumblių ekstraktai maistui; alginatai (maistui); kiaušinių tryniai, kiaušinių milteliai, kiaušinių baltymai, baltymai (maistui) pieno gėrimai (pieno pagrindu) pieno produktai, išrūgos.

**HU** - 9  
Ergometėrai.

**HU** - 10  
orvosi kėszulėkek, kulonosen kėszulėkek vālotzatznāto sulyt-erhek mozgātāsāhoz fizikai terāpia szāmāra, fizioterāpiās kėszulėkek; massāzs kėszulėkek; esztėtikai massārozō kėszulėkek, kėsztyūk (massārozō ~), lōszorkėsztyūk massārozāshoz, testgyakorlāsra szolgzālō gyogyāsztai kėszulėkek ės berendėzėsek; testgyakorlāsra szolgzālō gyogyāsztai kėszulėkek ortopediai cikkek, ortopediai kōtesek izuletekre, ortopediai tērdvėdōk; berendėzėsek/kėszulėkek (az egėsz-segugyon belūl elemzese/analizālsra hasznālt ~), vėrvisz-galo berendėzėsek/kėszulėkek, vėrnyomāsmėrōk, diagnosztikai kėszulėkek gyogyāsztai hasznālsra, jėglōmik gyogyāsztai hasznālsra, rugalmas kōtszerek; elektromos akupunkturas kėszulėkek; elektrodāk gyogyāsztai hasznālsra; elektrokard-iografok; galvānterapiās berendėzėsek, ōvek gyogyāsztai cėlra, kėsztyūk gyogyāsztai hasznālsra, kondomok/ōvszerek; lėgmatracok gyogyāsztai hasznālsra, ortoped lābbeli, ortoped cipotālpak; lūdtālpbetėtek; lūdtālpbetėtek lābbelikbe [ortopediai cikkek]; radioterāpiās berendėzėsek ės kėszulėkek; ultrābolya

eszezi, mōkōtik, parkozozō jatekok, zseloztik jatekokhoz, vidam-/lunaparki/vāsān berendėzėsek, tekejatekok/kugli, meritōzsākōk horgāsaszhoz, māszo beulōk, csalėttek/csalik vadāsztāhoz vagy halāsztāhoz; krikettzākōk/-tāskak; mūcs-alik horgāsasztāhoz lėgtonlōk jātėk labdākhoz; mādzsong (Kīnai dominōjātėk); babok, bowling berendėzėsek ės gėpek; jarmūmodellek, kicsinyített, halōk sporthoz, kankadobō jātėk; vesszōvārsak (halāsztfelszerelės), karikajātėkek, cs-ūszdāk (jātėkszeiek) rollerek (jātėkok), hūrok ūlōkhoz, sakktablāk, sakk szettek, hintāk, hintālovāk; sipcsontvėdōk (sportcikkek); celtāblāk; baseballesztyūk (jātėkfelszerelėsek), szanok (sportcikkek); korcsolyacipok (korcsolyāvāl); jėgkorcsolyāk, korcsolyacipōk raerōsített korcsolyāvāl, hodeszkek, snowboardok uszomedencek (jātėkcikkek) uszozsaryāk (szarny ālaku) uszōōvek, uszo uszonyok, vitorlās deszāk, gordeszāk; talpvėdōk/-huzatok silėcekhez, siktēsek, silėcek, ėlek (silēc ~), kaparōcszkōzōk silėcekhez, viasz silėcekhez; snow board-ok; labdāk jatekokhoz: jātėkok, amelyek a 28 osztālyba tartoznak, jātėklabdāk; kockāk (jātėk-); hāziāliat jātėkai; jatekaulōk, ūlōk jatekokhoz (asztālitensz, krikett, baseball ~); hullāmlōvas deszka; teniszlōk; agyag galambok (cėlok); agyagalambdobō gėpek, backgammon/triktrak jātėkok/ostāblāk; vlzi sik; hintāk, ponarākdėdėnyek (kockarāzō ~), cėlbadobō jātėkok; dohnhātō korongok (jātėksze-erek).

**HU** - 29  
Elelmiszerek-sūritmėnyek, azaz elōkėszitett ēlelmiszerek vagy igėny szerint ėsszeāllithātō keverėkek, melyek lōkėnt porillott tejpōl ės/vagy āltati ės/vagy novėnyi fehėnyekbōl ės/vagy szėnhidrātokbōl āllnak, beleėrtve hozzādott vitaminokat, āsvānyi anyagokat ės cukrot, szilārd ės folyėkony formāban egyarant ēlelmiszerek-sūritmėnyek, azaz elōkėszitett ēlelmiszerek vagy igėny szerint ėsszeāllithātō keverėkek, melyek lōkėnt āltati vagy novėnyi fehėnyekbōl ės/vagy szėnhidrātokbōl, szāritott gyūmōlcibōl āllnak, beleėrtve hozzādott novėnyi rostokat, gabonafėlėket ės cukrot, szilārd ės folyėkony formāban egyarant, tartosított/konzervāll, szāritott ės folt gyūmōlcis ės zōlāseg, zselėk, dzsemek, gyūmōlcsszōszok, tojāsok, lej





es tejtermékek; étkezési olajok es zsírok; algakvónatok étkezé-  
esre; alginátok; tapialkozású celtra; tojássargája; porított tojas;  
tojásfehérje; albumin; étkezésre; tejes italok (főként tejet tart-  
almazó); tejtermékek; tejsavó

**MT** - 9

Ergometri

**MT** - 10

tagħmir mediku; speċjalment tagħmir għac-caqliq ta' pizijiet li  
jvarjaw għall-fizjoterapija; apparat għall-fizjoterapija; apparat  
tal-massaggi; tagħmir għall-massaggi estetiku; ingwanti għall-  
massaggi; ingwanti għall-massaggi magħmulin minn krin;  
apparat għall-eżerċizzju fiżiku; għal skopijiet mediċi; apparat  
għall-eżerċizzju fiżiku; għal skopijiet mediċi; ogġetti orto-  
pediċi faxex f' appogg; faxex ortopediċi ta' l-irkobtejn; apparat  
għall-uzu ta' analiżi mediċi; apparat għal-tesjtjar tad-demm;  
sfigmomanometru; apparat djanjostiku għal skopijiet mediċi;  
boroz tas-silġ għal skopijiet mediċi; faxex tal-ħastku; Tagħmir  
ta' l-elettropuntura; elettrodi għal skopijiet mediċi; elektrokard-  
jografi; tagħmir terapewtiku galvaniku; cintunni għall-skopijiet  
mediċi; ingwanti għal skopijiet mediċi; kondoms; saqqijiet bi-  
arja għal skopijiet mediċi; fibies tas-saqajn ortopediċi; qiegħan  
ortopediċi; suletti għall-pali tas-saqajn ċaħti; moloi għall-parti  
ta' taħt taż-żraben [ogġetti ortopediċi]; apparat tar-radjoterapi-  
ja; lampi tar-raġġ ultravjola; mhux għal skopijiet mediċi; appa-  
rat tal-massaggi bil-vibrazzjonijiet

**MT** - 28

Artikli tal-ginnastika u ta' l-isports mhux inkluzi fi klassijiet oħra;  
tagħmir tal-ginnastika; apparat għal-ħarġ tal-muskoli; tram-  
polini (ogġetti sportivi); loġħob u gujarelli; apparat għal-ħarġ  
tal-muskoli; dumb-bells; mwejjeġ għal-ping pong; rakketti tal-

spag għar-rakketti; skakkiera; settijiet taċ-ċess; bandli; Ziemei  
li jibbandi; kuxxinetti għall-protezzjoni tal-qaġba tas-sieq  
(ogġetti ta' l-isport); targits; ingwanti għal dawki li jżaw ir-  
rakketti (aċċessorji tal-loġħob); silti; stvali ta' l-iskejżjar bir-roti  
mwaħħla magħha; skejż tas-silġ; stvali ta' l-iskejżjar bir-roti  
mwaħħla magħha; siedges; snowboard; pixxini [ogġetti tal-  
loġħob]; water-wings; fliper boards ta' l-ibburdjar; bord b'roti  
ta' l-iskejżjar mwaħħla magħha; għata għall-qiegħ tas-sieq  
għall-iskis; ski bindings; gerreġja marbutin taħt is-saqajn biex  
tiskilja; truffijiet għall-iskis; barraxxa għall-iskis; xama' għall-  
gerreġja marbutin taħt is-saqajn biex tiskilja; snowboard; blaġen  
għall-loġħob; loġħob; inkluz fi-klassi 28; blaġen għall-loġħob;  
dadi; pet toys; vettun tal-loġħob; paletti għall-loġħob; serfbord  
xibka tal-tennis; plattini (bħala l-bersall); apparat li jtajjar il-  
plattini; loġħob tal-baggamon; skis għall-ima; bandli; tazzi  
għal-dadi; darts; disk tal-plastika

**MT** - 29

konċentrat tal-ikel li huwa ikel lest jew għal taħlit skond il-  
gosti; pnrmarjament li jikkonsistu f'ħalib tal-trab u/jew proteini  
tal-annimali u/jew tal-ħxejjeġ u/jew tal-karboidrati; inkluz b'vi-  
tamiċi miżjuda; minerali u zokkor; kemm f'għamla solida u dik  
likwida; konċentrat tal-ikel li huwa ikel lest jew għal taħlit skond  
il-gosti; pnrmarjament li jikkonsistu f'proteini tal-annimali jew  
tal-ħxejjeġ u/jew tal-karboidrati; frott niexef inkluz b'fibrja tal-  
pjanti miżjuda; ċereali u zokkor; kemm f'għamla solida u dik  
likwida; frott u ħxejjeġ ippreservat; imqadded u msajjar; geli;  
gamm; zlezi; tal-frott; bajd; ħalib u prodotti tal-ħalib; xaxam u  
żjul li jittiekle; estratti ta' l-alka għal skopijiet ta' l-ikel; ester ta'  
acidi alginiku għall-ikel; isfar tal-bajd; bajd forma ta' trab;  
proteini; albumina għall-ikel; xorb tal-ħalib (li finom jppredom-  
ina l-ħalib); xorb tal-ħalib; xorb...

ping-pong, xbleki tal-ping-pong, ogġetti necessarji għal-logħob tal-ping-pong; tagħmir għall-eżerċitazzjoni; ingwanti (accessorji għal-logħob u għall-isport li jiġi pprattikat id-dari: rota wieqfa biex fuqha isiru l-eżerċizzji; ingwanti kkultunali tal-boksers punchbags, ogġetti necessarji għall-boksing, expanders, treadmills, skejz għal rota wieqfa biex fuqha isiru l-eżerċizzji, logħob tal-ballun ta' fuq il-mejda, miwejjed għall-futbol ta' fuq il-mejda; mattunella tal-biljard; birilli, gibs għall-istikek tal-biljard; hoċċri tal-biljard; stikek tal-biljard, stikek tal-biljard, mejda tal-biljard imwejjed tal-biljard b'mekkaniżmi fejn jidhlu l-flus, it-takka ta' l-istikek tal-biljard; markaturi tal-biljard ingwanti tal-golf l-istikek tal-golf; basket tal-golf bi jew minghajr roti; skejz bir-roti; skejz flinja dritta; ilbies protettiv għall-minkeb ta' l-id (ogġetti sportivi) kuxxinetti għal protezzjoni ta' l-irkoppa (ogġetti ta' l-isports), kuttunar protettiv (partijiet mill-ilbies għall-isport), snowbord, tagħmir tas-sajd, sunnara, qasab għas-sajd, rukelli tas-sajd, qasab tas-sajd, miusrari għas-sajd, ingwanti tal-bejżbol, logħob fejn tibni, blokki għal bini ta' kostruzzjonijiet bħala gugarelli; tagħmir li jhoss il-gdim (tagħmir tas-sajd), slitti ta' fuq is-silg, ark għall-arciera, għodod għall-arciera; logħob tal-bord; skakki bħala logħoba; skakkiera, haġl magħmul mill-intestini ta' xi animal għar-rakketti; diskus għall-isports; dominò; tajr, skejz tas-silg; logħob elettroniku, mudelli żgħar tal-vetturi; maskni tal-logħob; ingwanti tal-metall għall-uzu fil-logħob bix-xabla maskni għall-uzu fil-logħob bix-xabla; armi għall-uzu fil-logħob tax-xabla; settijiet tal-badminton; fjurett uzat fil-logħob bix-xabla; apparat għall-prestigjalun, logħob tad-da; paraglajders; hang gliders, xkubetti tal-harpun (ogġetti sportivi) rukelli tal-tajr; stikek tal-ħoki, logħob tat-lifi tan-naghla madwar lasta; fixex tal-logħob, apparat għall-irkib fuq biċċa art fejn isir fiera, birilli, xibka li ttejjja' mill-baħar ħut ohxon maqbud bis-sunnara, bardgħa ta' l-aijnist, lixxa għall-kaċċa u għas-sajd, borża twila għaž-żamm tal-pala tal-kriket għalf tal-ħut artifiċjali; ċejmbers ta' l-arja għal blalen; mah-jong, marjunetti; apparat u makkinarju għall-bowling; mudelli żgħar tal-vetturi xbieki għall-uzu fil-isports, xħit ic-ċirku xbieki (ogġetti għas-sajd); xħit ic-ċirku; glajders; skuter (gugarell);

ma l-nano), prodotti tal-nano, xħorox.

**NL** - 9

Ergometers

**NL** - 10

geneeskundige apparaten, met name apparaten voor het bewegen van variabele belasting van gewichten voor de fysiotherapie, fysiotherapeutische apparatuur, massageapparaten, schoonheidsmassageapparaten; massagehandschoenen; massagehandschoenen van haar, medische apparatuur voor lichaams oefeningen; medische apparatuur voor lichaams oefeningen, orthopedische artikelen, gewrichtsverbanden, orthopedisch orthopedische kniebandages; analyseapparaten voor medisch gebruik; bloedanalyse-apparaten; bloeddruk meters; apparaten voor de diagnostiek voor medisch gebruik, ijszakken voor medisch gebruik, elastische verbanden, elektrische acupunctuurtoestellen, elektroden voor medisch gebruik, elektrocardiografen; galvanische apparaten voor therapeutisch gebruik; gordels voor medisch gebruik; handschoenen voor medisch gebruik; preservatieven; luchtmatrassen voor medisch gebruik; orthopedisch schoeisel, orthopedische zolen, steunen voor platvoeten; steunzolen voor schoenen; radiotherapeutische apparatuur, ultravioletlampen voor medisch gebruik; vibromassageapparaten

**NL** - 28

Gymnastiek- en sportartikelen voor zover niet begrepen in andere klassen, gymnastiektoestellen, fitnessstoelstellen, trampolines (sportartikelen); spellen en speelgoederen; fitnessstoelstellen, halters, tafels voor tafeltennis, tafeltennisbats, tafeltennisnetten, tafeltennisaccessoires; toestellen voor lichaams oefeningen; handschoenen (accessoires voor spellen en voor het sporten thuis); home-trainers (fietsen), bokshandschoenen; boxzakken; boxaccessoires; trekveren voor spieroefeningen; tredmolens; rollen voor home-trainers, kickers, tafels voor tafelfoetbal, biljartbanden; biljartkegels, biljartkrijt; biljartballen, biljartkeus, biljartkeus, biljarttafels, biljarttafels, met muntinworp, pomeransen voor biljartkeus, telinrichingen voor het biljartspel, golfhandschoenen; golfclubs; golfassen met en



zmiennosci, opozieteren, opoziert, voorzetor, begroep in klasse 28, speelballen, dobbelstenen, speelgoed voor huisdiere: speelgoedvoertuigen; knuppels voor spellen, surfplanken, tennisnetten; kleiduiven (schietschijven); kleiduif-lanceerapparaten; triktrakspellen; waterski's; schommels; bekens voor dobbelstenen; werppijltjes; discussen (speelgoedere).

**NL** - 29

voedingsstofconcentraten als kant-en-klare voedingsmiddelen of voor eigen bijmenging hoofdzakelijk bestaande uit melkpoeder en/of dierlijke en/of plantaardige eiwitstoffen en/of koolhydraten, ook met toevoeging van vitamines, minerale stoffen en suiker, zowel in vaste als ook in vloeibare vorm; voedingsstofconcentraten als kant-en-klare voedingsmiddelen of voor eigen bijmenging, hoofdzakelijk bestaande uit dierlijke of plantaardige eiwitstoffen en/of koolhydraten, gedroogd fruit, ook met toevoeging van plantaardige vezels, graan en suiker, zowel in vaste als ook in vloeibare vorm; geconserveerde, gedroogde en gekookte vruchten en groenten; geleien, jams, vruchtensausen; eieren, melk en melkproducten; eetbare olien en vetten; wiereextracten voor voedingsdoeleinden, alginaten voor voedingsdoeleinden, eigeel; eieren in poedervorm; eiwit; albumine voor voedingsdoeleinden; melkcranken waarin melk het hoofdbestanddeel is; melkproducten; melkwei

**PL** - 9

Egrometry.

**PL** - 10

Urządzenia medyczne, w szczególności urządzenia do przenoszenia ładunków o różnej wadze, do celów fizjoterapii; urządzenia do fizykoterapii; aparaty do masażu; przyrządy do masażu kosmetycznego; rękawice do masażu; rękawiczki z włosia do masażu; przyrządy do gimnastyki leczniczej; przyrządy do ćwiczeń gimnastyki leczniczej; artykuły ortopedyczne; bandaże podpierające; nakolanniki ortopedyczne; aparaty stosowane w analizach medycznych; aparatura do analizy krwi; ciśnieniomierze; aparatura diagnostyczna do celów medycznych; worki na łód do celów medycznych; ban-

wędkarskie, kulowrotki wędkarskie, węski do łowiennia, linki, żyłki wędkarskie; baseballowe (rękawice -), konstrukcji (gry polegające na -) klocki do zabawy, spławiki (sprzęt wędkarski); bobsleje; łuki do łucznictwa; luków do strzelania (przybory do -) gry planszowe, walcaby jako gra plansze do gry w walcaby; naciągi do rakiet; dyski sportowe; domino (gra w -); latawce, lizwy, gry elektroniczne; modele pojazdów, pomniejszone, maski zabawkowe; szermierki (rękawice do -); szermierki (maski do -); szermiercze (florety -); zestawy do badmintona; florety; sztuki magicznej (aparatura do -); gry towarzyskie (salonowe); paratonie; lotnie; strzelby harpunowe (artykuły sportowe); latawce (szpule do -); hokejowe (kije -); podkowy do zabawy, pionki do gier, karuzele, kręgle (gry), podbieraki dla wędkarzy, wspinaczki (uprząż do -), przynęty do myślistwa lub rybołówstwa; torby na sprzęt do krykieta, przynęty stosowane w wędkarstwie; sztuczne, dętki do piłek do gry; mah-jongs (chińska gra planszowa); kukiełki; kręgli (oprzyrządowania i urządzenia do -); modele pojazdów, pomniejszone, siatki (artykuły sportowe); pierścienie do rzucania (gry); koszyki wędkarskie (sprzęt wędkarski); ringo; zjeżdżalnie [zabawki], hulajnogi (zabawki), żyłki do rakiet; szachownice, szachy, huśtawki; konie na bieżniach (zabawki) nagolenniki (artykuły sportowe); tarcze strzelnicze; rękawice (akcesoria do gier), sanki [artykuły sportowe], rolki, wrotki; lizwy; buty do lizew z przymocowanymi lizwami; deski surfingowe, snowboardy; baseny kąpielowe (artykuły do gier), skrzydła wodne, pletwy do przywania, łodzie zagłowe, deskorolki, ślizgów nart (pokrycia -); nart (wiązania do -); narty; krawędzie nart; skrobaczki do nart, wosk do nart; snowboardy; piłki do gier; gry, ujęte w klasie 28; gry (kule do -); kości do gry; zabawki dla zwierząt domowych; pojazdy zabawkowe; kije (do gry), deski surfingowe, tenisowe (siatki -); rzutki (cele strzelnicze), rzutek strzelniczych (przyrządy do wyrzucania -); trik-trak (gra), narty wodne, huśtawki, kubki na koci do gry; rzutki, lotki (gra); latające kraszki [zabawki]

**PL** - 29

Koncentraty spożywcze, będące żywnością gotową lub przeznaczoną do tworzenia mieszanek spożywczych; złożone



głównie z mleka w proszku i/lub protein zwierzęcych i/lub roślinnych i/lub węglowodanów, w tym także koncentraty z dodatkami witamin, mineralów i cukru, zarówno w formie stałej, jak i płynnej; koncentraty spożywcze, będące żywnością gotową lub przeznaczoną do tworzenia mieszanek spożywczych, złożone z protein zwierzęcych lub warzywnych i/lub węglowodanów, suszonych owoców, w tym z dodatkiem włókien roślinnych, płatków i cukru, zarówno w formie stałej, jak i płynnej; owoce i warzywa konserwowane, suszone i gotowane, galaretki, dżemy, sosy owocowe, jaja, mleko i produkty nabiałowe; oleje jadalne i tłuszcze; wyciągi z wodorostów do celów spożywczych; alginiany do celów spożywczych; żółtko jajka; jaja w proszku; białka jajek, białko spożywcze; napoje mleczne (z przewagą mleka) produkty nabiałowe; serwatka.

**PT - 9**  
Ergómetros

**PT - 10**  
aparelhos médicos, em especial aparelhos para a movimentação de diferentes pesos para utilização em fisioterapia; aparelhos para a fisioterapia, aparelhos de massagem, aparelhos para massagens estéticas; luvas de massagem; luvas em crina para massagens, aparelhos medicinais para exercícios corporais, aparelhos medicinais para exercícios corporais, artigos ortopédicos; ligaduras para as articulações; joelheiras ortopédicas; aparelhos para uso em análises médicas; aparelhos para a análise de sangue; esfingomanómetros; aparelhos de diagnóstico para uso medicinal; sacos para gelo para uso medicinal; ligaduras elásticas; aparelhos de electroacupunctura; electrodos para uso médico; electrocardiógrafos; aparelhos terapêuticos galvânicos, cintas medicinais, luvas

asas-delta; espingardas lança-arpões (artigos de desporto); enroladores para papagaios de papel, lacos de hoquei, jogos de ferradura, fichas para jogos, aparelhos de diversões de feiras; quilhas (jogo); sacos (pequenos) de rede para a pesca a linha; cintos de segurança para alpinistas, engodos para a caça ou pesca; sacos de críquete; iscas artificiais para a pesca; câmaras-de-ar para bolas de jogo; mah-jong, marionetas; maquinaria e aparelhos para o jogo de quilhas, modelos de velculos, em miniatura; redes (artigos de desporto), malhas (jogo); nassas (aprestos de pesca); jogos de argolas; tobogã (jogo); trotinetas; cordas para raquetas, tabuleiros para jogo de xadrez, conjuntos de xadrez; baloiços; cavalos-de-baloiço; caneleiras (artigos de desporto); alvos, luvas para batedores [acessórios de jogos] trenós (artigos de desporto) botas-patins, bolas de patinagem no gelo, patins para gelo, botinas-patins, pranchas de snowboard; piscinas de natação (artigos para brincar); flutuadores; barbatanas para natação; pranchas à vela; skates (pranchas de rodízios); revestimentos de esquis; fixadores de esquis, esquis; arestas de esquis; raspadores para esquis, cera para esquis; snowboards; bolas para jogos, jogos, incluídos na classe 28; bolas de jogo; dados (jogo); brinquedos para animais de estimação, veículos de brincar, raquetas; pranchas de surf, redes para ténis; pombos em barra (alvos), tiro aos pombos, jogo de gamão, esquis aquáticos; baloiços; copos para jogos de dados; setas; discos voadores (brinquedos)

**PT - 29**  
concentrados alimentares enquanto produtos alimentares prontos para consumo ou para preparar em casa, essencialmente constituídos por leite em pó e/ou proteínas animais

para uso médico; preservativos; colchões de ar para uso medicinal; calçado ortopédico; palmilhas ortopédicas; suportes para pés chatos; molas para os arqueados de calçado, aparelhos para a radioterapia, lâmpadas de raios ultravioletas para uso medicinal, aparelhos de vibromassagem.

**PT** - 28

Artigos de ginástica e de desporto não incluídos noutras classes; aparelhos de ginástica; aparelhos para culturismo; trampolins (artigos de desporto); jogos, brinquedos, aparelhos para culturismo, halteres; mesas para ténis de mesa; raquetes de ténis de mesa, redes para ténis de mesa; equipamento de ténis de mesa; instrumentos para exercícios corporais; luvas (acessórios de jogos e desportos domésticos); bicicletas fixas para manutenção física, luvas de boxe, sacos de boxe, equipamento de boxe, extensores (exercitadores), tapetes rolantes, rolos para bicicletas fixas de treino, matraquilhos, mesas para futebol de salão, tabelas de bilhar; paus de jogo de bilhar, giz para tacos de bilhar, bolas de bilhar; tacos de bilhar; tacos de bilhar; mesas de bilhar; mesas de bilhar de pré-pagamento; rodelas para tacos de bilhar, dispositivos para marcar os pontos para bilhars; luvas de golfe; tacos de golfe; sacos de golfe, com ou sem rodas, patins de rodas, patins em linha, cotoveleiras (artigos de desporto); joelheiras (artigos de desporto); almofadas de protecção (partes de fatos de desporto); snowboards, equipamento de pesca, anzóis, linhas para a pesca, carretos para a pesca; canas de pesca; cordas finas para a pesca, luvas de basebol, jogos de construção blocos de construção, sensores para indicadores de presa [acessórios para pesca], bobsleighs; arcos de tiro; material para o tiro ao arco, jogos de tabuleiro, jogos de damas, tabuleiro para jogo-de-damas; cordas de tripa para raquetes, discos para o desporto, jogos de domino, papagaios de papel; patins para gelo, jogos electrónicos, modelos de veículos, em miniatura; máscaras de brincar; luvas para esgrima; máscaras para esgrima; armas de esgrima; conjuntos de badminton; floretes para esgrima; aparelhos de prestidigitadores; jogos de mesa; pára-quedas de planar (parapente);

e/ou vegetais e/ou hidratos de carbono, incluindo com adição de vitaminas, minerais e açúcar, tanto sob a forma sólida, como sob a forma líquida; concentrados alimentares enquanto produtos alimentares prontos para consumo ou para preparar em casa, essencialmente constituídos por proteínas e/ou hidratos de carbono animais ou vegetais, frutos secos, incluindo com adição de fibras vegetais, cereais e açúcar, tanto sob a forma sólida, como sob a forma líquida, frutos e legumes em conserva, secos e cozidos; geleias, doces, compotas; ovos, leite e produtos lácteos; óleos e gorduras comestíveis, extratos de algas para uso alimentar; alginatos para uso alimentar; gema de ovo; ovos em pó; clara de ovo; albumina para uso alimentar, bebidas lácteas com elevado teor de leite, produtos lácteos; soro de leite.

**RO** - 9

Ergometre.

**RO** - 10

echipamente medicale. in special echipamente pentru misca-rea de sarcini diferite pentru terapia fizica; Aparate pentru fizioterapie, aparate pentru masaj; Aparate pentru masaj de infrumusetare; manusi pentru masaj; Manusi pentru masaj din par de cal; aparate medicale pentru exercitii fizice, aparate medicale pentru exercitii fizice de uz medical; articole ortopedice; bandaje ortopedice pentru articulatii; Genunchiere ortopedice; aparate pentru analiza medicala; aparate pentru analiza sangelui; tensiometre; aparate pentru analiza de uz medical. Pungi de gheata pentru uz medical; bandaje elastice. Aparate electrice de acupunctura, electrozi de uz medical, aparate de electrocardiografie; aparate pentru terapie galvanica; centuri medicale, manusi de uz medical; prezervative, Saitele cu aer de uz medical, Incaltaminte ortopedica, talpi ortopedice, Talonele pentru platfus; arcui de articulatie pentru incaltaminte [articole ortopedice], aparate pentru radioterapie, Lampi cu raze ultraviolete pentru uz medical. Aparate de vibromasaj.

**RO** - 28





Articole de gimnastica și sportive necuprinse în alte clase; echipamente de gimnastica, aparate pentru culturism, trambuline (articole de sport) jocuri și jucării, aparate pentru culturism; haltere; mese pentru tenis de masă, rachete de tenis de masă, fileuri pentru tenis de masă, accesorii pentru tenis de masă; mașini de exercițiu fizic; mănuși (accesorii pentru jocuri și sportive); biciclete fixe de antrenament, mănuși de box, saci de box, accesorii pentru box, extensoare; benzii rulante cu plan înclinat, roți pentru biciclete fixe de antrenament, kicker; mese pentru fotbal cu nasturi; benzii de biliard; popice, creta pentru tacuri de biliard, bile de biliard, tacuri de biliard, tacuri de biliard; mese de biliard, mese de biliard acționate prin inserția de monede; vârfuri pentru tacuri de biliard, dispozitive de marcat punctele pentru biliard, mănuși de golf, croșe de golf, genți de golf cu sau fără roțile, păline cu roțile, păline cu roțile; cotiere (articole de sport), genunchiere (articole sportive); umplutura de protecție (partii de echipamente de sport); snowboard-uri, truse de pescuit, cărți de undiță, undițe pentru pescuit, mulinete pentru pescuit, undițe, rădăcini pentru pescuit, mănuși de baseball, jocuri de construcție, cuburi de joacă pentru construcții (jucării), senzori indicatori de musculatură (accesorii de pescuit), boburi, arcuri de tir, materiale pentru tir cu arcul, jocuri cu tabla de joc; dame [joc]; table pentru jocul de dame, corzi de rachete, discuri pentru sport, jocul de domino; zmee; păline de gheață; jocuri electronice; modele de vehicule, reduse, măști de carnaval, mănuși de scrimă, măști de scrimă, arme de scrimă, seturi de badminton, florete; aparate de prestidigitatie; jocuri de societate; parapante, pianoare, lansatoare de harpoane (articole sportive), vârtelnite pentru zmee; croșe de hochei; jocuri de precizie conștând în aruncarea la țintă cu proiectiva, seturi pentru jocuri

mentar; Băuturi lactate sau în principal pe baza de lapte; produse lactate, zer

SK - 9

Ergometre.

SK - 10

lekkárske prístroje, predovšetkým prístroje na pohybovanie variabilných zataží pre fyzikálnu terapiu, fyzioterapeutické zariadenia; masážne prístroje, masážne prístroje; masážne rukavice, masážne rukavice z kónských vlasov; zariadenia na cvičenie, na lekkárske účely; cvičenie (zariadenia na fyzické -) na lekkárske účely, ortopedické výrobky, ortopedické pasky a bandáže na spevnenie kĺbov, nákolenníky (ortopedické bandáže na kolená); zariadenia na lekkárske analýzy; prístroje na vykonávanie krvných skušok; tlakomery krvného tlaku, diagnostické prístroje na lekkárske účely; vrecúška s ľadom na lekkárske účely, elastické bandáže, prístroje na elektrickú akupunktúru; elektrody na lekkárske použitie; elektrokardiogramy, galvanické terapeutické zariadenia, popruhy na lekkárske účely; rukavice na lekkárske účely; kondómy, prezervatívy; nafukovacie matrace na lekkárske účely, ortopedická obuv, ortopedické vložky, podporné vložky na ploché nohy; ortopedické vložky do topánok, röntgenové prístroje, UV-lampy na lekkárske účely; vibromasážne prístroje.

SK - 28

Gymnastické a športové tovary nezahrnuté v iných triedach; gymnastické vystroje/zariadenia, zariadenia na kultúrniku; trampolíny (športové predmety); hry a hračky; zariadenia na kultúrniku, činky, stoly na stolný tenis, stolnotenisové rakety, stolnotenisové siele potreby pre stolný tenis, riadnie na cvičenie, rukavice (príslušenstvo pre jedla a domáci šport);

... carusele pentru parcuri de distracție, popice, mingioguri de pescuit, centuri de catarare (articole de sport), momeli pentru vânatoare sau pescuit, saci de cricket; momeala artificială pentru pești; furtune de umflat pentru mingi; jocul mah-jong; manonete, mașinări și aparate pentru jocul de popice; modele de vehicule, reduse, plase de sport, discuri de aruncat, cosuri de pescuit (truse de pescuit); jocul de inele, tobogane scutere (jucării); corzi de rachete; table de șah; seturi de joc de șah; balanșoare, caluți de lemn-balansoar, aparatul pentru gamba (articole de sport); ținte; manusi pentru balatori [accasoni de jucarie], șaniș (articole de sport), patine de gheață, patine pentru patinaj viteză; patine de gheață, ghete cu patine, Snowboard (placa pentru sport de iarnă); piscine (obiecte de joacă), flotor, aripioare de înot, placi de surf, planșe cu roțile, skateboarduri, nuse pentru schiuri, legături de schi, schiuri, canturi de schi; razuitoare pentru schiuri; unsoare de schi, snowboard-uri, mingi de joc, jocuri în masura în care sunt cuprinse în clasa 28 bule de joc, zaruri, jucării reprezentând animale de companie, vehicule de jucarie, băte de joc, plăci de surfing, fileuri pentru tenis, talere de argilă (ținte); tir cu talere; joc de table, schiuri nautice; balanșoare; pahare de amestecat și aruncat zaruri, săgeți, discuri de metal sau de plumb care se arunca spre o țintă (jucării)

RO - 29

Concentrate alimentare sub forma de alimente sau pentru amestecul după preferință, constând mai ales din lapte praf și/sau proteine vegetale și/sau carbohidrați, inclusiv cu adaos de vitamine, minerale și zahăr, atât în stare solidă, cât și lichidă, concentrate alimentare sub forma de alimente sau pentru amestecul după preferință, constând mai ales din proteine vegetale sau animale și/sau carbohidrați din fructe uscate, inclusiv cu adaos de fibre naturale, cereale și zahăr, atât în stare solidă, cât și lichidă, fructe și legume conservate, uscate și preparate, jeleuri, dulceturi, siropuri de fructe, ouă, lapte și produse lactate; uleiuri și grăsimi alimentare; extracte din alge de uz alimentar, alginat pentru uz alimentar, galbenus de ou, praf de ou, albumina [albumina]. Proteine pentru uz ali-

stacionarne biciclye na cvičenie, boxérske rukávce, boxovacie vrecia, potreby na boxovanie, cvičebné zariadenie na posilovanie hrudníka, bežiace pásy, valčeky do stacionárnych bicyklov na cvičenie, stolný futbal, stoly pre salónny futbal, mantinely biliardového stola, kocky (figurky) kriada na biliardové taga, biliardové gule, taga, taga, biliardové stoly, gulečnické stoly uvádzané do chodu vhođením mince, špičky biliardových tag, biliardové tabuľky na zaznamenávanie stavu hry; golfove rukávce, golfove palice, golfove vaky s kolieskami alebo bez koliesok, kolieskové korčule; in line korčule; chrániče na lakte (športové potreby), nakolennice (športový tovar), ochranné vypchávký (ako časti športových úborov) snoubordy, rybárske náradie; rybárske háčky; rybárske vlasce; rybárske navijaky; rybárske udice, materiál na zhotovovanie vlascov pre rybolov, baseballove rukávce, stavebnice, stavebné kocky (hračky), snímače uhryznutia (rybárske náčinie), boby, lúky na lukostreľbu; náradie na lukostreľbu; stolové hry, dáma ako hra, šachovnice, výplety rakiet, disky ako športové náradie, domino (kocky); šarkany, korčule, elektronické hry; modely automobilov, zmenšené, masky na hranie; šermiárske rukávce, šermiárske masky; šermiárske zbrane; bedmintonové supravý; šermiárske fleurety; kúzelnicke zariadenia, spoločenské hry, kizaky; kizáky (rogalá), harpunové zbrane (športové potreby), navijaky na šarkanov; hokejky; hry hadzania podkovy, žetóny (hračky -), jarmocné manéž (lunapark), kocky, podberaky pre rybarov; upínacie pásy pre horolezcov; navnady na lovenie alebo chytanie rýb, vak s knketovými potrebami, umelé rybárske navnady, duše do hracích lópt, mah-jongs (čínska spoločenská hra so 144 kameňmi), bábky, zariadenia a prístroje na bowling, modely automobilov, zmenšene, športové siete, puky, prutene koše na chytanie rýb (rybárske náradie), krúžky (hra pri ktorej sa hadžu krúžky na tyčky); smyčkovky, skutry (hračky) strunové výplety rakiet, šachovnice, šachy, hoidačky, hoidacie kone, chrániče na holennú kosť [športový tovar], terče, rukávce na kriket [športové príslušenstvo]; sanky (športový tovar); krasokorčuliarske topánky a korčule, korčule, topánky na korčuľovanie s pripevnenými korčuľami; surfvacie



lyže, snoubordy; bazeny [tovar na hranie]; plavaky; plutvy na plvanie, male plachetnice, skejtbordy, obaly na lyže, lyziarske viazania, lyže hrany lyží, škrabky na lyže vosky na lyže snoubordy; lopty na hranie; hry pokraf zahmuté v 28. tneđe; lopty na hranie, kocky hračky zvierat vozidlá na hranie, rakety ako športové náradie; surfbord; tenisové siete; ľahke cieľe (terče); zariadenia na vypúšťanie terčov v podobe hlinených holubov; hry s kameňmi a kockami, vodné lyže, hojdačky, poháre na kocky; šípky (hra); lietajúce taniere (frisbees) (hračky).

**SK** - 29

Potravinové koncentráty v podobe hotových potravín alebo v podobe látok určených na miešanie, obsahujúce hlavne praškové mliečne a/alebo živočíšne a/alebo rastlinné bielkoviny a/alebo uhľohydráty, spolu s pridanými vitamínmi, minerálmi a cukrom, či už v tekutej alebo pevnej podobe, Potravinové koncentráty v podobe hotových potravín alebo v podobe látok určených na miešanie, obsahujúce hlavne živočíšne a/alebo rastlinné bielkoviny a/alebo uhľohydráty, sušené ovocie, spolu s pridanou rastlinnou vlákninou, cereáliami a cukrom, či už v tekutej alebo pevnej podobe, konzervované, sušené a varené ovocie a zelenina, rósoly, džemy, ovocné omáčky, vajcia\*, mlieko a mliečne výrobky; jedlé oleje a tuky; vyťažky z chaluň na potravnarske účely, alginaty ako potrava; žltok, sušené vajce, vaječný bielok; bielkoviny ako potrava; mliečne napoje (s vysokým obsahom mlieka); mliečne výrobky, srvátka.

**SL** - 9

Ergometri

**SL** - 10

vabe (pripomôtek za ribolov); bob sanke STOP 21356; loki za lokostrelstvo, lokostrelska oprava, igra na ploščah, dama kot igra, deske za igranje dame, črevo za loparje; diski (športni artikli); domine; papirnati zmaji; drsalky; elektronske igre; avtomobilski modelčki, pomanjšani; pustne maske, rokavice za sabljanje; maske za sabljanje; oroče za sabljanje; kompleti za badminton, floreti za sabljanje, naprave za izvajanje čarovniških trikov, družabne igre, jadralna padala, jadralni zmaji (športni artikli), harpune (športni artikeli); tuljave za papirnate zmaje; palice za hokej, igra - zadevanje obročev na količek; žetoni za igranje avtomate; zabavišne naprave za jahanje, kegiji; zajemalke (mreže na palici, za ribolov); plezalne vrvi (športni artikli), vaba za lov ali ribolov, torbe za knket, umelne vabe za ribe, mehurji za žoge (notranji del žoge), mah-jong (kitajski domino); ľutke na vrvcici, naprave za bowling, avtomobilski modelčki, pomanjšani mreže (športni artikeli), obroči za metanje (gumijasti, kovinski, z vrvi); vrše (ribiška oprava); igre z obroči, drsalnice, tobogani (igraino orodje), skiroji, strune za loparje, šahovnice, šahovski kompleti, gugalnice, gugalni konjicki; ščitniki za golenice, tarče, rokavice za igre s palicami ali loparji, sanke (športni artikeli); čevlji s klinami za drsanje; drsalky, čevlji s klinami za drsanje; deske za surfanje po snegu, snowboardi; plavalni bazeni (za igranje); plavutke; plavutke za plvanje, surfi na jadra; rolke, vreče za smuči, smučarske vezi, smuči, roboti za smučke (kanle); strgala za smuči, voski za smuči, smučarske deske, žoge, večje, igre, vklucene v razred 28, žoge, manjše; kocke (za kockanje) igrace v oblíki hišnih ljubljencev; igrace vozila; kiji za igre; jadralne deske; teniške mreže, glinasti golobi (tarče), stroj za metanje glinastih golobov; backgammon (vrsta kockanja, igra); vodne smuči; ronalnice, nosodra za kocke, za kockanje; nikado, letáci, disk

medicinske naprave, zlasti naprave za gibanje spemertljivih obremenitev teže za fizikalno terapijo; aparati za fizioterapijo; masažni aparati, aparati za lepotno masiranje, masažne rokavice, rokavice za masažo iz konjske dlake, aparati za telesno vadbo za uporabo v medicini; aparati za telesno vadbo za uporabo v medicini; ortopedski pripomočki; oporni povoji, ortopedski povoji za koleno, aparati za medicinske analize; aparati za analizo krvi, priprave za merjenje ulnra, diagnostični aparati za medicinske namene, vrečke za ledom za uporabo v medicini; elastični povoji, elektroakupunktorni aparati, elektrode za uporabo v medicini; elektrokardiografi, terapevtski aparati za galvanskim tokom; pasovi za medicinske namene, rokavice za uporabo v medicini, kondomi; zračni modroci za uporabo v medicini, ortopedska obutev; ortopedski vložki, vložki za čevlje za ploska stopala, ortopedske opornice za čevlje in skornje, aparati za radioterapijo, ultravijolične svetilke za medicinske namene, vibromasažni aparati

**SL** - 28

Gimnastične in športne potrebščine, ki niso vključene v drugih razredih: gimnastična oprema, naprave za body-building, trampolini (športni artikli); igre in igrala; naprave za body-building, telovadnice; rokce za krepitev mišic, mize za namizni tenis; loparji za namizni tenis; mreže za namizni tenis; potrebščine za namizni tenis; naprave za telesno vadbo; rokavice (oprema za igre in domaći šport); kolesa za vadbo (statična), boksarske rokavice; boksarske vreče; boksarske potrebščine; vzmeti za raztegovanje (za krepitev mišic); tekalni trakovi; kolesa za statično kolo za vadbo; namizni nogomet, mize za namizni nogomet; ograje za biljardno mizo, keglji; krede za biljard, biljardne krogle; palice za biljard; palice za biljard; mize za biljard; mize za biljard na kovance, konice za biljardne palice; števci za biljard; rokavice za golf, palice za golf, torbe za golf; kolesi ali brez; kotalke, rolerji, kromolčni štirikoli (izdelki za šport), manšete pri srcaji, zaščitne blazinice (del športne opreme); smučarske deske, ribiški pribor, trnki (kaveljčki), ribiške vrvice; tuljave za trnke, ribiške palice; vabe za ribolov; rokavice za baseball, sestavljanke (npr. kocke); kocke (igrača), senzori-

gigantni, priprave za meso, za mesarstvo, priprave, kuhinjski (igrača).

**SL** - 29

Prehranski koncentrati, ki so pripravljena živila ali za mešanje po naročilu, predvsem sestavljeni iz mleka v prahu in/ali živalskih in/ali rastlinskih beljakovin in/ali ogljikovih hidratov, vključno z dodanimi vitamini, minerali in sladkorjem, tako v trdi kot tekoči obliki prehranski koncentrati, ki so pripravljena živila ali za mešanje po naročilu, predvsem sestavljeni iz živalskih ali rastlinskih beljakovin in/ali ogljikovih hidratov, sušenega sadja, vključno z dodanimi rastlinskimi vlakni, žitaricami in sladkorjem, tako v trdi kot tekoči obliki; konzervirano, suho in kuhano sadje in zelenjava, želeji; dzemi, sadne omake; jajca; mleko in mlečni izdelki; jedilna olja in masti, ekstrakti iz alg za prehrano, alginati za prehrano (želatina iz morskih alg); jajčni rumenjaki; jajca v prahu; beljaki; beljakovine za prehrano; mliečni napitki, kjer mleko prevladuje; mliečni proizvodi; sirotka.

**FI** - 9

Ergometrit

**FI** - 10

lääkinnälliset laitteet, erityisesti laitteet muuttuvien painokuormien liikuttamiseen fyysikaalisin hoitotarkoituksiin, fysioterapia-laitteet; hierontavälineet, laitteet esteettiseen hierontaan; hierontakäsineet; hierontakäsineet jouhesta; lääketieteelliset laitteet ruuminharjoituksiin, fyysikaaliset hoitolaitteet; lääketieteellisiin tarkoituksiin; ortopediset tuotteet; tukisiteet; polvisiteet (ortopediset); lääketieteellisessä analysoinnissa käytettävät laitteet; verinäytteiden testilaitteet; verenpainemittarit, diagnostilaitteet; lääketieteellisiin tarkoituksiin, jääpussit; lääketieteellisiin tarkoituksiin, joustavat siteet, sähköakupunktiolaitteet, elektrodit lääketieteelliseen käyttöön; sähkökardiografi, galvanoterapeuttiset laitteet; vyöt; lääketieteelliseen käyttöön; hansikkaat; lääkitintarkoituksiin, kondomit, ilmapatjat; lääketieteelliseen käyttöön, ortopediset jalkineet; ortopediset pohjalliset, lattajalkatuet; jalan nivelten kiilat (ortopediset tuotteet); sädeshoitolaitteet, ultraviolettisädelämpö lääketieteellisiin tarkoituksiin; värähtelyhieronta-laitteet.



**FI - 28**

Voimisteluvälineet ja urheiluvälineet, jotka eivät sisälly muihin luokkiin, voimisteluvälineet, kehonrakennusvälineet, ponnahduslaudat (urheiluvälineet); pelit ja leikkikalut; kehonrakennusvälineet; kasipainot; pöytätennistipöydät, pöytätennistilailat, pöytätennistiverkot; pöytätennistarvikkeet; kuntolaitteet; käsineet (pelikäsineet ja kulkukuntolukäsineet); kintteät kuntopyörät, nyrkkeilyhansikkaat, nyrkkeilytakit, nyrkkeilyvarusteet, ylävartalon lihasten harjoittamiseen tarkoitettut tmmmerit, juoksumatot, kuntopyörien rullat, potkupallot, pöytäjalkapallojen pöydät, biljardipöydän valit, keilapelit, litu biljardikeppejä varten, biljardipallot, biljardikepit, biljardikepit, biljardipöydät, kolikkokäyttöiset biljardipöydät, biljardikeppien karjet, biljardimerkit, golfkäsineet, golfmailat, pyörälliset tai pyörättömät golfkassit, rullatuistimet, rullatuistimet, kynnapääsuojat (urheiluvälineet), polvisuojukset (urheilutarvikkeet) suojukset (urheiluvälineet) lumilaudat; kalastustarvikkeet; kalastuskoukut; kalastussimat, kalastuskelat, ongenvalat, jänneet kalastamiseen; baseball-rapylat, rakennuspelit; rakennuspalikat; tarppäämisen näyttövälineet (ongintatarvikkeet); rattikelkat jousiammuntajouset, jousiammuntatarvikkeet; tautapelit; tammipelinä, tammipelliäudat, mailojen jänneet; urheilukiekot, dominot, leijat; tuistimet (galle), elektroniset pelit; ajoneuvojen pienoismallit, leikkinaamarit; miekkailussa käytettävät suojakäsineet, miekkailumaskit, miekkailuvälineet, sulkapallovarusteet; miekat miekkailuun; ennustusvälineet, seurapelit, hiihtovarjat, nippulitimet, harppuunakuvaarit (urheiluvälineet), leijojen ketat, hockeymailat, hevosenkenkäpelit; pelimerkit; tivolien ratsastusvälineet; keilapelit; kalastajien kalahaavit, kiipeilyvaljaat, metsästys- tai kalastussyötit, kirkettilaukut; keinoekoiset kalansyötit; pelipallojen sisäkuumit mahinnäköiset keilailuvälineet ja koneet; ajoneuvojen

tagethandskar för massage; medicinska apparater för fysisk träning; apparater för fysisk träning avsedda för medicinska ändamål; ortopediska artiklar, ledförband; knäbandage [ortopediska]; apparater för medicinska analyser; blodprovsinstrument blodtrycksmätare; diagnosapparater för medicinska ändamål; isblåsor för medicinska ändamål; elastiska bandage; apparater för elektroakupunktur; elektroder för medicinskt bruk, elektrokardiografer, galvanoterapeutiska apparater; bälten för medicinska ändamål; handskar för medicinska ändamål; kondomer; luftmadrasser för medicinska ändamål; ortopedisk fotbeklädnad, ortopediska sulor, halfotsstöd; halfotsstöd för stovlar och skor; apparater för strainingsbehandling; ultraviolett-strålningslampor för medicinska ändamål; vibrationsmassageapparater.

**SV - 28**

Gymnastik- och sportartiklar, ej ingående i andra klasser, redskap för gymnastik apparater för kroppsträning; svikter (sportartiklar); spel och leksaker; apparater för kroppsträning; handlar, bordtennisbord; bordtennisracketar, bordtennisnät, bordtennismaterial; fysisk träning, maskiner för; handskar (tillbehör för spel och hemidrott) stationära motionscyklar; boxhandskar, slagpassar, boxningsmaterial, muskelstärkare, ekonthjul, rullar för stationära motionscyklar; kicker; bord för fotbollspel; biljardvagnar, kaglor, knä för biljardkoer, biljardkullor, biljardköer; biljardkåber; biljardbord; mynstyrda biljardbord; spetsar för biljardkoer, biljardmarkorer, golfhandskar, golfklubbor, golfvaskor, med eller utan hjul, rullskridskor, inline-rullskridskor, armbågsskydd (sportartiklar), knäskydd (sportartiklar); skyddsmadrasser, ringar (delar av idrottskläder); snowboards; fiskeredskap, fiskerökar, fiskelinor, fiskerullar, fiskespon, tafsar

mit mänggång, läskedryck, konserver, kaffe, korv, spenat, sen, pienoismallit, urheiluverkot, heittorenkaat, merrat (kalastusvälineet) rengaspelit: mäkikiekot, potkulaudat; majojen jänteet, shakkipeilaudat, sakkipelit, keinut, keinuhevoseet; säärnsuojukset (urheilutarvikkeet); maalitaulut; lyöntipeleissä käytettävät käsiineet: keltat (urheiluvälineet); luistimet; luistimet (jälle); kenkiin kiinnitettävät luistimet; lumipurjelaudat, lumilaudat, uima-altaat (leikkivälineet); kellukkeet; urmaräpylät, purjelaudat; rullalaudat; suksien pohjien suojat; suksien siteet; suksit; suksenkantit; suksivoiteenpöytäkaapimet; suksivoiteet; lumilaudat; pallot pelejä varten; pelit luokassa 28; pelipallot; nopat; lemmikkilainelut; leluajoneuvot; mailat pelejä varten; lainelaudat, tennisverkot; savikiekot; savikyhyshieitimet; backgammon-pelit; vesisukset; keinut; noppapikarit; tikat (tikkapelisiin); frisbeet (lelut)

#### **FI** - 29

sellaiset ravintovalmisteet valmiina ravintoaineina tai omia sekoituksia varten, jotka koostuvat pääasiassa maitojauheesta ja/tai eläin- ja/tai kasvivalkuaisista ja/tai hilihydraateista ja joihin on lisätty myös vitamiineja, kivennäisaineita ja sokera, sekä kiinteänä että nestemäisenä; sellaiset ravintovalmisteet valmiina ravintoaineita tai omia sekoituksia varten, jotka koostuvat pääasiassa eläin- tai kasvivalkuaisista ja/tai hilihydraateista, kulvatusta hedelmistä ja joihin on lisätty myös kasvikuituja, viljaa ja sokera, sekä kiinteana että nestemäisenä, säilötty, kuivatut ja umpiodut hedelmät ja vihannokset, hilit hygieenit, hedelmähillokkeet, munat maito ja maitotuotteet; ravintodijyt ja -rasvat; tevauteet ravintotarkoituksiin; aiginaatti ravintotarkoituksiin; munankeltuaiset; munajauhe; munanvalkuaiset; ravintovalkuainen; pääasiassa maitoa sisältävät juomat; maitotuotteet; hera

#### **SV** - 9

Ergometrar

#### **SV** - 10

lakarutrustning, speciellt utrustning för flytning av variabilia vikter för fysisk terapi, fysioterapiapparater; massageapparater; massageapparater för skönhetsvard; massagehandskar;

ur (metrevar, baseballhandskar, byggisarset, byggkrossar, bitindikatorer (tillbehör för frtidssfske), bobsleighs, pilbägar för bagskytte, tillbehör för bagskytte, brädspel; dam som spel, damspelsbräden; racketsenor; diskusar; dominospel; drakar, skridskor, elektroniska spel, modellfordon, förminskade, leksaksmasker; fäkthandskar; fäktmasker; fäktvapen; badmintonset; floretter; trolleapparater; sällskapsspel, skärmflygare; hangglidare; harpungevar (sportartiklar); drakvindor; hockeyklubbor, hästskospel, spelmarker, ridapparater för nöjesfält; kägelspel; fiskehavar; setar för bergskiåtrare; lockbeten för jakt och fiske; knicketväschor; konstgjorda beten och agn, innerblåsar för spelbollar; man-jong; marionettdockor; tryckningsapparater och -maskiner för bowling, modellfordon, förminskade; nat för idrottsutövning; kastrng, njardar (fiskeredskap), spel med nngar; rutschkanor, sparkcyklar (leksaker); racketstrngar, schackbräden, schackspel; gungor; gunghastar; smalbensskydd (sportartiklar); mältavlor; handskar för slagspel, slädar (sportartiklar); skridskor, kängor med pamonterade skridskor, skridskor, skridskokängor, surfskidor, snowboards, simbassanger (lekartiklar); floten, simfötter; vindsurfingbrädor; rullbrädor; belagsbektädnader för skidor; skidbindningar; skidor; kantlister för skidor, skidskrapor, skidvalla, snowboards; bollar för spel; spel, ingående i klass 28; bollar för lek, speltärningar, leksaker för sällskapssdjur, leksaksfordon, slagtran för spel; surfbrädor; tennisnat; lerduvor (skytte); kastapparater för lerduvor, backgammonspel, vattenskidor, gungor, tärningsbagare, pilar för pikastning (dart), kastringar (leksaker).

#### **SV** - 29

näringskoncentrat som färdiga livsmedel eller för egen tillbländning, i huvudsak bestående av mjölk och/eller animaliska och/eller vegetabiliska äggviteämnen och/eller kolhydrater, med tillsats av vitaminer, mineraler, sparämnen och socker, både i fast och flytande form; näringskoncentrat som färdiga livsmedel eller för egen tillbländning, i huvudsak bestående av animaliska eller vegetabiliska äggviteämnen och/eller kolhydrater, torkad frukt, även med tillsats av växtfibrer, spannmål och socker, både i fast och flytande form, konserverade, tor-





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MARKEN, MUSTER UND MODELLE

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OHIM – OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET  
TRADE MARKS AND DESIGNS

kade och tillagade frukter och grönsaker; geléer, sylter, frukt-  
kompotter, ägg, mjölk och mjölkprodukter, atliga oljor och  
fetter; ogräsextrakt för livsmedel; alginater till livsmedel, ägg-  
gula; äggpulver; äggvitor; äggvita för livsmedel; mjölkdrycker  
(övervägande av mjölk), mjölkprodukter; vassla.

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Application Filing Date: Feb. 08, 2015

US Registration Number: 4792278

Registration Date: Aug. 11, 2015

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Supplemental

Mark Type: Trademark

Amended to: No

Date Amended to: May 14, 2015

Principal Register:

Current Register:

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

Status Date: Aug. 11, 2015

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## Mark Information

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Mark Literal Elements: WAVE

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 the stylized word "WAVE", with the left side of the letter "W" formed by a single wave in a "C" shape. The letters "W" and "A" are combined, such that the crossbar of the letter "A" is in the bottom center of the letter "W".

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

Design Search Code(s): 06.03.03 - Ocean; Ripples (multiple waves); Waves, open sea (multiple waves); 27.03.05 - Objects forming letters or numerals

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## Goods and Services

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**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: Graphic T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 13, 2014

Use in Commerce: Jan. 12, 2015

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## 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:** Clothes to Waves

**Owner Address:** 4686 Rosecroft Street  
Virginia Beach, VIRGINIA 23464  
UNITED STATES

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** VIRGINIA  
**Where Organized:**

---

## Attorney/Correspondence Information

---

**Attorney of Record - None**

**Correspondent**

**Correspondent Name/Address:** CLOTHES TO WAVES  
CLOTHES TO WAVES  
4686 ROSECROFT ST  
VIRGINIA BEACH, VIRGINIA 23464-3240  
UNITED STATES

**Phone:** 7572409180

**Domestic Representative - Not Found**

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## Prosecution History

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<b>Date</b>	<b>Description</b>	<b>Proceeding Number</b>
Aug. 11, 2015	REGISTERED-SUPPLEMENTAL REGISTER	
Jul. 07, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Jul. 01, 2015	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Jun. 15, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Jun. 15, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Jun. 08, 2015	ASSIGNED TO LIE	70629
Jun. 02, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 14, 2015	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
May 14, 2015	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
May 14, 2015	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	70703
May 14, 2015	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	70703
May 14, 2015	ASSIGNED TO EXAMINER	70703
Feb. 24, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Feb. 23, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 11, 2015	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Aug. 11, 2015

**United States of America**  
United States Patent and Trademark Office

A stylized cursive logo for the word "Wave". The letter 'W' is formed by a single wave that curves back to the left, creating a 'C' shape. The letters 'A' and 'E' are written in a simple cursive style, with the 'A' having a crossbar that is positioned at the bottom center of the 'W'.

**Reg. No. 4,792,278**

**Registered Aug. 11, 2015**

**Int. Cl.: 25**

**TRADEMARK**

**SUPPLEMENTAL REGISTER**

CLOTHES TO WAVES (VIRGINIA LIMITED LIABILITY COMPANY)  
4686 ROSECROFT STREET  
VIRGINIA BEACH, VA 23464

FOR: GRAPHIC T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-13-2014; IN COMMERCE 1-12-2015.

THE MARK CONSISTS OF THE STYLIZED WORD "WAVE", WITH THE LEFT SIDE OF THE LETTER "W" FORMED BY A SINGLE WAVE IN A "C" SHAPE. THE LETTERS "W" AND "A" ARE COMBINED, SUCH THAT THE CROSSBAR OF THE LETTER "A" IS IN THE BOTTOM CENTER OF THE LETTER "W".

SER. NO. 86-528,079. FILED PR. 2-8-2015; AM. S.R. 5-14-2015.

ELLEN B. AWRICHI, EXAMINING ATTORNEY



*Michelle K. Lee*

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**



**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	86528079	FILING DATE	02/08/2015
REG NUMBER	0000000	REG DATE	08/11/2015
REGISTER	SUPPLEMENTAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	AWRICH, ELLEN	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	07/08/2015		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	07/07/2015		
LITERAL MARK ELEMENT	WAVE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	05/14/2015		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	WAVE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Clothes to Waves
ADDRESS	4686 Rosecroft Street Virginia Beach, VA 23464
ENTITY	18-LTD LIAB CO
CITIZENSHIP	Virginia

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Graphic T-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	11/13/2014	FIRST USE IN COMMERCE DATE	01/12/2015	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized word "WAVE", with the left side of the letter "W" formed by a single wave in a "C" shape. The letters "W" and "A" are combined, such that the crossbar of the letter "A" is in the bottom center of the letter "W".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/07/2015	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	014
07/01/2015	CNTA	O	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	013
06/15/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
06/15/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
06/08/2015	ALIE	A	ASSIGNED TO LIE	010
06/02/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
05/14/2015	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	008
05/14/2015	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	007
05/14/2015	EPEN	O	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	006
05/14/2015	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	005
05/14/2015	DOCK	D	ASSIGNED TO EXAMINER	004
02/24/2015	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
02/23/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/11/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	CLOTHES TO WAVES CLOTHES TO WAVES

	4886 ROSECROFT ST VIRGINIA BEACH, VA 23464-3240
DOMESTIC REPRESENTATIVE	NONE

*Cave*

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86528079	FILING DATE	02/08/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	SUPPLEMENTAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	AWRICH, ELLEN	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	07/02/2015		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	07/01/2015		
LITERAL MARK ELEMENT	WAVE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	05/14/2015		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	WAVE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--



PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Clothes to Waves
ADDRESS	4686 Rosecroft Street Virginia Beach, VA 23464
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Virginia

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Graphic T-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	11/13/2014	FIRST USE IN COMMERCE DATE	01/12/2015	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of the stylized word "WAVE", with the left side of the letter "W" formed by a single wave in a "C" shape. The letters "W" and "A" are combined, such that the crossbar of the letter "A" is in the bottom center of the letter "W".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/01/2015	CNTA	O	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	013
06/15/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
06/15/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
06/08/2015	ALIE	A	ASSIGNED TO LIE	010
06/02/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
05/14/2015	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	008
05/14/2015	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	007
05/14/2015	EPEN	O	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	006
05/14/2015	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	005
05/14/2015	DOCK	D	ASSIGNED TO EXAMINER	004
02/24/2015	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
02/23/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/11/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	CLOTHES TO WAVES CLOTHES TO WAVES 4686 ROSECROFT ST VIRGINIA BEACH, VA 23464-3240



DOMESTIC REPRESENTATIVE

NONE

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*Cave*

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	86528079	FILING DATE	02/08/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	SUPPLEMENTAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	AWRICH, ELLEN	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	06/16/2015		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	06/15/2015		
LITERAL MARK ELEMENT	WAVE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	05/14/2015		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	WAVE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Clothes to Waves
ADDRESS	4686 Rosecroft Street Virginia Beach, VA 23464
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Virginia

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Graphic T-shirts

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	11/13/2014	FIRST USE IN COMMERCE DATE	01/12/2015	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
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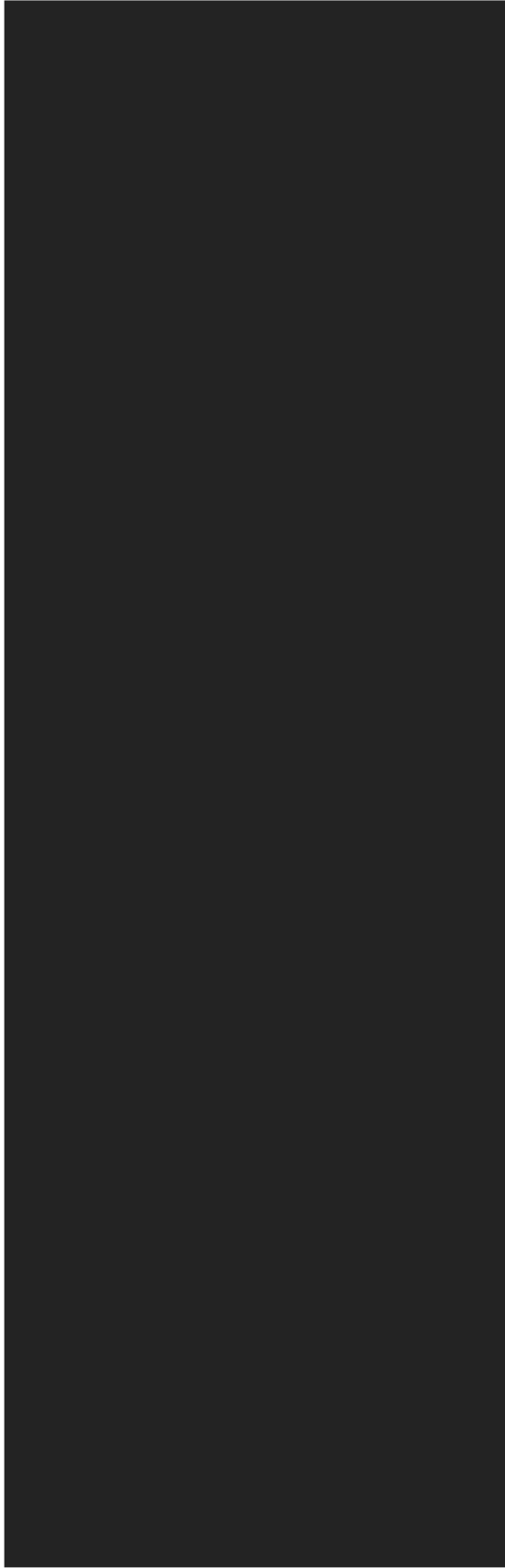
### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/15/2015	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
06/15/2015	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
06/08/2015	ALIE	A	ASSIGNED TO LIE	010
06/02/2015	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
05/14/2015	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	008
05/14/2015	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	007
05/14/2015	EPEN	O	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	006
05/14/2015	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	005
05/14/2015	DOCK	D	ASSIGNED TO EXAMINER	004
02/24/2015	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
02/23/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/11/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	CLOTHES TO WAVES CLOTHES TO WAVES 4686 ROSECROFT ST VIRGINIA BEACH, VA 23464-3240
DOMESTIC REPRESENTATIVE	NONE

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*Cave*

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86528079
REGISTRATION NUMBER	
FORM TEXT	
FORM FILE NAME(S)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT_16\865\280\86528079\xml5\ ROA0002.jpg</a>
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Kristin Smith/
SIGNATORY'S NAME	Kristin Smith
SIGNATORY'S POSITION	Owner
SIGNATORY'S PHONE NUMBER	7572409180
DATE SIGNED	06/02/2015
FILING INFORMATION SECTION	
TEAS STAMP	USPTO/ROA-XX.XXX.XX.XXX-2 0150602115204304273-86528 079-20150602113210373173- N/A-N/A-20150602113210373 173

## Response to Office Action

To the Commissioner for Trademarks:

The following is submitted for application serial number. **86528079** :

### FORM INFORMATION

### FORM FILE NAME(S)

[Form File1](#)

### SIGNATURE(S)

#### Declaration Signature

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to

be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Kristin Smith/ Date: 06/02/2015

Signatory's Name: Kristin Smith

Signatory's Position: Owner

Signatory's Phone Number: 7572409180

Serial Number: 86528079

Internet Transmission Date:

TEAS Stamp: USPTO/ROA-XX.XXX.XX.XXX-2015060211520430

4273-86528079-20150602113210373173-N/A-N

/A-20150602113210373173

*Cave*

**To:** Clothes to Waves ([clothestowaves@gmail.com](mailto:clothestowaves@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86528079 - N/A  
**Sent:** 5/14/2015 1:47:42 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 86528079

MARK:

**\*86528079\***

CORRESPONDENT ADDRESS:

CLOTHES TO WAVES  
CLOTHES TO WAVES  
4686 ROSECROFT ST  
VIRGINIA BEACH, VA 23464-3240

**CLICK HERE TO RESPOND TO THIS LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Clothes to Waves

CORRESPONDENT'S REFERENCE/DOCKET NO.:

N/A

CORRESPONDENT E-MAIL ADDRESS:

[clothestowaves@gmail.com](mailto:clothestowaves@gmail.com)

**EXAMINER'S AMENDMENT/PRIORITY ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: **5/14/2015**

**PRIORITY ACTION**

**DATABASE SEARCH:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

**ISSUES APPLICANT MUST ADDRESS:** On May 14, 2015, the trademark examining attorney and Kristin Smith discussed the issues below. Applicant must timely respond to these issues. *See* 15 U.S.C. §1062(b); 37 C.F.R. §2.62(a); TMEP §§708, 711.

**SUBSTITUTE DRAWING REQUIRED**

The applicant has indicated that the mark should be on a horizontal orientation and the rectangle is extraneous matter that is not part of the mark. The applicant will submit a substitute drawing without the rectangle and also showing the mark on a horizontal orientation. The drawing may not include extraneous matter. TMEP Section 807.02.

A special form drawing must show the mark (1) in black on a white background, if color is not a feature of the mark, or (2) in color on a white background, if color is a feature of the mark. 37 C.F.R. §2.52(b); *see* TMEP §807.04. In addition, the mark must be shown clearly so as to produce a high quality image when copied; all lines in the drawing must be clean, sharp, solid, and not fine or crowded. *See* 37 C.F.R. §§2.52, 2.53(c), 2.54(e); TMEP §807.04(a).

To submit a new drawing via the Trademark Electronic Application System (TEAS), applicant must use the response form and follow the instructions regarding submission of a drawing. TMEP §807.05(b); see 37 C.F.R. §2.53(b). An applicant must submit a drawing via TEAS in jpg format, and the USPTO recommends a digitized image with a length and width no smaller than 250 pixels and no larger than 944 pixels. 37 C.F.R. §2.53(c); TMEP §807.05(c).

#### **EXAMINER'S AMENDMENT**

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by the individual identified in the Priority Action section above, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*

#### **Amendment to Supplemental Register**

The mark is amended to the Supplemental Register.

#### **Description of the Mark is amended to:**

The mark consists of the stylized word "WAVE", with the left side of the letter "W" formed by a single wave in a "C" shape. The letters "W" and "A" are combined, such that the crossbar of the letter "A" is in the bottom center of the letter "W".

**TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE:** Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$50 per international class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone without incurring this additional fee.

/Ellen Awrich/  
Trademark Examining Attorney  
Law Office 116  
571-272-9123  
ellen.awrich@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking



status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Clothes to Waves ([clothestowaves@gmail.com](mailto:clothestowaves@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86528079 - N/A  
**Sent:** 5/14/2015 1:47:44 PM  
**Sent As:** ECOM116@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **5/14/2015** FOR U.S. APPLICATION SERIAL NO. 86528079

Your trademark application has been reviewed. The trademark examining attorney assigned by the USPTO to your application has written an official letter to which you must respond. Please follow these steps:

(1) **READ THE LETTER** by clicking on this [link](#) or going to <http://tsdr.uspto.gov/>, entering your U.S. application serial number, and clicking on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) **RESPOND WITHIN 6 MONTHS** (or sooner if specified in the Office action), calculated from **5/14/2015**, using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions.

(3) **QUESTIONS** about the contents of the Office action itself should be directed to the trademark examining attorney who reviewed your application, identified below.

/Ellen Awrich/  
Trademark Examining Attorney  
Law Office 116  
571-272-9123  
[ellen.awrich@uspto.gov](mailto:ellen.awrich@uspto.gov)

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle

private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

\*\*\* User:ewrich \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	86528079[SN]
02	1	0	1	1	0:01	"clothes to waves"[on]
03	4381	N/A	0	0	0:01	011513[DC]
04	68362	N/A	0	0	0:01	*ave*[bi.ti]
05	288	N/A	0	0	0:01	3 and 4
06	99	0	99	99	0:02	5 not dead[id]
07	2070650	N/A	0	0	0:01	025[cc]
08	1672	N/A	0	0	0:01	3 and 7
09	701	0	165	165	0:01	8 not dead[id]
10	89032	N/A	0	0	0:01	261709[DC]
11	70	0	70	70	0:01	9 and 10
12	9295	N/A	0	0	0:01	*wave*[bi.ti]
13	2070650	N/A	0	0	0:01	025[cc]
14	2182	N/A	0	0	0:01	12 and 13
15	748	0	748	695	0:02	14 not dead[id]
16	1324	N/A	0	0	0:01	*cave*[bi.ti]
17	316	N/A	0	0	0:01	16 and 13
18	136	0	136	127	0:01	17 not dead[id]

Session started 5/14/2015 8:59:44 AM

Session finished 5/14/2015 10:09:28 AM

Total search duration 0 minutes 20 seconds

Session duration 69 minutes 44 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TICRS as Serial Number: 86528079

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**From:** TMDesignCodeComments  
**Sent:** Tuesday, February 24, 2015 00:21 AM  
**To:** clothestowaves@gmail.com  
**Cc:** kristin.smith757@gmail.com  
**Subject:** Official USPTO Notice of Design Search Code: U.S. Trademark SN: 86528079: Miscellaneous Design

---

**Docket/Reference Number:**

The USPTO may assign design search codes, as appropriate, to new applications and renewed registrations to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

Response to this notice is not required; however, to suggest additions or changes to the design search code(s) assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You must reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

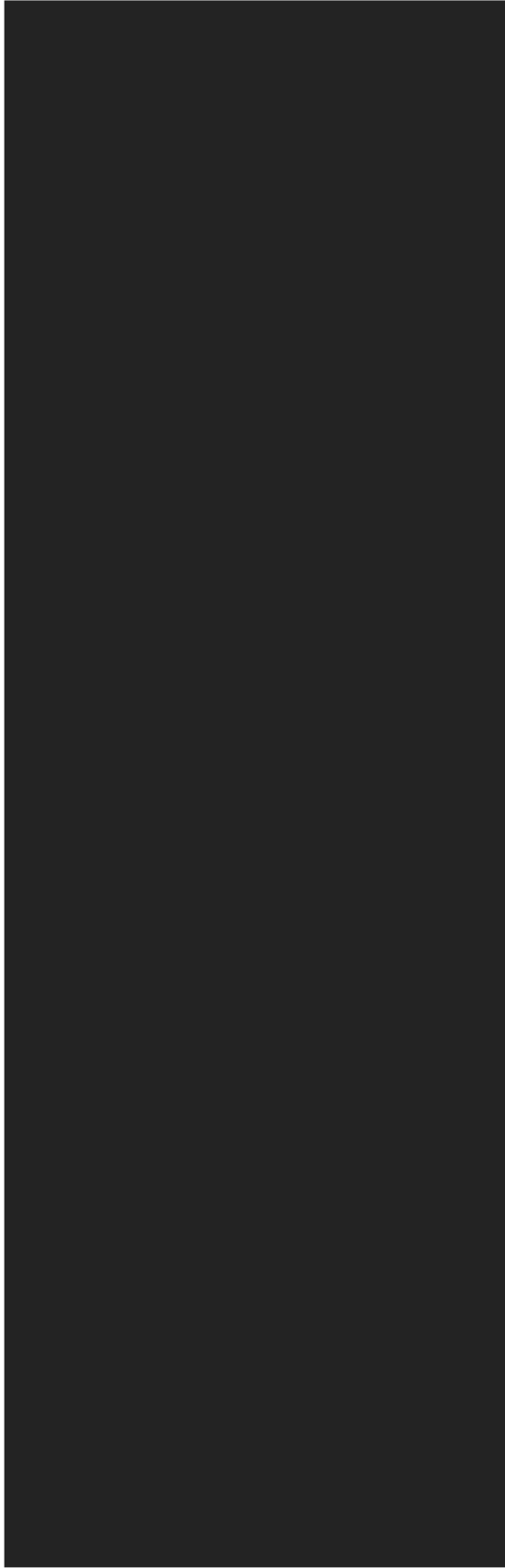
The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=86528079>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

06.03.03 - Ocean  
06.03.03 - Ripples (multiple waves)  
06.03.03 - Waves, open sea (multiple waves)  
27.03.05 - Objects forming letters or numerals







## Trademark/Service Mark Application, Principal Register

Serial Number: 86528079  
 Filing Date: 02/08/2015

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86528079
<b>MARK INFORMATION</b>	
*MARK	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\865\280\86528079.xml\ RFA0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a wave resembling a "C" flowing into the cursive letters a,v, e to symbolize the word "wave".
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	294 x 920
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Clothes to Waves
*STREET	4686 Rosecroft Street
*CITY	Virginia Beach
*STATE (Required for U.S. applicants)	Virginia
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants)	23464
PHONE	757-240-9180
EMAIL ADDRESS	clothestowaves@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Virginia
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	025
*IDENTIFICATION	Graphic T-shirts
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/13/2014

FIRST USE IN COMMERCE DATE	At least as early as 01/12/2015
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\865\280\86528079\xml\RFA0003.JPG
SPECIMEN DESCRIPTION	A tag with the mark is displayed with the price for the article
<b>CORRESPONDENCE INFORMATION</b>	
NAME	Clothes to Waves
FIRM NAME	Clothes to Waves
STREET	4686 Rosecroft Street
CITY	Virginia Beach
STATE	Virginia
COUNTRY	United States
ZIP/POSTAL CODE	23464
PHONE	7572409180
*EMAIL ADDRESS	clothestowaves@gmail.com;kristin.smith757@gmail.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
<b>SIGNATURE INFORMATION</b>	
SIGNATURE	/Kristin Smith/
SIGNATORY'S NAME	Kristin Smith
SIGNATORY'S POSITION	Principal
SIGNATORY'S PHONE NUMBER	7572409180
DATE SIGNED	02/08/2015
SIGNATURE	/Elliout Hairston/
SIGNATORY'S NAME	Elliout Hairston
SIGNATORY'S POSITION	Principal
SIGNATORY'S PHONE NUMBER	7577797562
DATE SIGNED	02/08/2015

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## Trademark/Service Mark Application, Principal Register

Serial Number: 86528079

Filing Date: 02/08/2015

### To the Commissioner for Trademarks:

**MARK:** (Stylized and/or Design, see [mark](#))

The applicant is not claiming color as a feature of the mark. The mark consists of a wave resembling a "C" flowing into the cursive letters a.v. e to symbolize the word "wave".

The applicant, Clothes to Waves, a limited liability company legally organized under the laws of Virginia, having an address of  
4686 Rosecroft Street  
Virginia Beach, Virginia 23464  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Graphic T-shirts

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 11/13/2014, and first used in commerce at least as early as 01/12/2015, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) A tag with the mark is displayed with the price for the article.

[Specimen File 1](#)

### The applicant's current Correspondence Information:

Clothes to Waves  
Clothes to Waves  
4686 Rosecroft Street  
Virginia Beach, Virginia 23464  
7572409180(phone)

clothestowaves@gmail.com;kristin.smith757@gmail.com (authorized)

**E-mail Authorization:** I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

### Declaration

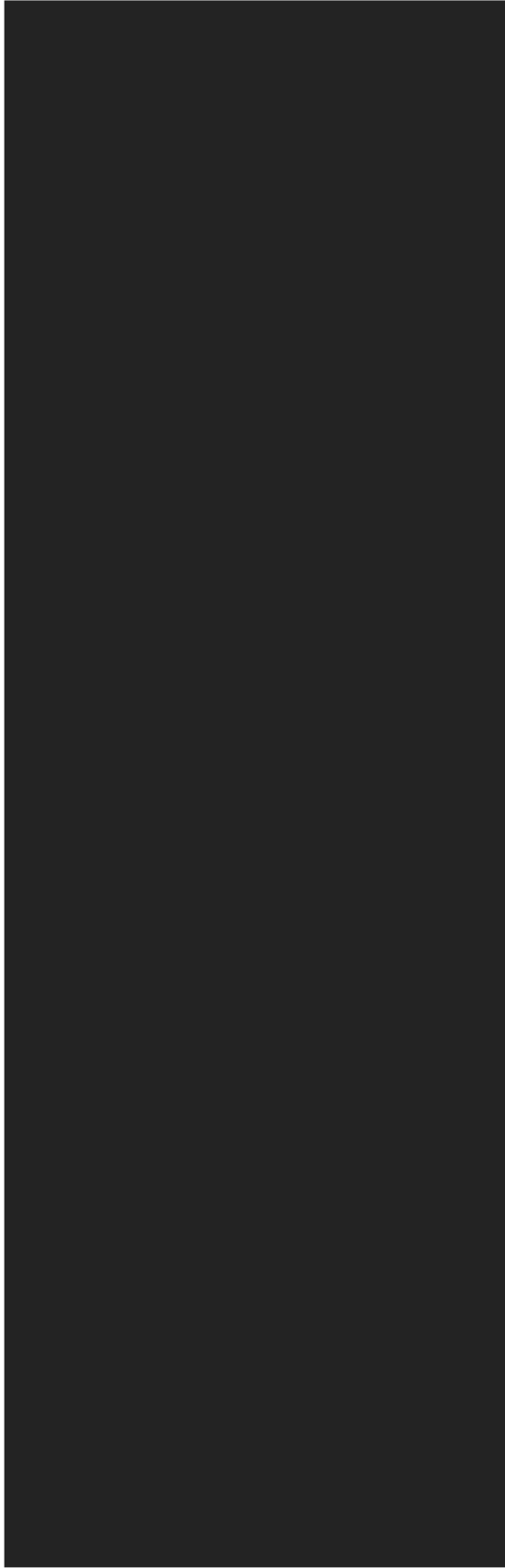
The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may

jeopardize the validity of the application or any registration resulting therefrom. declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

**Declaration Signature**

Signature: /Kristin Smith/ Date: 02/08/2015  
Signatory's Name: Kristin Smith  
Signatory's Position: Principal  
Signature: /Elliot Hairston/ Date: 02/08/2015  
Signatory's Name: Elliot Hairston  
Signatory's Position: Principal  
RAM Sale Number: 86528079  
RAM Accounting Date: 02/09/2015

Serial Number: 86528079  
Internet Transmission Date: Sun Feb 08 19:46:38 EST 2015  
TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XXX-201502081946380  
05540-86528079-5302fb6357e4ba4a568b19847  
a1a37f5febdab393f29324ba2a205d95b02c3df9  
41-CC-8000-20150208184422769269







Generated on: This page was generated by TSDR on 2019-05-07 23:48:10 EDT

Mark: EDGE



US Serial Number: 86641058

Application Filing Date: May 26, 2015

US Registration Number: 4966228

Registration Date: May 24, 2016

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: May 24, 2016

Publication Date: Nov. 17, 2015

Notice of Allowance Date: Jan. 12, 2016

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## Mark Information

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Mark Literal Elements: EDGE

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 Male Symbol followed by the text "EDGE".

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

Design Search Code(s): 24.17.02 - Biological symbols (male and female)

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## Goods and Services

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**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: Men's underwear; T-shirts for men

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2015

Use in Commerce: Nov. 01, 2015

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## Basis Information (Case Level)

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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  
Filed No Basis: No

Currently 66A: No  
Currently No Basis: No

---

## Current Owner(s) Information

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**Owner Name:** Russell, Benjamin A  
**Owner Address:** #303  
731 Broadway E  
Seattle, WASHINGTON 98102  
UNITED STATES

**Legal Entity Type:** INDIVIDUAL

**Citizenship:** UNITED STATES

---

## Attorney/Correspondence Information

---

**Attorney of Record - None**

**Correspondent**

**Correspondent Name/Address:** RUSSELL, BENJAMIN A  
731 Broadway E Apt 303  
Seattle, WASHINGTON 98102-4661  
UNITED STATES

**Phone:** 2067903583

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
May 24, 2016	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 19, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 24, 2016	STATEMENT OF USE PROCESSING COMPLETE	71034
Feb. 15, 2016	USE AMENDMENT FILED	71034
Mar. 19, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Feb. 15, 2016	TEAS STATEMENT OF USE RECEIVED	
Jan. 12, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 17, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 17, 2015	PUBLISHED FOR OPPOSITION	
Oct. 28, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 07, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 05, 2015	ASSIGNED TO EXAMINER	76731
Jun. 02, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jun. 01, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 29, 2015	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Apr. 19, 2016

**United States of America**  
United States Patent and Trademark Office

**EDGE**

**Reg. No. 4,966,228**

**Registered May 24, 2016**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

RUSSELL, BENJAMIN A (UNITED STATES INDIVIDUAL)  
#303  
731 BROADWAY E  
SEATTLE, WA 98102

FOR: MEN'S UNDERWEAR; T-SHIRTS FOR MEN. IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-1-2015; IN COMMERCE 11-1-2015.

THE MARK CONSISTS OF MALE SYMBOL FOLLOWED BY THE TEXT "EDGE".

SN 86-641,058, FILED 5-26-2015.

DARRYL SPRUILL, EXAMINING ATTORNEY



*Michelle K. Lee*

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.

**\*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 United States Patent and Trademark Office (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>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, April 20, 2016 00:13 AM  
**To:** benjaminrussell@hotmail.com  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 86641058: EDGE (Stylized/Design)

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NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 86641058  
**Mark:** EDGE (Stylized/Design)  
**Owner:** Russell, Benjamin A  
**Docket/Reference Number:**

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=86641058&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=86641058&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [http://tsdr.uspto.gov/#caseNumber=86641058&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=86641058&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.



**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	86641058	FILING DATE	05/26/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SPRUILL, DARRYL M	L.O. ASSIGNED	112

**PUB INFORMATION**

RUN DATE	04/20/2016		
PUB DATE	11/17/2015		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	04/19/2016		
LITERAL MARK ELEMENT	EDGE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	EDGE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Russell, Benjamin A
ADDRESS	#303 731 Broadway E Seattle, WA 98102
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Men's underwear; T-shirts for men

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	06/01/2015	FIRST USE IN COMMERCE DATE	11/01/2015	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of Male Symbol followed by the text "EDGE".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/20/2016	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	015
04/19/2016	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	014
03/24/2016	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	013
02/15/2016	IUAF	S	USE AMENDMENT FILED	012
03/19/2016	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	011
02/15/2016	EISU	I	TEAS STATEMENT OF USE RECEIVED	010
01/12/2016	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	009
11/17/2015	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	008
11/17/2015	PUBO	A	PUBLISHED FOR OPPOSITION	007
10/28/2015	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	006
10/07/2015	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	005
09/05/2015	DOCK	D	ASSIGNED TO EXAMINER	004
06/02/2015	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
06/01/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/29/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	RUSSELL, BENJAMIN A

	731 Broadway E Apt 303 Seattle, WA 98102-4661
DOMESTIC REPRESENTATIVE	NONE
<b>PRIOR OWNER INFORMATION</b>	
PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Russell, Benjamin A
ADDRESS	#303 731 Broadway E Seattle, WA 98102
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

 EDG

**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	86641058	FILING DATE	05/26/2015
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SPRUILL, DARRYL M	L.O. ASSIGNED	112

**PUB INFORMATION**

RUN DATE	03/25/2016		
PUB DATE	11/17/2015		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	03/24/2016		
LITERAL MARK ELEMENT	EDGE		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	EDGE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Russell, Benjamin A
ADDRESS	#303 731 Broadway E Seattle, WA 98102
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America

### GOODS AND SERVICES

INTERNATIONAL CLASS	025
DESCRIPTION TEXT	Men's underwear; T-shirts for men

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	025	FIRST USE DATE	06/01/2015	FIRST USE IN COMMERCE DATE	11/01/2015	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DESCRIPTION OF MARK	The mark consists of Male Symbol followed by the text "EDGE".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/24/2016	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	013
02/15/2016	IUAF	S	USE AMENDMENT FILED	012
03/19/2016	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	011
02/15/2016	EISU	I	TEAS STATEMENT OF USE RECEIVED	010
01/12/2016	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	009
11/17/2015	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	008
11/17/2015	PUBO	A	PUBLISHED FOR OPPOSITION	007
10/28/2015	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	006
10/07/2015	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	005
09/05/2015	DQCK	D	ASSIGNED TO EXAMINER	004
06/02/2015	MDSC	E	NOTICE OF DESIGN SEARCH CODE E-MAILED	003
06/01/2015	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
05/29/2015	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	RUSSELL, BENJAMIN A 731 Broadway E Apt 303 Seattle, WA 98102-4661
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Russell, Benjamin A
ADDRESS	#303 731 Broadway E Seattle, WA 98102
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America



 EDG

**EDGE**

**L**

93% cotton 7% spandex  
Machine Wash Cold with Colors  
Do Not Bleach  
Tumble Dry Low



MADE IN CHINA