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June 20, 2007

TTAB

Assistant Commissioner for Trademarks
Trademark Assistance Center
Madison East, Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22314

ATTENTION: TTAB-MOTION FOR SUSPENSION

Re: *Intersections, Inc. v. Identity Theft Guard Solutions, LLC*
Opposition No. 91166497
Mark: IDENTITY SAFEGUARDS
Serial No. 78/286,737
Attorney Ref. No.: 27993-215899

Dear Sir or Madam:

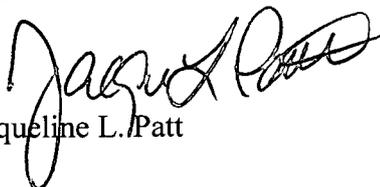
Attached hereto are the following documents:

- 1) Motion for Suspension.
- 2) Exhibit 1 (Civil Action Complaint).
- 3) Certificate of Service.
- 4) One Filing Receipt to be stamped and returned to the undersigned.

Please charge any fees, if necessary, to Deposit Account No. 22-0261.

Please direct all communication regarding this matter to the undersigned at the above address.

Respectfully submitted,


Jacqueline L. Patt

Enclosures: As Stated
DC2/869696



06-20-2007

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

INTERSECTIONS INC.)
)
 Opposer,)
)
 v.)
)
 IDENTITY THEFT GUARD SOLUTIONS, LLC)
)
 Applicant.)
)

Opposition No. 91166497
Serial No. 78/286,737
Mark: IDENTITY
SAFEGUARDS

Attorney's Reference: 27993-215899

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

MOTION FOR SUSPENSION

Opposer, Intersections Inc., hereby moves the Trademark Trial and Appeal Board for an order suspending the above captioned proceeding in accordance with 37 C.F.R. §2.117(a), TBMP §510.02(a), pending the disposition of the Civil Action filed on June 13, 2007 by Opposer in the United States District Court for the Eastern District of Virginia.

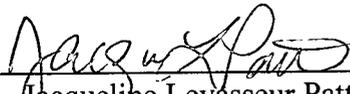
Opposer filed a Notice of Opposition against Serial No. 78/286,737 for the mark IDENTITY SAFEGUARDS on August 29, 2005. Applicant filed its Answer on October 17, 2005. Opposer has now filed a civil action charging trademark infringement and unfair competition arising from Applicant's use of the mark IDENTITY SAFEGUARDS, among others. The Complaint filed in this Civil Action is attached hereto as Exhibit 1.

Disposition of the civil action will determine whether Applicant's use and registration of the mark IDENTITY SAFEGUARDS to identify its services is likely to cause confusion and lead to deception as to the source of origin, sponsorship or approval of Applicant's goods with

Opposer's Marks and whether Applicant's application should be withdrawn. Accordingly it is respectfully submitted that all further proceedings in Opposition No. 91166497 be suspended pending disposition of the Civil Action. Please note that this Motion is being filed within the discovery period and that when this proceeding is re-instituted, the Board is respectfully requested to include adequate time for the parties to complete discovery.

Respectfully submitted,

Date: June 20, 2007



Jacqueline Levasseur Patt
Venable LLP
575 7th Avenue, N.W.
Washington, D.C. 20004
202-344-4000
202-344-8300 (facsimile)

Attorneys for Opposer

CERTIFICATE OF SERVICE

The undersigned, attorney for Applicant, hereby certifies that on this 20th day of June, 2007, a true copy of the foregoing MOTION FOR SUSPENSION was served, by first class mail, postage prepaid to:

Troy Greenfield, Esq.
Bullivant, Houser, Bailey PC,
1601 Fifth Avenue, Suite 2300,
Seattle, Washington 98101-1618

Carl J. Schwedler, Esq.
Bullivant, Houser, Bailey PC,
1415 L Street
Suite 1000
Sacramento, CA 95814



Jacqueline Levasseur Patt

EXHIBIT 1
CIVIL ACTION COMPLAINT

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

2007 JUN 13 P 2:19

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

INTERSECTIONS INC.,
a Delaware Corporation,

Plaintiff,

v.

IDENTITY THEFT GUARD SOLUTIONS LLC
An Oregon Limited Liability Company,

Defendant.

Civil Action No. 07cv575-JCC/BRF

Jury Trial Demanded

COMPLAINT

Plaintiff, Intersections Inc. ("Intersections"), brings this complaint against Defendant, Identity Theft Guard Solutions LLC ("Identity Theft Guard Solutions" or "Defendant") alleging as follows:

JURISDICTION AND VENUE

1. This is an action for relief under the Federal Trademark Act, 15 U.S.C. § 1051, *et seq.* ("Lanham Act"), particularly 15 U.S.C. §§ 1114, 1117 and 1125, for trademark infringement, false designation of origin, false description or representation, and related unfair competition. Plaintiff also asserts claims under the common law.

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1332(a), 1338(a), and 1338(b). This Court also has jurisdiction pursuant to 15 U.S.C. §1121 and the doctrine of supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a).

3. On information and belief, Defendant is subject to the personal jurisdiction of this Court because, among other things, Defendant has purposefully availed itself of the benefits of doing business in the Commonwealth of Virginia by providing services to the residents of the Commonwealth of Virginia and by selling products and services to businesses and individuals located in the Commonwealth of Virginia.

4. Venue is proper under 28 U.S.C. §§ 1391(b) and 1391(c) in that, upon information and belief, a substantial part of the events giving rise to the claims occurred in this District and Defendant is a resident of this District because it is a company subject to personal jurisdiction in this District.

THE PARTIES

5. Plaintiff, Intersections Inc., is a Delaware corporation with its principal place of business at 14901 Bogle Drive, Chantilly, Virginia 20151.

6. Upon information and belief, Defendant Identity Theft Guard Solutions LLC is an Oregon limited liability company, with its principal place of business at 8050 SW Warm Springs Street, Suite 130, Tualatin, Oregon 97062.

FACTUAL BACKGROUND

INTERSECTIONS' IDENTITY GUARD® PROGRAM

7. Identity theft and credit card fraud are amongst the fastest growing segments of crime in America. According to the FTC, one in every eight adults, and one in every four households has been victimized by identity thieves in the past five years. In the past year, an estimated ten million Americans have been the victim of identity theft.

8. Intersections, based in Chantilly, Virginia, was founded in 1999 and has

become a leading provider of credit management and identity theft protection services. Currently, Intersections serves more than 5 million customers. Intersections provides its services both to consumers ("business to consumer" or "B to C" services) and to businesses ("business to business" or "B to B" services), including assisting consumers with credit management, credit monitoring, identity theft protection, identity theft insurance, credit education, fraud resolution assistance, credit card registrations services and credit card cancellation and credit card monitoring services. Many of Intersections' B to B clients in turn make Intersections' services available to their employees and/or customers. Intersections also provides its services to B to B clients to assist in their responses to data security breaches that may expose sensitive personal information.

9. Launched in 1999, IDENTITY GUARD[®] is the brand name for Intersections' credit management and identity theft protection services, which are directed both to individual consumers (B to C) and to business clients (B to B) that wish to market those services to consumers. The mark IDENTITY GUARD[®] has been in use in commerce in connection with Intersections' services continuously from 1999 to the present. Consumers can access the IDENTITY GUARD[®] services through Intersections' website at www.identityguard.com, and B to B clients may learn about the services through that web site.

10. Intersections has invested heavily in advertising and promoting its IDENTITY GUARD[®] and related services, including spending more than \$14 Million disseminating advertising. Intersections advertises its services via the Internet, including through its own website, through banner ads and through adwords purchased through Yahoo! Inc. and Google, and also through telemarketing, radio and television

advertisement. Additionally, Intersections' services are advertised through a variety of media available through Intersections' B to B clients, including in store collateral advertising displays, newsletters, direct mail, brochures, and handouts.

11. During the past several years, Intersections has built up substantial consumer goodwill for its many services and programs directed to credit management and identity theft protection services, including its IDENTITY GUARD[®] service.

12. As a result of Intersections' extensive advertising and promotion of its IDENTITY GUARD[®] service, the public has come to associate the mark IDENTITY GUARD[®] with Intersections prior to Defendant's wrongful actions complained of herein.

13. Intersections owns, among others, United States Service Mark Registration No. 2,689,654 for the mark IDENTITY GUARD[®], issued February 2003, for "credit card registration services" and "credit card cancellation services for lost or stolen cards; credit card monitoring services for lost or stolen cards." A copy of this registration is attached as Exhibit A.

14. Intersections has pending United States Service Mark applications for the marks IDENTITY GUARD and IDENTITY GUARD & Design, Serial Nos. 78/700,063 and 78/702,238. Copies of the filing information for these applications are attached as Exhibit B.

15. Since 1999, Intersections has owned and used the domain name www.identityguard.com.

16. Intersections has been vigilant in protecting its marks and has filed a civil Complaint in Federal Court and has filed opposition proceedings in the United States Patent & Trademark Office to protect its valuable brand IDENTITY GUARD[®] from

encroachment by confusingly similar marks adopted by third parties.

IDENTITY THEFT GUARD SOLUTIONS'

"IDENTITY SAFEGUARDS" SERVICE

17. On information and belief, in 2003, long after Intersections began using and registered its IDENTITY GUARD[®] service mark, Defendant Identity Theft Guard Solutions began operating websites under the domain name www.identitysafeguards.com (directed to both businesses (B to B) and individual consumers (B to C)). At this website, Defendant offers identity theft protection services under the name IDENTITY SAFEGUARDS.

18. On information and belief, Defendant Identity Theft Guard Solutions uses the name IDENTITY SAFEGUARDS as a d/b/a/ for the business it operates through the website at www.identitysafeguards.com.

19. The mark, IDENTITY SAFEGUARDS, and the domain name, www.identitysafeguards.com, adopted by Defendant Identity Theft Guard Solutions, are virtually identical to Intersections' registered marks IDENTITY GUARD[®], and its domain name www.identityguard.com.

20. Defendant Identity Theft Guard Solutions filed an application with the United States Patent and Trademark Office, Serial No. 78/286,737, for registration of the service mark IDENTITY SAFEGUARDS on August 13, 2003 which covers "provision of membership identity theft prevention, protection and recovery services, namely, monitoring consumer credit reports and providing participants with weekly credit alerts and yearly credit reports, as well as, in the event participants become victims of identity theft, referral to recovery advocates, fraud investigators, legal counsel and other experts

necessary to develop and execute recovery plans; Provision of membership identity theft prevention and protection services, namely, providing participants with customized financial protection plans and identity theft prevention counseling; provision of membership identity theft prevention and protection services, namely, financial identity monitoring.” A copy of the filing information for this application is attached as Exhibit C.

21. Intersections timely filed a Notice of Opposition objecting to Defendant’s application Serial No. 78/286,737 on August 29, 2005 and Opposition No. 91166497 is now pending before the Trademark Trial and Appeal Board at the United States Patent and Trademark Office.

22. On information and belief, at least as early as its date of first use of the mark IDENTITY SAFEGUARDS, Defendant planned to market its services through employee benefits and direct to consumer channels.

23. On information and belief, on or about March 20, 2007, Defendant changed its website and expanded its market to include companies in the legal, financial, health/medical, financial and education industries and added information regarding its new data security breach services.

24. Defendant Identity Theft Guard Solutions offers similar credit monitoring, identity theft protection services and data security breach services to those offered by Intersections, through the same channels of trade and to the same types of customers, i.e., to both B to B customers, and B to C customers.

25. On information and belief, Defendant was aware of Intersections’ IDENTITY GUARD mark prior to its adoption and use of the mark IDENTITY SAFEGUARDS and the domain name www.identitysafeguards.com.

26. Defendant was not authorized by Intersections to use the IDENTITY SAFEGUARDS Mark.

27. Defendant's continued and unauthorized use of the mark IDENTITY SAFEGUARDS and the domain name www.identitysafeguards.com in connection with services substantially similar to those of Intersections under its IDENTITY GUARD® mark, and its domain name www.identityguard.com, is likely to cause confusion, mistake and deception of the public.

28. By its conduct described above, Defendant has intentionally infringed and will continue to infringe Intersections' IDENTITY GUARD® mark, all to the harm and detriment of Intersections.

29. Defendant has caused its goods and services to enter into interstate commerce.

COUNT I

LANHAM ACT - TRADEMARK INFRINGEMENT

UNDER SECTION 1114(1)

30. Intersections incorporates by reference and realleges each and every allegation of Paragraphs 1-29 above.

31. Defendant Identity Theft Guard Solutions' conduct constitutes trademark infringement of Intersections' Federally Registered mark in violation of Section 32(1) of the Lanham Act, 15 U.S.C. §1114(1).

32. Defendant's IDENTITY SAFEGUARDS mark is confusingly similar to the Intersections' IDENTITY GUARD® mark.

33. Intersections has no control over the quality of services and goods offered by Defendant and because of the confusion as to the source, Intersections valuable goodwill

with respect to IDENTITY GUARD[®] mark is at the mercy of Defendant.

34. Defendant Identity Theft Guard Solutions' use of the IDENTITY SAFEGUARDS mark is likely to cause confusion or to cause mistake or to deceive as to the origin, sponsorship or affiliation of the goods and services advertised and sold by Defendant.

35. Defendant's conduct has caused, and unless restrained by the Court, will continue to cause irreparable injury to Intersections

36. Defendant's conduct has damaged Intersections in an amount to be determined at trial.

37. Upon information and belief, Defendant Identity Theft Guard Solutions' aforesaid infringing conduct has been willful, wanton, and malicious and done with an intent to deceive. Intersections is therefore entitled to an award of its reasonable attorneys' fees and costs, and treble its actual damages.

38. Intersections has no adequate remedy at law.

COUNT II

LANHAM ACT –UNFAIR COMPETITION UNDER §§ 43(a)(1)(A) and (B)

39. Intersections incorporates by reference and realleges each and every allegation of Paragraphs 1-38 above.

40. Defendant's conduct constitutes unfair competition and the use of false descriptions and representations in violation of Section 43(a)(1)(A) and (B) of the Lanham Act, 15 U.S.C. §1125(a)(1)(A) and (B).

41. Defendant Identity Theft Guard Solutions – and /or their officers, agents, representatives, and employees – have made false and misleading representations about

their connection to Intersections' goods and services. Specifically, Defendant has adopted a mark and has advertised in the same channels of trade as Intersections with the confusingly similar mark such that Defendant's product is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendant's product with Intersections' IDENTITY GUARD[®] mark and the products associated therewith.

42. Defendant has caused its goods and services to enter into interstate commerce.

43. Defendant's activities have deceived, or are likely to deceive, a substantial portion of the purchasing public, and such deception is material in that it is likely to influence the buying decisions of the purchasing public.

44. By reason of Defendant Identity Theft Guard Solutions' conduct as alleged above, Intersections has suffered, and will continue to suffer, substantial damage to its business reputation and goodwill, as well as diversion of trade and loss of profits in an amount not yet ascertained.

45. Defendant's conduct has caused, and unless restrained by the Court, will continue to cause irreparable injury to Intersections.

46. Defendant's conduct is in violation of § 43(a) of the Lanham Act (15 U.S.C. § 1125(a)(1)(A) and (B)), and Intersections is entitled to injunctive relief and to monetary damages in an amount as yet undetermined but to be proven at trial, which damages may be trebled by this Court in its discretion.

47. Intersections has no adequate remedy at law.

COUNT III

VIRGINIA COMMON LAW TRADEMARK INFRINGEMENT

48. Intersections incorporates by reference and realleges each and every allegation of Paragraphs 1-47 above.

49. Defendant's IDENTITY SAFEGUARDS mark is confusingly similar to the Intersections' IDENTITY GUARD® mark.

50. Defendant Identity Theft Guard Solutions' use of the IDENTITY SAFEGUARDS mark is likely to cause confusion or to cause mistake or to deceive as to the origin, sponsorship or affiliation of the goods and services advertised and sold by Defendant.

51. Defendant's conduct constitutes trademark infringement under the common law.

52. Defendant's conduct has damaged Intersections in an amount to be determined at trial.

53. Defendant's conduct has caused, and unless restrained by the Court, will continue to cause irreparable injury to Intersections.

54. Intersections has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, Intersections Inc. prays:

A. That this Court will adjudge that Intersections' service mark IDENTITY GUARD® has been infringed as a direct and proximate result of the acts of Defendant Identity Theft Guard Solutions as set forth in this Complaint, in violation of Intersections'

rights under the Lanham Act, 15 U.S.C. § 1114(1), § 1125(a) and under the Common Law;

B. That this Court will adjudge that Defendant Identity Theft Guard Solutions has competed unfairly, and made false descriptions and representations of the origin of its services as set forth in this Complaint, in violation of Intersections' rights under the Lanham Act, 15 U.S.C. § 1125, et seq. and in violation of the Virginia Common Law;

C. That Defendant Identity Theft Guard Solutions and all officers, directors, agents, servants, employees, affiliates, attorneys, successors, and assigns of Defendant's, and all persons in active concert or participation therewith, be preliminarily and permanently enjoined:

1. from committing any further acts of trademark infringement or unfair competition;
2. from using any term which is likely to be confused with Intersections' IDENTITY GUARD® trademark asserted herein;
3. from using the mark IDENTITY SAFEGUARDS in any way in the conduct of business, advertising or promoting its business;
4. from committing any other acts calculated to cause purchasers to believe that Defendant's services are Intersections', and from competing unfairly with Intersections in any way;

D. That Defendant Identity Theft Guard Solutions be required to deliver up for destruction all packaging, labels, promotional materials, advertisements, and other materials that bear the marks IDENTITY SAFEGUARDS, IDENTITY GUARD, or any mark confusingly similar to Intersections' IDENTITY GUARD service mark.

E. That Defendant Identity Theft Guard Solutions be required to cease all use of the domain names www.identitysafeguards.com and any other domain names confusingly similar thereto, and to assign all rights to such domain names to Intersections.

F. That Defendant Identity Theft Guard Solutions be directed to file with this Court and to serve upon Intersections within thirty (30) days after service of the injunction issued in this action, a written report under oath, setting forth in detail the manner of compliance with paragraphs D and E.

G. That Intersections recover Defendant Identity Theft Guard Solutions' profits and/or damages Intersections suffered.

H. That, due to Defendant Identity Theft Guard Solutions' willful actions and intentional disregard for Intersections' rights, and to deter future infringement, the Court increase the damages and profits awarded under the Lanham Act.

I. That Intersections recover pre-judgment and post-judgment interest on each and every award.

J. That Intersections have and recover its attorneys' fees, taxable costs and disbursements incurred in this action.

K. That Intersections have such other and further relief as the Court may deem just and proper.

JURY DEMAND

Intersections demands a trial by jury of all matters to which it is entitled to a trial by jury pursuant to Fed. R. Civ. P. 38.

Dated: June 12, 2007

By: 
INTERSECTIONS INC.
Roger Colaizzi, Virginia Bar #32651
Venable LLP
575 7th Street, NW
Washington, DC 20004-1601
Telephone (202) 344-4000
Fax (202) 344-8300

OF COUNSEL:

Jacqueline Levasseur Patt
District of Columbia Bar #469766
Mary Ellen Himes,
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575 7th Street, NW
Washington, DC 20004-1601
Telephone (202) 344-4000
Fax (202) 344-8300
*Admitted to the Bar in Maryland and the District of
Columbia

Attorneys for the Plaintiff

#848375

EXHIBIT A

Int. Cls.: 35 and 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,689,654

Registered Feb. 25, 2003

**SERVICE MARK
PRINCIPAL REGISTER**

IDENTITY GUARD

INTERSECTIONS INC. (DELAWARE COMPANY)
14930 BOGLE DRIVE
CHANTILLY, VA 22151

FOR: CREDIT CARD REGISTRATION SERVICES,
IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 12-1-1999; IN COMMERCE 12-1-1999.

FOR: CREDIT CARD CANCELLATION SERVI-
CES FOR LOST OR STOLEN CARDS; CREDIT

CARD MONITORING SERVICES FOR LOST OR
STOLEN CARDS, IN CLASS 36 (U.S. CLS. 100, 101
AND 102).

FIRST USE 12-1-1999; IN COMMERCE 12-1-1999.

SER. NO. 75-828,527, FILED 10-21-1999.

HOWARD B. LEVINE, EXAMINING ATTORNEY

EXHIBIT B

Trademark/Service Mark Application, Principal Register

Serial Number: 78700063

Filing Date: 08/25/2005

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK	IDENTITY GUARD
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	IDENTITY GUARD
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
OWNER SECTION	
NAME	Intersections Inc.
STREET	14901 Bogle Drive
CITY	Chantilly
STATE	Virginia
ZIP/POSTAL CODE	20151
COUNTRY	United States
AUTHORIZED EMAIL COMMUNICATION	No
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	036
DESCRIPTION	Providing products and services to assist consumers with credit management, credit monitoring, identity theft protection, identity theft insurance, and providing credit education and fraud resolution assistance
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/1999
FIRST USE IN COMMERCE DATE	At least as early as 00/00/1999
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1

SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
ATTORNEY	
NAME	Jacqueline Levasseur Patt
FIRM NAME	Venable LLP
STREET	575 7th Street, NW
CITY	Washington
STATE	District of Columbia
ZIP/POSTAL CODE	20004-1601
COUNTRY	United States
PHONE	202-344-4000
FAX	202-344-8300
AUTHORIZED EMAIL COMMUNICATION	No
ATTORNEY DOCKET NUMBER	27993-222663
OTHER APPOINTED ATTORNEY(S)	Mark Harrison, Janet Satterthwaite, Marcia Auberger, Andrew Price
CORRESPONDENCE SECTION	
NAME	Jacqueline Levasseur Patt
FIRM NAME	Venable LLP
STREET	575 7th Street, NW
CITY	Washington
STATE	District of Columbia
ZIP/POSTAL CODE	20004-1601
COUNTRY	United States
PHONE	202-344-4000
FAX	202-344-8300
AUTHORIZED EMAIL COMMUNICATION	No
FILING INFORMATION	
SUBMIT DATE	Thu Aug 25 09:48:55 EDT 2005
TEAS STAMP	USPTO/BAS-151200196132-20 050825094855155032-787000 63-200178dcf20d77e586b8e6 f1eafe298320-DA-1053-2005 0825094605366150

Trademark/Service Mark Application, Principal Register

Serial Number: 78700063

Filing Date: 08/25/2005

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 IDENTITY GUARD.

The applicant, Intersections Inc., a corporation of Delaware, residing at 14901 Bogle Drive, Chantilly, Virginia, United States, 20151, 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.

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

International Class 036: Providing products and services to assist consumers with credit management, credit monitoring, identity theft protection, identity theft insurance, and providing credit education and fraud resolution assistance

In International Class 036, the mark was first used at least as early as 00/00/1999, and first used in commerce at least as early as 00/00/1999, 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.

The applicant hereby appoints Jacqueline Levasseur Patt and Mark Harrison, Janet Satterthwaite, Marcia Auburger, Andrew Price of Venable LLP, 575 7th Street, NW, Washington, District of Columbia, United States, 20004-1601 to submit this application on behalf of the applicant. The attorney docket/reference number is 27993-222663.

A fee payment in the amount of \$325 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.

Mailing Address:

Jacqueline Levasseur Patt

575 7th Street, NW

Washington, District of Columbia 20004-1601

RAM Sale Number: 1053

RAM Accounting Date: 08/25/2005

Serial Number: 78700063

Internet Transmission Date: Thu Aug 25 09:48:55 EDT 2005

TEAS Stamp: USPTO/BAS-151200196132-20050825094855155

032-78700063-200178dcf20d77e586b8e6f1eaf

e298320-DA-1053-20050825094605366150

IDENTITY GUARD

IDENTITY GUARD

Int. Cls.: 35 and 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,689,654

Registered Feb. 25, 2003

**SERVICE MARK
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AND 102).

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SER. NO. 75-828,527, FILED 10-21-1999.

HOWARD B. LEVINE, EXAMINING ATTORNEY

Trademark/Service Mark Application, Principal Register

Serial Number: 78702238

Filing Date: 08/29/2005

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK FILE NAME	\\TICRS\EXPORT9\IMAGEOUT9 \\787\022\78702238\xml1\AP P0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	IDENTITY GUARD
COLOR MARK	NO
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	826 x 898
OWNER SECTION	
NAME	Intersections Inc.
STREET	14901 Bogle Drive
CITY	Chantilly
STATE	Virginia
ZIP POSTAL CODE	20151
COUNTRY	United States
AUTHORIZED EMAIL COMMUNICATION	No
LEGAL ENTITY SECTION	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	036
DESCRIPTION	Providing products and services to assist consumers with credit management, credit monitoring, identity theft protection, identity theft insurance, and providing credit education and fraud resolution assistance
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/00/2001
FIRST USE IN COMMERCE DATE	At least as early as 06/00/2001
PAYMENT SECTION	

NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
ATTORNEY	
NAME	Jacqueline Levasseur Patt
FIRM NAME	Venable LLP
STREET	575 7th Street, NW
CITY	Washington
STATE	District of Columbia
ZIP/POSTAL CODE	20004-1601
COUNTRY	United States
PHONE	202-344-4000
FAX	202-344-8300
AUTHORIZED EMAIL COMMUNICATION	No
ATTORNEY DOCKET NUMBER	27993-221875
OTHER APPOINTED ATTORNEY(S)	Mark Harrison, Janet Satterthwaite, Marcia Auberger, Andrew Price
CORRESPONDENCE SECTION	
NAME	Jacqueline Levasseur Patt
FIRM NAME	Venable LLP
STREET	575 7th Street, NW
CITY	Washington
STATE	District of Columbia
ZIP/POSTAL CODE	20004-1601
COUNTRY	United States
PHONE	202-344-4000
FAX	202-344-8300
AUTHORIZED EMAIL COMMUNICATION	No
FILING INFORMATION	
SUBMIT DATE	Mon Aug 29 11:12:55 EDT 2005
TEAS STAMP	USPTO/BAS-151200196132-20 050829111255927060-787022 38-20044ec7e5eefec7068602 65421e6f7a8a5-DA-1190-200 50829111101734330

Trademark/Service Mark Application, Principal Register

Serial Number: 78702238

Filing Date: 08/29/2005

To the Commissioner for Trademarks:

MARK: IDENTITY GUARD (stylized and/or with design, see mark)

The literal element of the mark consists of IDENTITY GUARD.

The applicant, Intersections Inc., a corporation of Delaware, residing at 14901 Bogle Drive, Chantilly, Virginia, United States, 20151, 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.

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

International Class 036: Providing products and services to assist consumers with credit management, credit monitoring, identity theft protection, identity theft insurance, and providing credit education and fraud resolution assistance

In International Class 036, the mark was first used at least as early as 06/00/2001, and first used in commerce at least as early as 06/00/2001, 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.

The applicant hereby appoints Jacqueline Levasseur Patt and Mark Harrison, Janet Satterthwaite, Marcia Auberger, Andrew Price of Venable LLP, 575 7th Street, NW, Washington, District of Columbia, United States, 20004-1601 to submit this application on behalf of the applicant. The attorney docket/reference number is 27993-221875.

A fee payment in the amount of \$325 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.

Mailing Address:

Jacqueline Levasseur Patt

575 7th Street, NW

Washington, District of Columbia 20004-1601

RAM Sale Number: 1190

RAM Accounting Date: 08/29/2005

Serial Number: 78702238

Internet Transmission Date: Mon Aug 29 11:12:55 EDT 2005

TEAS Stamp: USPTO/BAS-151200196132-20050829111255927

060-78702238-20044ec7e5eefec706860265421

e6f7a8a5-DA-1190-2005082911101734330



Identity

Guard





Identity

Guard



CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

RECEIVED

I. (a) PLAINTIFFS

Intersections Inc.

DEFENDANTS

Identity Theft Guard Solutions LLC

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant 2007 JUN 13 Washington (OR)
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONSTRUCTION CASES, USE THE LOCATION OF THE LAND INVOLVED
ALEXANDRIA, VIRGINIA

(c) Attorney's (Firm Name, Address, and Telephone Number)

Roger A. Colaizzi, Venable LLP, 575 7th Street, N.W., Washington, DC 20004, (202) 344-8051

Attorneys (If Known)

Not known

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN

(Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. 1114, 1125

Brief description of cause:
violation of plaintiff's registered trademark for IDENTITY GUARD

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMANDS CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 06/12/2007 SIGNATURE OF ATTORNEY OF RECORD _____

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

2007 JUN 13 P 2: 20

INTERSECTIONS, INC.)
)
 Plaintiff,)
)
 v.)
)
 IDENTITY THEFT GUARD SOLUTIONS LLC)
)
 Defendants.)

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

Case No. 1:07cv575

RULE 7.1 DISCLOSURE STATEMENT

Pursuant to Local Rule 7.1 of the Eastern District of Virginia and to enable Judges and Magistrate Judges to evaluate possible disqualification or recusal, the undersigned counsel of record for Plaintiff Intersections, Inc. certify to the best of my knowledge and belief, that the following are parents, trusts, subsidiaries and/or affiliates of said party that have issued shares or debt securities to the public or own more than ten percent of the stock of the following:

- Intersections Insurance Services Inc. (formerly Chartered Marketing Services, Inc.),
- CreditComm Services LLC, Intersections Health Services, Inc., Intersections Services, Inc.,
- Screening International, LLC, American Background Services, Inc., Control Risks Screening Ltd, Control Risks Screening PE (Singapore).

June 12, 2007

Respectfully submitted,



Roger A. Colizzi Virginia Bar # 32651
VENABLE LLP
575 7th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 344-8051
Facsimile: (202) 344-8300

Counsel for Plaintiff Intersections, Inc.

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court in the Eastern District of Virginia on the following Patents or Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
PLAINTIFF Intersections Inc.		DEFENDANT Identity Theft Guard Solutions LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 Serial No. 78/286,737	Filed August 13, 2003	Identity Theft Guard Solutions LLC
2 Registration No. 2,689,654	February 2003	Intersections, Inc.
3 Serial No. 78/700,063	Filed August 25, 2005	Intersections, Inc.
4 Serial No. 78/702,238	Filed August 29, 2005	Intersections, Inc.
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
-------	-------------------	------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy