

ESTTA Tracking number: **ESTTA405017**

Filing date: **04/21/2011**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Mattel, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	333 Continental Boulevard El Segundo, CA 90245 UNITED STATES		

Attorney information	Kevin G. Smith, Esq. SUGHRUE MION PLLC 2100 Pennsylvania Avenue, N.W. Suite 800 Washington, DC 20037 UNITED STATES tm@sughrue.com, ksmith@sughrue.com, vmullineaux@sughrue.com Phone:202-293-7060
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Applicant Information

Application No	85155535	Publication date	03/22/2011
Opposition Filing Date	04/21/2011	Opposition Period Ends	04/21/2011
Applicant	Trauerts, Julie D. 40 Beach Street Apt. 2R Bloomfield, NJ 07003 UNITED STATES		

Goods/Services Affected by Opposition

Class 028. All goods and services in the class are opposed, namely: Cat toys

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1675229	Application Date	09/17/1990
Registration Date	02/11/1992	Foreign Priority Date	NONE
Word Mark	WHAC-A-MOLE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 028. First use: First Use: 1977/04/24 First Use In Commerce: 1977/04/24 arcade, carnival and amusement type activity game

U.S. Registration No.	2536814	Application Date	12/08/2000
Registration Date	02/05/2002	Foreign Priority Date	NONE
Word Mark	WHAC-A-MOLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1999/12/25 First Use In Commerce: 1999/12/25 Games, namely, hand held unit for playing electronic games, and board games		

U.S. Registration No.	3252569	Application Date	08/11/2005
Registration Date	06/12/2007	Foreign Priority Date	NONE
Word Mark	WHAC-A-MOLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1993/03/31 First Use In Commerce: 1994/01/31 Computer game cartridges; Computer game discs; Computer game software; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Electronic game programs; Electronic game software for cellular telephones; Interactive video game programs; Video game cartridges; Video game discs; Video game software</p> <p>Class 028. First use: First Use: 1993/03/31 First Use In Commerce: 1994/01/31 Card games; Lottery cards; Playing cards; Puzzles; Trading card games</p>		

U.S. Registration No.	3799956	Application Date	08/10/2007
Registration Date	06/08/2010	Foreign Priority Date	NONE
Word Mark	WHAC-A-MOLE		

Design Mark	WHAC-A-MOLE		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2010/03/23 First Use In Commerce: 2010/03/23 Clothing, namely, t-shirts, and hats		

U.S. Registration No.	2413895	Application Date	11/08/1999
Registration Date	12/19/2000	Foreign Priority Date	NONE
Word Mark	WHAC-A-SHARK		
Design Mark	WHAC-A-SHARK		
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1993/01/01 First Use In Commerce: 1993/01/01 Arcade, carnival, and amusement type activity games and accessories therefor		

U.S. Registration No.	3216553	Application Date	10/03/2005
Registration Date	03/06/2007	Foreign Priority Date	NONE
Word Mark	WHACK-A-SNACK		
Design Mark	WHACK-A-SNACK		
Description of	NONE		

Mark	
Goods/Services	Class 028. First use: First Use: 2006/01/31 First Use In Commerce: 2006/01/31 Amusement game machines

U.S. Registration No.	3563731	Application Date	05/12/2008
Registration Date	01/20/2009	Foreign Priority Date	NONE

Word Mark	WHAC A BOYBAND
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Design Mark	
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Description of Mark	The mark consists of "WHAC A BOYBAND" with the "A" in "BOYBAND" replaced with a star.
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Goods/Services	Class 028. First use: First Use: 2007/10/17 First Use In Commerce: 2008/02/26 Arcade games
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Attachments	78978281#TMSN.jpeg (1 page)(bytes) 77252244#TMSN.jpeg (1 page)(bytes) 75825488#TMSN.gif (1 page)(bytes) 78725232#TMSN.jpeg (1 page)(bytes) 77471563#TMSN.jpeg (1 page)(bytes) H00027 Notice of Opposition as filed.pdf (28 pages)(911612 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Kevin G. Smith/
Name	Kevin G. Smith, Esq.
Date	04/21/2011

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

In re U.S. Application Serial No. 85/155,535
Mark: Whack-A-Mouse

_____		:	
MATTEL, INC.,		:	
	Opposer,	:	
		:	
	v.	:	Opposition No. _____
		:	
JULIE D. TRAUERTS,		:	
	Applicant.	:	
_____		:	

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

NOTICE OF OPPOSITION

Mattel, Inc. (“Mattel”), a Delaware corporation, with its principal place of business at 333 Continental Boulevard, El Segundo, California 90245 (hereinafter “Mattel” or “opposer”), believes it will be damaged by registration of the mark shown in Application Serial No. 85/155,535 filed October 18, 2010 and published in the *Official Gazette* on March 22, 2011, and hereby opposes same.

As grounds for opposition it is alleged that:

1. Mattel is a manufacturer of consumer products and is the most successful independent manufacturer and marketer of toys, games and playthings in the world. Mattel was founded in 1945 and has earned a reputation for producing high-quality goods.

2. Mattel has an active and on-going licensing program for many of its trademarks. Mattel has licensed trademarks for various goods and services, including pet toys.

3. Since at least as early as April 24, 1997, Mattel and its predecessor-in-interest have continuously used the trademark WHAC-A-MOLE® in connection with the manufacture, advertising and sale of toys, games and playthings, and/or related products and services.

4. Since that time, and prior to any date of first use upon which applicant can rely, Mattel has expanded the use of the WHAC-A-MOLE® mark to include additional goods and services including, but not limited to, computer game software, downloadable ring tones, electronic game software for cellular telephones, interactive video game programs, video game software, card games, lottery cards, playing cards, puzzles, trading card games, board games, and wearing apparel.

5. Mattel has an active licensing program with its WHAC-A-MOLE® mark. By virtue of such license agreements, Mattel has expanded the use of the WHAC-A-MOLE® mark to include non-registered uses of the WHAC-A-MOLE® mark representing common law rights upon which Mattel will also rely. Mattel's common law rights associated with its licensed uses of the WHAC-A-MOLE mark include, without limitation, the following goods: computer games, clothing and costumes. In addition, negotiations associated with opposer's licensing programs for its WACK-A-MOLE mark continue and are ongoing.

6. Mattel is the owner of and will rely upon the following WHAC-A-MOLE® U. S. trademark registrations, PTO copies of which, taken from the PTO TARR database, are attached hereto:

a. Registration No. 1,675,229 for the mark WHAC-A-MOLE® dated February 11, 1992, for “arcade, carnival and amusement-type activity game” in Class 28, which registration is in full force and effect and has become incontestable.

b. Registration No. 2,536,814 for the mark WHAC-A-MOLE® dated February 5, 2002, for “games, namely, hand held unit for playing electronic games, and board games,” in Class 28, which registration is in full force and effect and has become incontestable.

c. Registration No. 3,252,569 for the mark WHAC-A-MOLE® dated June 12, 2007, for “computer game cartridges; computer game discs; computer game software; downloadable ring tones, graphics and music via a global computer network and wireless devices; electronic game programs; electronic game software for cellular telephones; interactive video game programs; video game cartridges; video game discs; video game software,” in Class 9 and “card games, lottery cards; playing cards; puzzles; trading card games,” in Class 28, which registration is in full force and effect.

d. Registration No. 3,799,956 for the mark WHAC-A-MOLE® dated June 8, 2010, for “clothing, namely, t-shirts and hats,” in Class 25, which registration is in full force and effect.

7. Mattel is the owner of and will rely upon the following WHAC-A® U. S. trademark registrations, PTO copies of which, taken from the PTO TARR database, are attached hereto:

a. Registration No. 2,413,895 for the mark WHAC-A-SHARK® dated December 19, 2000, for “arcade, carnival, and amusement type activity games and accessories therefor” in Class 28, which registration is in full force and effect and is incontestable.

b. Registration No. 3,216,553 for the mark WHACK-A-SNACK® dated March 6, 2007, for “amusement game machines” in Class 28, which registration is in full force and effect.

c. Registration No. 3,563,731 for the mark WHAC-A-BOYBAND & Design® dated January 20, 2009, for “arcade games” in Class 28, which registration is in full force and effect.

8. Mattel’s WHAC-A-MOLE®, WHACK-A-SHARK®, WHAC-A-SNACK®, and WHAC-A-BOYBAND & Design® registrations and common law trademark rights are hereinafter collectively referred to as the “WHAC-A Marks.”

9. By reason of Mattel’s and its predecessor in interest's adoption, use and registration of the WHAC-A Marks, opposer is entitled to the benefits of federal registration of its marks, including without limitation, the legal presumption of ownership nationwide and the exclusive right to use the marks on or in connection with the goods set forth in its registrations. By virtue of these benefits, as well as the distinctiveness of these marks, the relevant public associates and recognizes that goods sold under these marks emanate from and are exclusively associated with Mattel.

10. Mattel's WHAC-A Marks have become famous and uniquely associated with Mattel and its predecessors in interest, and such marks became famous prior to any date of first use upon which applicant can rely.

11. As a result of Mattel's long use of its WHACK-A-MOLE Marks and its WHAC-A family of marks, and by virtue of the extensive advertising associated with such use, opposer's WHACK-A-MOLE Marks and WHAC-A family of marks have become exclusively associated with products originating with opposer, or licensed through opposer, and such marks of opposer have become extremely well known to the public.

12. Notwithstanding opposer's long prior use and registration of its WHACK-A-MOLE Marks and WHAC-A family of marks, applicant, on October 18, 2010, applied to register Whack-A-Mouse as a trademark, based on an intent to adopt and use the mark for cat toys in Class 28. The application was published for opposition purposes on March 22, 2011.

13. Opposer's use of its WHACK-A-MOLE Marks and WHAC-A family of marks long pre-date applicant's filing date in the opposed Whack-A-Mouse application.

14. The goods set forth in Application Serial No. 85/155,535 are closely related to opposer's goods as set forth in its pleaded registrations, and on information and belief, the products sold and licensed under opposer's trademarks and applicant's alleged Whack-A-Mouse trademark are related products that are marketed to the same consumers through the same channels of distribution.

15. Due to the substantial similarity of opposer's WHACK-A-MOLE mark and opposer's WHAC-A family of marks, and the applicant's alleged mark Whack-A-Mouse, and because many of opposer's products and applicant's products are substantially similar, applicant's registration and use of Whack-A-Mouse is likely to cause confusion as to the source

or origin of the goods bearing its mark and/or the relationship between applicant and opposer, and/or whether applicant is related to or licensed by opposer, when in truth, applicant's goods do not originate with opposer, opposer is not related to applicant, and opposer has not approved or licensed applicant's use of the mark Whack-A-Mouse.

16. Applicant's mark Whack-A-Mouse as proposed for use in association with the goods set forth in the application is confusingly and deceptively similar to opposer's previously used and registered WHACK-A-Mole mark and opposer's WHAC-A family of marks.

17. Applicant's goods for which it applied to register its alleged mark Whack-A-Mouse, namely, cat toys, in International Class 28, are substantially related to opposer's goods upon which it uses and has licensed its WHACK-A-Mole mark and WHAC-A family of marks, namely, toys, games and playthings, in International Class 28.

18. Registration of the opposed application is barred by the provisions of Section 2(d) of the Trademark Act of 1946, as amended, for the reason that it consists of, or compromises, a mark that so resembles a mark previously used or registered in the United States by opposer, and not abandoned, as to be likely, when applied to the goods of applicant, to cause confusion, mistake or deception.

WHEREFORE, opposer respectfully prays that this Notice of Opposition be sustained and the registration of Application Serial No. 85/155,535 be denied.

CORRESPONDENCE ADDRESS

Please recognize the firm of SUGHRUE MION, PLLC, at 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3213, Telephone No. (202) 293-7060, and Kevin G. Smith, Jody H. Drake, and Gary D. Krugman of that firm, as attorneys for opposer in

all matters related to the above proceeding. All correspondence should be directed to the attention of the undersigned at the above address.

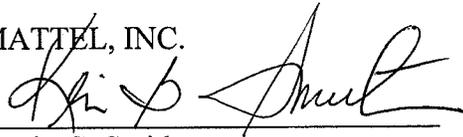
PAYMENT OF FILING FEE

Submitted with this e-filing is authorization to debit a credit card or the Deposit Account of the undersigned in the amount of the government filing fee for this Notice of Opposition, believed to be \$300.00.

Respectfully submitted,

MATTEL, INC.

By:


Kevin G. Smith
Jody H. Drake
Gary D. Krugman
Shahrazad Poormosleh
Attorneys for Opposer
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Phone: (202) 293-7060
Fax: (202) 331-4308

Date: April st 21, 2011

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **NOTICE OF OPPOSITION** has been served on applicant this 21st day of April 2011 via first class mail, postage prepaid to:

Julie D. Trauerts
40 Beach Street, Apt. 2R
Bloomfield, New Jersey 07003-3593


Valerie L. Mullineaux

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

This page was generated by the TARR system on 2011-04-21 15:17:57 ET

Serial Number: 74097672 Assignment Information Trademark Document Retrieval

Registration Number: 1675229

Mark (words only): WHAC-A-MOLE

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2001-06-07

Filing Date: 1990-09-17

Transformed into a National Application: No

Registration Date: 1992-02-11

Register: Principal

Law Office Assigned: LAW OFFICE 12

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

Current Location: 40S -Scanning On Demand

Date In Location: 2007-12-12

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

1. MATTEL, INC.

Address:

MATTEL, INC.
333 CONTINENTAL BLVD. M1-1518
EL SEGUNDO, CA 90245
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

arcade, carnival and amusement type activity game

Basis: 1(a)

First Use Date: 1977-04-24

First Use in Commerce Date: 1977-04-24

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0002116

International Registration Number: 0860197

International Registration Date: 2005-07-27

Original Filing Date with USPTO: 2005-07-27

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2005-09-29

International Registration Renewal Date: 2015-07-27

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

09-30-2005 - 08:19:13 - Application For IR Registered By IB

07-28-2005 - 16:00:23 - IR Certified And Sent To IB

07-27-2005 - 17:24:37 - Manually Certified

07-27-2005 - 14:36:17 - New Application For IR Received

PROSECUTION HISTORY

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

2008-12-17 - Automatic Update Of Assignment Of Ownership

2008-11-20 - TEAS Change Of Correspondence Received

2007-12-12 - Case File In TICRS

2003-10-15 - TEAS Change Of Correspondence Received

2001-06-07 - First renewal 10 year

2001-06-07 - Section 8 (10-year) accepted/ Section 9 granted

2001-03-05 - Combined Section 8 (10-year)/Section 9 filed

1997-07-09 - Section 8 (6-year) accepted & Section 15 acknowledged

1997-06-11 - Section 8 (6-year) and Section 15 Filed

1992-02-11 - Registered - Principal Register

1991-11-19 - Published for opposition

1991-10-18 - Notice of publication

1991-06-03 - Approved For Pub - Principal Register

1991-03-06 - Non-final action mailed

1991-02-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JEFFREY S. STANDLEY

Correspondent

Jeffrey S. Standley

Standley Law Group LLP

6300 Riverside Drive

Dublin OH 43017

Phone Number: 614-792-5555

Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:18:23 ET

Serial Number: 78038470 Assignment Information Trademark Document Retrieval

Registration Number: 2536814

Mark (words only): WHAC-A-MOLE

Standard Character claim: No

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

Date of Status: 2008-02-13

Filing Date: 2000-12-08

Transformed into a National Application: No

Registration Date: 2002-02-05

Register: Principal

Law Office Assigned: LAW OFFICE 112

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

Current Location: 830 -Post Registration

Date In Location: 2008-02-13

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

1. MATTEL, INC.

Address:

MATTEL, INC.
333 CONTINENTAL BLVD. M1-1518
EL SEGUNDO, CA 90245
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

Games, namely, hand held unit for playing electronic games, and board games

Basis: 1(a)

First Use Date: 1999-12-25

First Use in Commerce Date: 1999-12-25

ADDITIONAL INFORMATION

Prior Registration Number(s):

1675229

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0002116

International Registration Number: 0860197

International Registration Date: 2005-07-27

Original Filing Date with USPTO: 2005-07-27

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2005-09-29

International Registration Renewal Date: 2015-07-27

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

09-30-2005 - 08:19:13 - Application For IR Registered By IB

07-28-2005 - 16:00:23 - IR Certified And Sent To IB

07-27-2005 - 17:24:37 - Manually Certified

07-27-2005 - 14:36:17 - New Application For IR Received

PROSECUTION HISTORY

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

2008-12-17 - Automatic Update Of Assignment Of Ownership

2008-11-20 - TEAS Change Of Correspondence Received

2008-02-13 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-02-08 - Assigned To Paralegal

2008-02-05 - TEAS Section 8 & 15 Received

2007-04-03 - Case File In TICRS

2003-10-15 - TEAS Change Of Correspondence Received

2002-02-05 - Registered - Principal Register

2001-11-13 - Published for opposition

2001-10-24 - Notice of publication

2001-09-09 - Approved for Pub - Principal Register (Initial exam)

2001-06-25 - Communication received from applicant

2001-05-16 - Non-final action mailed

2001-05-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey S. Standley

Correspondent

Jeffrey S. Standley

Standley Law Group LLP

6300 Riverside Drive

Dublin OH 43017

Phone Number: 614-792-5555

Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:21:06 ET

Serial Number: 78978281 Assignment Information Trademark Document Retrieval

Registration Number: 3252569

Mark

WHAC-A-MOLE

(words only): WHAC-A-MOLE

Standard Character claim: Yes

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

Date of Status: 2007-06-12

Filing Date: 2005-08-11

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2007-06-12

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-05-09

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

1. MATTEL, INC.

Address:

MATTEL, INC.
333 CONTINENTAL BLVD. M1-1518
EL SEGUNDO, CA 90245
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer game cartridges; Computer game discs; Computer game software; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Electronic game programs; Electronic game software for cellular telephones; Interactive video game programs; Video game cartridges; Video game discs; Video game software

Basis: 1(a)

First Use Date: 1993-03-31

First Use in Commerce Date: 1994-01-31

International Class: 028

Class Status: Active

Card games; Lottery cards; Playing cards; Puzzles; Trading card games

Basis: 1(a)

First Use Date: 1993-03-31

First Use in Commerce Date: 1994-01-31

ADDITIONAL INFORMATION

Prior Registration Number(s):

1675229

2536814

2561937

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-12-17 - Automatic Update Of Assignment Of Ownership

2008-11-20 - TEAS Change Of Correspondence Received

2007-06-12 - Registered - Principal Register

2007-04-12 - Law Office Registration Review Completed

2007-04-12 - Assigned To LIE

2007-03-22 - Allowed for Registration - Principal Register (SOU accepted)
2007-03-20 - Statement Of Use Processing Complete
2007-02-08 - Use Amendment Filed
2007-03-20 - Notice Of Pseudo Mark Mailed
2007-03-19 - Divisional processing completed
2007-02-12 - Divisional request received
2007-02-12 - PAPER RECEIVED
2007-02-08 - TEAS Statement of Use Received
2006-08-08 - NOA Mailed - SOU Required From Applicant
2006-05-16 - Published for opposition
2006-04-26 - Notice of publication
2006-03-28 - Law Office Publication Review Completed
2006-03-10 - Assigned To LIE
2006-03-08 - Approved For Pub - Principal Register
2006-03-01 - Assigned To Examiner
2005-08-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Jeffrey S. Standley
Standley Law Group LLP
6300 Riverside Drive
Dublin OH 43017
Phone Number: 614-792-5555
Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:22:18 ET

Serial Number: 77252244 Assignment Information Trademark Document Retrieval

Registration Number: 3799956

Mark

WHAC-A-MOLE

(words only): WHAC-A-MOLE

Standard Character claim: Yes

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

Date of Status: 2010-06-08

Filing Date: 2007-08-10

Transformed into a National Application: No

Registration Date: 2010-06-08

Register: Principal

Law Office Assigned: LAW OFFICE 101

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-05-06

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

1. MATTEL, INC.

Address:
MATTEL, INC.
333 CONTINENTAL BLVD M1-1518
EL SEGUNDO, CA 90245
United States

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

GOODS AND/OR SERVICES

International Class: 025
Class Status: Active
Clothing, namely, t-shirts, and hats
Basis: 1(a)
First Use Date: 2010-03-23
First Use in Commerce Date: 2010-03-23

ADDITIONAL INFORMATION

Prior Registration Number(s):
1675229
2536814
3252569

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-06-08 - Registered - Principal Register
2010-05-07 - Notice Of Acceptance Of Statement Of Use E-Mailed
2010-05-06 - Law Office Registration Review Completed
2010-05-06 - Assigned To LIE
2010-04-27 - Allowed for Registration - Principal Register (SOU accepted)
2010-03-29 - Statement Of Use Processing Complete
2010-03-25 - Use Amendment Filed
2010-03-25 - TEAS Statement of Use Received
2009-11-12 - Extension 3 granted
2009-11-05 - Extension 3 filed
2009-11-05 - TEAS Extension Received
2009-05-22 - Extension 2 granted

2009-05-05 - Extension 2 filed
2009-05-22 - Case Assigned To Intent To Use Paralegal
2009-05-05 - TEAS Extension Received
2008-12-17 - Automatic Update Of Assignment Of Ownership
2008-11-20 - TEAS Change Of Correspondence Received
2008-11-06 - Extension 1 granted
2008-11-06 - Extension 1 filed
2008-11-06 - TEAS Extension Received
2008-05-06 - NOA Mailed - SOU Required From Applicant
2008-02-12 - Published for opposition
2008-01-23 - Notice of publication
2008-01-09 - Law Office Publication Review Completed
2008-01-08 - Assigned To LIE
2007-11-21 - Approved For Pub - Principal Register
2007-11-18 - Assigned To Examiner
2007-08-16 - Notice Of Pseudo Mark Mailed
2007-08-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey S. Standley

Correspondent

Jeffrey S. Standley
Standley Law Group LLP
6300 Riverside Drive
Dublin OH 43017
Phone Number: 614-792-5555
Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:22:52 ET

Serial Number: 75825488 Assignment Information Trademark Document Retrieval

Registration Number: 2413895

Mark (words only): WHAC-A-SHARK

Standard Character claim: No

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

Date of Status: 2006-05-03

Filing Date: 1999-11-08

Transformed into a National Application: No

Registration Date: 2000-12-19

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 40S -Scanning On Demand

Date In Location: 2006-07-21

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

1. MATTEL, INC.

Address:

MATTEL, INC.
333 CONTINENTAL BLVD. M1-1518
EL SEGUNDO, CA 90245
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

Arcade, carnival, and amusement type activity games and accessories therefor

Basis: 1(a)

First Use Date: 1993-01-01

First Use in Commerce Date: 1993-01-01

ADDITIONAL INFORMATION

Prior Registration Number(s):
1675229

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-12-17 - Automatic Update Of Assignment Of Ownership
2008-11-20 - TEAS Change Of Correspondence Received
2006-07-21 - Case File In TICRS
2006-05-03 - Section 8 (6-year) accepted & Section 15 acknowledged
2006-05-02 - Assigned To Paralegal
2006-02-03 - Section 8 (6-year) and Section 15 Filed
2006-02-03 - TEAS Section 8 & 15 Received
2000-12-19 - Registered - Principal Register
2000-09-26 - Published for opposition
2000-08-25 - Notice of publication
2000-07-24 - Approved for Pub - Principal Register (Initial exam)
2000-06-05 - Communication received from applicant
2000-04-13 - Non-final action mailed
2000-04-11 - Assigned To Examiner
2000-03-30 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Jeffrey S. Standley

Correspondent

Jeffrey S. Standley
Standley Law Group LLP
6300 Riverside Drive
Dublin OH 43017
Phone Number: 614-792-5555
Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:23:13 ET

Serial Number: 78725232 Assignment Information Trademark Document Retrieval

Registration Number: 3216553

Mark

WHACK-A-SNACK

(words only): WHACK-A-SNACK

Standard Character claim: Yes

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

Date of Status: 2007-03-06

Filing Date: 2005-10-03

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2007-03-06

Register: Principal

Law Office Assigned: LAW OFFICE 114

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-01-30

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

1. MATTEL, INC.

Address:

MATTEL, INC.
333 CONTINENTAL BLVD. M1-1518
EL SEGUNDO, CA 90245
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 028
Class Status: Active
Amusement game machines
Basis: 1(a)
First Use Date: 2006-01-31
First Use in Commerce Date: 2006-01-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2008-12-17 - Automatic Update Of Assignment Of Ownership
2008-11-20 - TEAS Change Of Correspondence Received
2007-03-06 - Registered - Principal Register
2007-01-19 - Law Office Registration Review Completed
2007-01-18 - Assigned To LIE
2006-12-20 - Allowed for Registration - Principal Register (SOU accepted)
2006-12-20 - Statement Of Use Processing Complete
2006-10-13 - Use Amendment Filed
2006-10-13 - TEAS Statement of Use Received
2006-08-15 - NOA Mailed - SOU Required From Applicant
2006-05-23 - Published for opposition
2006-05-03 - Notice of publication

2006-04-05 - Law Office Publication Review Completed

2006-03-10 - Assigned To LIE

2006-03-08 - Approved For Pub - Principal Register

2006-03-08 - Assigned To Examiner

2005-10-06 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey S. Standley

Correspondent

Jeffrey S. Standley

Standley Law Group LLP

6300 Riverside Drive

Dublin OH 43017

Phone Number: 614-792-5555

Fax Number: 614-792-5536

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

This page was generated by the TARR system on 2011-04-21 15:23:48 ET

Serial Number: 77471563 Assignment Information Trademark Document Retrieval

Registration Number: 3563731

Mark

WHAC A BOYB  ND

(words only): WHAC A BOYBAND

Standard Character claim: No

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

Date of Status: 2009-01-20

Filing Date: 2008-05-12

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2009-01-20

Register: Principal

Law Office Assigned: LAW OFFICE 115

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-01-20

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

1. Bob's Space Racers, Inc.

Address:

Bob's Space Racers, Inc.
427 15th Street
Daytona Beach, FL 321172198
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

GOODS AND/OR SERVICES

International Class: 028

Class Status: Active

Arcade games

Basis: 1(a)

First Use Date: 2007-10-17

First Use in Commerce Date: 2008-02-26

ADDITIONAL INFORMATION

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

Description of Mark: The mark consists of "WHAC A BOYBAND" with the "A" in "BOYBAND" replaced with a star.

Design Search Code(s):

01.01.03 - Star - a single star with five points

27.03.05 - Objects forming letters or numerals

Prior Registration Number(s):

1675229

2413895

3252569

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2009-01-20 - Registered - Principal Register

2008-12-17 - Assignment Of Ownership Not Updated Automatically

2008-11-20 - TEAS Change Of Correspondence Received

2008-11-04 - Published for opposition

2008-10-15 - Notice of publication

2008-09-20 - Withdrawn From Pub - Tqr/Non-Atty Request

2008-09-09 - Law Office Publication Review Completed

2008-09-09 - Assigned To LIE

2008-08-29 - Approved for Pub - Principal Register (Initial exam)

2008-08-27 - Assigned To Examiner

2008-05-16 - Notice Of Pseudo Mark Mailed

2008-05-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey S. Standley

Correspondent

Jeffrey S. Standley

Standley Law Group LLP

6300 Riverside Drive

Dublin OH 43017

Phone Number: 614-792-5555

Fax Number: 614-792-5536
