

ESTTA Tracking number: **ESTTA423208**

Filing date: **08/03/2011**

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	Duke University
Granted to Date of previous extension	08/07/2011
Address	Office of Counsel 310 Blackwell Street, 4th Floor Durham, NC 27701 UNITED STATES

Attorney information	Susan Freya Olive Olive & Olive, PA 500 Memorial Street Durham, NC 27701 UNITED STATES emailboxTTAB@oliveandolive.com, erall@oliveandolive.com
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**Applicant Information**

Application No	85029270	Publication date	02/08/2011
Opposition Filing Date	08/03/2011	Opposition Period Ends	08/07/2011
Applicant	Duke Imports, Inc. 140 N. Hetzler Ct. Angola, IN 46703 UNITED STATES		

**Goods/Services Affected by Opposition**

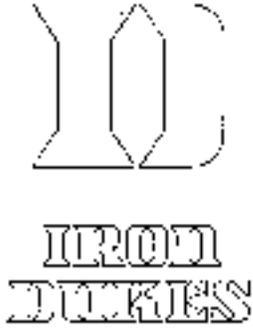
Class 024. First Use: 2009/11/02 First Use In Commerce: 2009/11/02 All goods and services in the class are opposed, namely: Acrylic and polyester household textile products, namely, bath curtains and linens, bed curtains and linens, bed sheets, bed blankets and sheets, single ply bed blankets, two ply bed blankets, comforters, quilts, kitchen and table linens, comforter sets consisting of a bed skirt, comforter, pillow shams and small accent pillows, and quilt sets consisting of a quilt and pillow shams
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**Grounds for Opposition**

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
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	1003662	Application Date	09/27/1973
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No.			
Registration Date	01/28/1975	Foreign Priority Date	NONE
Word Mark	IRON DUKES ID		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 200. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 INDICATING MEMBERSHIP IN THE IRON DUKES AN UNINCORPORATED ORGANIZATION OF ALUMNI AND FRIENDS OF DUKE UNIVERSITY WHO HAVE AS THEIR COMMON PURPOSE THE SUPPORT OF THE UNIVERSITY'S ATHLETIC PROGRAM		

U.S. Registration No.	1701827	Application Date	10/01/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 pillows Class 021. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 cups Class 025. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 shirts		

U.S. Registration No.	1702350	Application Date	09/30/1991
Registration Date	07/21/1992	Foreign Priority	NONE

		Date	
Word Mark	DUKE UNIVERSITY STORES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00 retail store and mail order services in the field of clothing, furniture, toys, games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life		

U.S. Registration No.	1702830	Application Date	10/01/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 key rings made primarily of metal and metal license plates</p> <p>Class 016. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags</p> <p>Class 018. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 trunks for traveling, travel bags, and toiletry cases sold empty</p> <p>Class 024. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 tablecloths not of paper, blankets, and cloth flags</p>		

U.S. Registration No.	1713473	Application Date	10/01/1991
Registration Date	09/08/1992	Foreign Priority Date	NONE
Word Mark	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 jewelry; namely, class rings Class 041. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 educational services; namely, providing courses of study at the undergraduate and graduate level

U.S. Registration No.	1717941	Application Date	09/30/1991
Registration Date	09/22/1992	Foreign Priority Date	NONE

Word Mark	DUKE
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 jewelry; namely, pins

U.S. Registration No.	2026492	Application Date	06/27/1995
Registration Date	12/31/1996	Foreign Priority Date	NONE

Word Mark	DKE
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1995/02/17 First Use In Commerce: 1995/02/17 clothing, namely, T-shirts

U.S. Registration No.	2082553	Application Date	06/28/1995
Registration Date	07/22/1997	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1996/11/12 First Use In Commerce: 1996/11/12 balloons		

U.S. Registration No.	2092314	Application Date	06/28/1995
Registration Date	08/26/1997	Foreign Priority Date	NONE
Word Mark	D KE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 024. First use: First Use: 1996/11/22 First Use In Commerce: 1996/11/22 pennants not of paper

U.S. Registration No.	2122067	Application Date	06/28/1995
Registration Date	12/16/1997	Foreign Priority Date	NONE

Word Mark	DKE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 016. First use: First Use: 1996/11/05 First Use In Commerce: 1996/11/05 decals, stickers, stationery, and note pads Class 021. First use: First Use: 1996/11/06 First Use In Commerce: 1996/11/06 drinking glasses, cups, and mugs
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U.S. Registration No.	2203764	Application Date	07/01/1997
Registration Date	11/17/1998	Foreign Priority Date	NONE

Word Mark	DUKE CENTER FOR LIVING
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise Class 042. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision
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U.S. Registration No.	2317603	Application Date	08/26/1997
Registration Date	02/15/2000	Foreign Priority Date	NONE

Word Mark	DUKE
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Design Mark	<b>DUKE</b>
Description of Mark	NONE
Goods/Services	<p>Class 041. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing</p> <p>Class 042. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 providing hospital, medical, and health care services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services</p>

U.S. Registration No.	2415817	Application Date	01/07/2000
Registration Date	12/26/2000	Foreign Priority Date	NONE

Word Mark	DUKECARD		
Design Mark	<b>DUKECARD</b>		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events</p> <p>Class 036. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto</p>		

U.S. Registration No.	3157222	Application Date	07/20/2005
Registration Date	10/17/2006	Foreign Priority	NONE

		Date	
Word Mark	DUKIE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 2002/07/17 First Use In Commerce: 2002/07/17  Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs</p>		

U.S. Registration No.	3780204	Application Date	03/27/2009
Registration Date	04/27/2010	Foreign Priority Date	NONE
Word Mark	DUKEENGAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01  charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service</p> <p>Class 036. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01  charitable fundraising services</p> <p>Class 041. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01  Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service</p>		

	<p>projects and other volunteer programs</p> <p>Class 042. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01</p> <p>Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback</p>
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U.S. Registration No.	3878213	Application Date	08/03/2006
Registration Date	11/16/2010	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2010/02/01 First Use In Commerce: 2010/02/01 Decals, note pads, note cards, writing paper, and binders		

U.S. Registration No.	3936096	Application Date	10/08/1998
Registration Date	03/29/2011	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1926/00/00 First Use In Commerce: 1926/00/00 clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands		

U.S. Registration No.	3995015	Application Date	05/27/2010
Registration Date	07/12/2011	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D		

Design Mark	
Description of Mark	<p>The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.</p>
Goods/Services	<p>Class 025. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Clothing, namely, shirts</p>

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		
Goods/Services	<p>A wide range of products for men, women and children, including but not limited to clothing including casual and sports clothing, headwear and outerwear, footwear, hats, tops, polo shirts, bottoms, pants, sweatshirts, sweatpants, sports jerseys, foul weather gear, jackets, athletic apparel, protective eyewear, beachwear, infant wear, coats, cover-ups, lingerie, loungewear, neckwear, skiwear, swimwear, sleepwear, suspenders, hair wear, undergarments; personal accessories including but not limited to sports and travel bags, sunglasses, jewelry and watches, belts, wallets, stuffed and plush toys; electronics and computer accessories, data storage devices, portable computer sleeves, and mouse pads; holiday ornaments and accessories; dolls, toys, action figures &amp; video games; blankets, bed &amp; bath items; time keeping devices; pet accessories; beverage &amp; barware; kitchenware, kitchen and cooking accessories; pennants, banners &amp; flags; automobile accessories including but not limited to license plates, bumper stickers, decals; kitchenware; desk &amp; office accessories; furniture; lighting; personal accessories; writing instruments and paper products including, but not limited to, memo pads, books, napkins; collectibles; sports equipment, accessories &amp; team memorabilia including helmets and ball markers; decor items; pre-recorded music</p>		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		
Goods/Services	<p>A wide range of services for men, women and children, including but not limited to services in the fields of entertainment and sports, such</p>		

	<p>as photography services, sports team and club services and performances in, among others, the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, racquetball, rowing, rugby, sailing, ski, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, as well as others; sports medicine programs; sports training programs; provision of sports, athletic and health training and education; educational services, namely providing courses of instruction for men, women and children, including classes, seminars, workshops, conferences, tutoring and training in virtually all fields of learning at the pre-university, university, graduate and post-graduate levels, including but not limited to sports, health and wellness, business, science and medicine, law, liberal arts and auxiliary skills necessary to success in a career; educational research; publishing services; entertainment and educational services in the nature of museums; entertainment and educational services in the nature of musical and theatrical performances; fund raising; medical and wellness services; psychological services including but not limited to counseling and treatment for victims of physical, emotional and sexual abuse, and religious instruction, teaching, counseling and services including divinity school services and church services</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE BLUE DEVILS		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, and sports related services as provided herein with respect to DUKE		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	IRON DUKE		
Goods/Services	Clothing including footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with the athletic support organization; membership services related to the athletic support organization		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	IRON DUKES		
Goods/Services	Clothing including footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with the athletic support organization; membership services related to the athletic support organization		

Attachments	73002136#TMSN.gif ( 1 page )( bytes ) 74208935#TMSN.gif ( 1 page )( bytes )
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Exhibit 1.pdf ( 4 pages )(49817 bytes )
Exhibit 2.pdf ( 4 pages )(50428 bytes )
Exhibit 3.pdf ( 4 pages )(50369 bytes )
Exhibit 4.pdf ( 4 pages )(50756 bytes )
Exhibit 5.pdf ( 4 pages )(50127 bytes )
Exhibit 6.pdf ( 4 pages )(47912 bytes )
Exhibit 7.pdf ( 4 pages )(49952 bytes )
Exhibit 8.pdf ( 4 pages )(50240 bytes )
Exhibit 9.pdf ( 4 pages )(49720 bytes )
Exhibit 10.pdf ( 5 pages )(50643 bytes )
Exhibit 11.pdf ( 4 pages )(48346 bytes )
Exhibit 12.pdf ( 4 pages )(46481 bytes )
Exhibit 13.pdf ( 4 pages )(46937 bytes )
Exhibit 14.pdf ( 4 pages )(52536 bytes )
Exhibit 15.pdf ( 5 pages )(57188 bytes )
Exhibit 16.pdf ( 5 pages )(57494 bytes )
Exhibit 17.pdf ( 5 pages )(49281 bytes )
Exhibit 18.pdf ( 5 pages )(33040 bytes )

### 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	/sfo/
Name	Susan Freya Olive
Date	08/03/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Before the Trademark Trial and Appeal Board**

IN THE MATTER OF Trademark Application of Duke Imports, Inc.  
For Registration of DUKE REGAL COMFORT, Serial No. 85/029,270  
Published for Opposition in the Official Gazette on February 8, 2011

DUKE UNIVERSITY, Plaintiff-Opposer vs DUKE IMPORTS, INC, Defendant-Applicant	<b>OPPOSITION TO REGISTRATION OF MARK</b>
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Attorney Docket No.: DUKU9209

Duke University, a corporation of the State of North Carolina, with a principal place of business in Durham, North Carolina and business address at Office of University Counsel, Duke University, Durham, North Carolina, believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes same.

The grounds for opposition are as follows:

1. Opposer is the owner of many marks consisting in whole or substantial part of the term DUKE (“DUKE Marks”).
2. Since long prior to the filing date of Applicant's application, and any other priority date to which Applicant might be entitled, Opposer directly and through licensees has provided educational and other services under its famous marks DUKE and DUKE UNIVERSITY and closely associated variants and has sold and/or provided directly and through licensees, in commerce, a multitude of products and services under its DUKE Marks. Since 1924, Opposer and its licensees have sold apparel and accessory items bearing their famous DUKE mark and expanded into other products over the years. Among these additional products Opposer and its

licensees sell are a variety of products including: home décor items, bedding and room accessory items, banners, flags and other items which allow sporting event fans to show their pride in their favorite team, and stadium blankets which are designed to protect and/or keep them warm as they cheer on their favorite team.

3. Use of DUKE Marks by Opposer commenced in or about 1924, and has continued and expanded in interstate and foreign commerce, both directly and through licensees, continuously since that time.

4. Applicant seeks registration of a mark that includes the term “Duke” pursuant to Section 1(a) of the Trademark Act (15 USC §1051(a)) for use in connection with:

IC 024. Acrylic and polyester household textile products, namely, bath curtains and linens, bed curtains and linens, bed sheets, bed blankets and sheets, single ply bed blankets, two ply bed blankets, comforters, quilts, kitchen and table linens, comforter sets consisting of a bed skirt, comforter, pillow shams and small accent pillows, and quilt sets consisting of a quilt and pillow shams.

5. Among the many products that Opposer provides under its DUKE marks are acrylic and polyester household textile products, including, bath curtains and linens, bed curtains and linens, bed sheets, bed blankets and sheets, single ply bed blankets, two ply bed blankets, comforters, quilts, kitchen and table linens, comforter sets consisting of a bed skirt, comforter, pillow shams and small accent pillows, quilt sets consisting of a quilt and pillow shams, flags; and apparel and accessories, including dresses.

6. Opposer owns the following United States Trademark Registrations, among others, for its DUKE marks, each of which includes the term DUKE or another term that reminds viewers and

customers of DUKE. Each of the marks listed below was lawfully issued, and is valid and subsisting (copies of the electronic records provided by the United State’s Trademark Office for each registration are attached hereto as Exhibits 1 through 18 and are incorporated herein by reference and for purpose of reliance):

Registration No.	Issue Date	Mark
1,003,662	01/28/75	IRON DUKES and D design
1,701,827	07/21/92	DUKE UNIVERSITY
1,702,350	07/21/92	DUKE UNIVERSITY STORES
1,702,830	07/28/92	DUKE UNIVERSITY
1,713,473	09/08/92	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
1,717,941	09/22/92	DUKE and Design
2,026,492	12/31/96	D[U]KE with Stylized “U”
2,082,553	07/22/97	D[U]KE with Stylized “U”
2,092,314	08/26/97	D[U]KE with Stylized “U”
2,122,067	12/16/97	D[U]KE with Stylized “U”
2,203,764	11/17/98	DUKE CENTER FOR LIVING
2,317,603	02/15/00	DUKE
2,415,817	12/26/00	DUKECARD
3,157,222	10/17/06	DUKIE
3,780,204	04/27/10	DUKEENGAGE
3,878,213	11/06/10	DUKE and Design
3,936,096	03/29/11	DUKE
3,995,015	07/12/11	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D

7. Opposer's provision and promotion of its services and products to the public under its DUKE marks for over three-quarters of a century has caused the public to associate those marks and the goods and services provided thereunder with Opposer. Through these efforts Opposer now has built substantial goodwill in its DUKE Marks that inures to the benefit of Opposer.

8. The mark DUKE has become famous, and is associated with Opposer.
9. Opposer has established standards for the licensing of its DUKE Marks to ensure that products and services bearing Opposer's DUKE Marks protect the integrity and reputation of the institution, maintain and build upon the goodwill of the institution, and promote support for and increase awareness of the institution, its mission and goals. Consistent with its policies and in order to prevent tarnishment of its brand, Opposer does not permit the use of DUKE Marks for products that in its opinion are harmful to the mission or image of Duke University.
10. Applicant seeks to register a mark that incorporates the Opposer's famous DUKE as a substantial part of its mark, for goods that are substantially identical to goods with which Opposer uses its own DUKE Marks and that are not licensed and required to adhere to Opposer's strict standards.
11. In view of the similarity of Opposer's prior-used and not abandoned DUKE Marks to Applicant's mark, the similarities between the use made by Opposer and its licensees of the DUKE Marks and the use of Applicant's mark by Applicant as identified in Applicant's application and shown through Applicant's use and actual and potential channels of commerce, it is alleged that Applicant's mark as currently applied for, identified and described, so resembles Opposer's marks as to be likely to cause confusion, to cause mistake, and to deceive.
12. Moreover, registration and/or use of Applicant's mark as sought in Applicant's application is likely to interfere with Opposer's use and exploitation of Opposer's DUKE Marks, to falsely suggest a connection with Opposer, and to diminish, dilute, and tarnish Opposer's rights in said DUKE marks and the distinctive quality thereof and the goodwill associated therewith which presently inures to the benefit of Opposer.

WHEREFORE, Opposer requests that Applicant's application be denied.

This 3rd day of August, 2011.

**OLIVE & OLIVE, P.A.**  
Attorneys for Opposer

*/Susan Freya Olive/*  
Susan Freya Olive

P. O. Box 2049  
Durham, North Carolina 27702  
Telephone: (919) 683-5514  
Email: [emailboxTTAB@oliveandolive.com](mailto:emailboxTTAB@oliveandolive.com)

cc: Duke University

# Duke University's Notice of Opposition

## Exhibit 1:

TARR website printout of Reg. No. 1,003,662  
IRON DUKES and D design

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:45:38 ET

Serial Number: 73002136 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 1003662

**Mark**



(words only): [IRON DUKES ID](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2005-03-15](#)

Filing Date: [1973-09-27](#)

Transformed into a National Application: No

Registration Date: [1975-01-28](#)

Register: [Principal](#)

Law Office Assigned: (NOT AVAILABLE)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [834 -Post Registration](#)

Date In Location: [2005-03-15](#)

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

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## 1. DUKE UNIVERSITY

**Address:**

DUKE UNIVERSITY

DURHAM, NC 27706

United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** North Carolina

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### GOODS AND/OR SERVICES

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**International Class:** 200**Class Status:** Active

INDICATING MEMBERSHIP IN THE IRON DUKES AN UNINCORPORATED ORGANIZATION OF ALUMNI AND FRIENDS OF DUKE UNIVERSITY WHO HAVE AS THEIR COMMON PURPOSE THE SUPPORT OF THE UNIVERSITY'S ATHLETIC PROGRAM

**Basis:** 1(a)**First Use Date:** 1971-07-01**First Use in Commerce Date:** 1971-07-01

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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

2005-03-15 - First renewal 10 year

2005-03-15 - Section 8 (10-year) accepted/ Section 9 granted

2005-01-27 - Combined Section 8 (10-year)/Section 9 filed

2005-01-27 - PAPER RECEIVED

1995-03-09 - First renewal 10 year

1995-01-12 - Response received for Post Registration action

1994-12-20 - Post Registration action mailed - Section 9

1994-09-30 - Section 9 filed/check record for Section 8

1980-08-04 - Section 8 (6-year) accepted & Section 15 acknowledged

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

SUSAN FREYA OLIVE

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE

500 MEMORIAL ST.

P.O. BOX 2049

DURHAM, NC 27702

---

## Duke University's Notice of Opposition

### Exhibit 2:

TARR website printout of Reg. No. 1,701,827  
DUKE UNIVERSITY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:46:29 ET

Serial Number: [74208935 Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [1701827](#)

Mark

**Duke  
University**

(words only): [DUKE UNIVERSITY](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2002-10-11](#)

Filing Date: [1991-10-01](#)

Transformed into a National Application: No

Registration Date: [1992-07-21](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 10](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [40S -Scanning On Demand](#)

Date In Location: [2008-01-30](#)

---

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

---

1. [Duke University](#)**Address:**[Duke University](#)[Durham, NC 27710](#)[United States](#)**Legal Entity Type:** [NON-PROFIT CORPORATION](#)**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [020](#)**Class Status:** [Active](#)[pillows](#)**Basis:** [1\(a\)](#)**First Use Date:** [1925-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)**International Class:** [021](#)**Class Status:** [Active](#)[cups](#)**Basis:** [1\(a\)](#)**First Use Date:** [1965-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)**International Class:** [025](#)**Class Status:** [Active](#)[shirts](#)**Basis:** [1\(a\)](#)**First Use Date:** [1925-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)

---

**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.**

2008-01-30 - Case File In TICRS

2002-10-11 - First renewal 10 year

2002-10-11 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-18 - Combined Section 8 (10-year)/Section 9 filed

2002-07-18 - PAPER RECEIVED

1998-10-08 - Section 8 (6-year) accepted & Section 15 acknowledged

1998-07-21 - Section 8 (6-year) and Section 15 Filed

1992-07-21 - Registered - Principal Register

1992-04-28 - Published for opposition

1992-03-27 - Notice of publication

1991-12-10 - Approved for Pub - Principal Register (Initial exam)

1991-12-09 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Correspondent**

VEDIA JONES-RICHARDSON  
OLIVE & OLIVE, P.A.  
500 MEMORIAL STREET  
P.O. BOX 2049  
DURHAM, NC 22702

---

## Duke University's Notice of Opposition

### Exhibit 3:

TARR website printout of Reg. No. 1,702,350  
DUKE UNIVERSITY STORES

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:47:06 ET

Serial Number: 74208327 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 1702350

Mark(words only): DUKE UNIVERSITY STORES

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2002-07-05

Filing Date: 1991-09-30

Transformed into a National Application: No

Registration Date: 1992-07-21

Register: Principal

Law Office Assigned: LAW OFFICE 10

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 40S -Scanning On Demand

Date In Location: 2008-01-31

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)

[Durham, NC 27706](#)

[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

---

**GOODS AND/OR SERVICES**

---

**International Class:** 042**Class Status:** Active

retail store and mail order services in the field of clothing, furniture, toys, games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life

**Basis:** 1(a)**First Use Date:** 1940-00-00**First Use in Commerce Date:** 1940-00-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "STORES"

---

**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.**

2008-01-31 - Case File In TICRS

2002-07-05 - First renewal 10 year

2002-07-05 - Section 8 (10-year) accepted/ Section 9 granted

2002-04-29 - Combined Section 8 (10-year)/Section 9 filed

2002-04-29 - PAPER RECEIVED

1998-10-07 - Section 8 (6-year) accepted &amp; Section 15 acknowledged

1998-07-21 - Section 8 (6-year) and Section 15 Filed

1992-07-21 - Registered - Principal Register

1992-04-28 - Published for opposition

1992-03-27 - Notice of publication

1991-12-30 - Approved for Pub - Principal Register (Initial exam)

1991-12-12 - Examiner's amendment mailed

1991-12-09 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive  
Olive & Olive, P.A.  
500 Memorial Street  
P.O. Box 2049  
Durham, NC 27702

---

## Duke University's Notice of Opposition

### Exhibit 4:

TARR website printout of Reg. No. 1,702,830  
DUKE UNIVERSITY

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:47:35 ET

Serial Number: 74208934 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 1702830

Mark

# Duke University

(words only): [DUKE UNIVERSITY](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2002-10-17](#)

Filing Date: [1991-10-01](#)

Transformed into a National Application: No

Registration Date: [1992-07-28](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 10](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [40S -Scanning On Demand](#)

Date In Location: [2008-02-08](#)

---

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

---

1. [Duke University](#)**Address:**[Duke University](#)[Durham, NC 27706](#)[United States](#)**Legal Entity Type:** [NON-PROFIT CORPORATION](#)**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [006](#)**Class Status:** [Active](#)[key rings made primarily of metal and metal license plates](#)**Basis:** [1\(a\)](#)**First Use Date:** [1965-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)**International Class:** [016](#)**Class Status:** [Active](#)[business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags](#)**Basis:** [1\(a\)](#)**First Use Date:** [1925-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)**International Class:** [018](#)**Class Status:** [Active](#)[trunks for traveling, travel bags, and toiletry cases sold empty](#)**Basis:** [1\(a\)](#)**First Use Date:** [1925-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)**International Class:** [024](#)**Class Status:** [Active](#)[tablecloths not of paper, blankets, and cloth flags](#)**Basis:** [1\(a\)](#)**First Use Date:** [1925-00-00](#)**First Use in Commerce Date:** [1965-00-00](#)

---

**ADDITIONAL INFORMATION**

---

(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

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### PROSECUTION HISTORY

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

2008-02-08 - Case File In TICRS

2002-10-17 - First renewal 10 year

2002-10-17 - Section 8 (10-year) accepted/ Section 9 granted

2002-07-25 - Combined Section 8 (10-year)/Section 9 filed

2002-07-25 - PAPER RECEIVED

1998-10-09 - Section 8 (6-year) accepted & Section 15 acknowledged

1998-07-24 - Section 8 (6-year) and Section 15 Filed

1992-07-28 - Registered - Principal Register

1992-05-05 - Published for opposition

1992-04-03 - Notice of publication

1991-12-30 - Approved for Pub - Principal Register (Initial exam)

1991-12-16 - Examiner's amendment mailed

1991-12-09 - Assigned To Examiner

---

### ATTORNEY/CORRESPONDENT INFORMATION

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive  
Olive & Olive, P.A.  
500 Memorial Street  
Post Office Box 2049  
Durham, NC 22702

---

## Duke University's Notice of Opposition

### Exhibit 5:

TARR website printout of Reg. No. 1,713,473  
UNIVERSITAS DUKIANA ERUDITIO ET  
RELIGIO

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:49:47 ET

Serial Number: [74208924 Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [1713473](#)

**Mark**



(words only): [UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO](#)

Standard Character claim: [No](#)

Current Status: [The registration has been renewed.](#)

Date of Status: [2002-07-07](#)

Filing Date: [1991-10-01](#)

Transformed into a National Application: [No](#)

Registration Date: [1992-09-08](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 10](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [40S -Scanning On Demand](#)

Date In Location: [2008-02-27](#)

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)

[Durham, NC 27706](#)

[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [014](#)

**Class Status:** [Active](#)

[jewelry; namely, class rings](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1965-00-00](#)

**First Use in Commerce Date:** [1965-00-00](#)

**International Class:** [041](#)

**Class Status:** [Active](#)

[educational services; namely, providing courses of study at the undergraduate and graduate level](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1965-00-00](#)

**First Use in Commerce Date:** [1965-00-00](#)

---

**ADDITIONAL INFORMATION**

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**Disclaimer:** ["UNIVERSITY"](#)

**Translation:** [The English translation of the words "UNIVERSITAS DUKIANA" and "ERUDITO ET RELIGIO" in the mark is "Duke University" and "education and religion" respectively.](#)

**Design Search Code(s):**

[05.15.02](#) - [Laurel leaves or branches \(borders or frames\); Wreaths](#)

[24.05.01](#) - [Circular or elliptical seals; Seals, circular or elliptical](#)

[24.13.01](#) - [Cross, Latin \(shorter horizontal lines\); Latin cross \(shorter horizontal lines\)](#)

---

**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

2008-02-27 - Case File In TICRS

2002-07-07 - First renewal 10 year

2002-07-07 - Section 8 (10-year) accepted/ Section 9 granted

2002-04-29 - Combined Section 8 (10-year)/Section 9 filed

2002-04-29 - PAPER RECEIVED

1998-06-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1998-06-26 - Response received for Post Registration action

1997-12-29 - Post Registration action mailed - Section 15

1997-12-02 - Section 8 (6-year) and Section 15 Filed

1992-09-08 - Registered - Principal Register

1992-05-12 - Published for opposition

1992-04-10 - Notice of publication

1992-01-08 - Approved for Pub - Principal Register (Initial exam)

1991-12-16 - Examiner's amendment mailed

1991-12-09 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive  
Olive & Olive, P.A.  
500 Memorial Street  
Post Office Box 2049  
Durham, NC 27702

---

## Duke University's Notice of Opposition

### Exhibit 6:

TARR website printout of Reg. No. 1,717,941  
DUKE and Design

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:50:24 ET

Serial Number: 74208330 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 1717941

Mark



(words only): [DUKE](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2002-04-22](#)

Filing Date: [1991-09-30](#)

Transformed into a National Application: No

Registration Date: [1992-09-22](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 10](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [40S -Scanning On Demand](#)

Date In Location: [2008-02-27](#)

---

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

---

1. [Duke University](#)**Address:**[Duke University](#)[Durham, NC 27706](#)[United States](#)**Legal Entity Type:** [NONPROFIT CORPORATION](#)**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [014](#)**Class Status:** [Active](#)[jewelry; namely, pins](#)**Basis:** [1\(a\)](#)**First Use Date:** [1983-00-00](#)**First Use in Commerce Date:** [1983-00-00](#)

---

**ADDITIONAL INFORMATION**

---

**Design Search Code(s):**[07.03.25](#) - [Aquariums \(buildings\); Convention hall; Hospitals; Libraries, public libraries; Schools; Wash, car \(commercial\)](#)

---

**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

[2008-02-27 - Case File In TICRS](#)[2002-04-22 - First renewal 10 year](#)[2002-04-22 - Section 8 \(10-year\) accepted/ Section 9 granted](#)[2002-02-20 - Combined Section 8 \(10-year\)/Section 9 filed](#)[1999-06-03 - Section 8 \(6-year\) accepted & Section 15 acknowledged](#)[1999-05-26 - Response received for Post Registration action](#)

1999-05-17 - Post Registration action mailed Section 8 & 15  
1998-09-18 - Section 8 (6-year) and Section 15 Filed  
1998-09-18 - Section 8 (6-year) and Section 15 Filed  
1992-09-22 - Registered - Principal Register  
1992-06-30 - Published for opposition  
1992-05-29 - Notice of publication  
1992-03-12 - Approved for Pub - Principal Register (Initial exam)  
1992-02-13 - Communication received from applicant  
1991-12-30 - Non-final action mailed  
1991-12-09 - Assigned To Examiner  
1991-12-09 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

VEDA JONES-RICHARDSON

**Correspondent**

VEDA JONES-RICHARDSON  
OLIVE & OLIVE PA  
500 MEMORAL STREET  
P.O. BOX 2049  
DURHAM, NC 27702-2049

---

## Duke University's Notice of Opposition

### Exhibit 7:

TARR website printout of Reg. No. 2,026,492  
D[U]KE with Stylized "U"

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:51:12 ET

Serial Number: 74693793 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2026492

Mark

D♥KE

(words only): [DKE](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2007-02-26](#)

Filing Date: [1995-06-27](#)

Transformed into a National Application: No

Registration Date: [1996-12-31](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 108](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [830 -Post Registration](#)

Date In Location: [2007-02-26](#)

---

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

---

1. [Duke University](#)**Address:**

[Duke University](#)  
[Post Office Box 3024](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [025](#)

**Class Status:** [Active](#)  
[clothing, namely, T-shirts](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1995-02-17](#)

**First Use in Commerce Date:** [1995-02-17](#)

---

**ADDITIONAL INFORMATION**

---

**Design Search Code(s):**

[02.11.01](#) - [Hearts excluding hearts as carriers or depicted on playing cards](#)

[27.03.02](#) - [Humans forming letters or numerals; Humans forming punctuation](#)

---

**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.

[2008-11-08](#) - [Notice Of Design Search Code And Pseudo Mark Mailed](#)

[2007-02-26](#) - [First renewal 10 year](#)

[2007-02-26](#) - [Section 8 \(10-year\) accepted/ Section 9 granted](#)

[2007-02-16](#) - [Assigned To Paralegal](#)

[2006-12-19](#) - [TEAS Section 8 & 9 Received](#)

[2006-09-14](#) - [Case File In TICRS](#)

2002-12-23 - Section 8 (6-year) accepted & Section 15 acknowledged

2002-10-29 - Section 8 (6-year) and Section 15 Filed

2002-10-29 - PAPER RECEIVED

1996-12-31 - Registered - Principal Register

1996-10-08 - Published for opposition

1996-09-06 - Notice of publication

1996-07-22 - Approved for Pub - Principal Register (Initial exam)

1995-11-30 - Non-final action mailed

1995-11-21 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE  
OLIVE & OLIVE PA  
500 MEMORIAL ST  
PO BOX 2049  
DURHAM, NC 27702-2049

---

# Duke University's Notice of Opposition

## Exhibit 8

TARR website printout of Reg. No. 2,082,553  
D[U]KE with Stylized "U"

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:52:33 ET

Serial Number: 75976141 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2082553

Mark

**D♥KE**

(words only): [DKE](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2007-06-11](#)

Filing Date: [1995-06-28](#)

Transformed into a National Application: No

Registration Date: [1997-07-22](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 108](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [830 -Post Registration](#)

Date In Location: [2007-06-11](#)

---

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

---

1. [Duke University](#)**Address:**

[Duke University](#)  
[Post Office Box 3024](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [028](#)

**Class Status:** [Active](#)

[balloons](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1996-11-12](#)

**First Use in Commerce Date:** [1996-11-12](#)

---

**ADDITIONAL INFORMATION**

---

**Design Search Code(s):**

[02.11.01](#) - [Hearts excluding hearts as carriers or depicted on playing cards](#)

---

**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.**

[2007-06-11](#) - [First renewal 10 year](#)

[2007-06-11](#) - [Section 8 \(10-year\) accepted/ Section 9 granted](#)

[2007-06-08](#) - [Assigned To Paralegal](#)

[2007-05-15](#) - [Combined Section 8 \(10-year\)/Section 9 filed](#)

[2007-05-15](#) - [TEAS Section 8 & 9 Received](#)

[2007-03-15](#) - [Case File In TICRS](#)

2003-07-10 - Section 8 (6-year) accepted & Section 15 acknowledged  
2003-04-17 - Section 8 (6-year) and Section 15 Filed  
2003-04-17 - PAPER RECEIVED  
1997-07-22 - Registered - Principal Register  
1997-06-02 - Allowed for Registration - Principal Register (SOU accepted)  
1997-05-22 - Statement Of Use Processing Complete  
1997-03-17 - Use Amendment Filed  
1997-05-30 - Divisional processing completed  
1997-03-17 - Divisional request received  
1996-09-17 - NOA Mailed - SOU Required From Applicant  
1996-06-25 - Published for opposition  
1996-05-24 - Notice of publication  
1996-04-11 - Approved For Pub - Principal Register  
1996-02-21 - Communication received from applicant  
1995-12-28 - Non-final action mailed  
1995-12-15 - Assigned To Examiner  
1995-12-07 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive

OLIVE & OLIVE, P.A.

POST OFFICE BOX 2049

500 MEMORIAL STREET

DURHAM NC 27702-2049

Phone Number:

Fax Number: (919) 688-3781

---

# Duke University's Notice of Opposition

## Exhibit 9

TARR website printout of Reg. No. 2,092,314  
D[U]KE with Stylized "U"

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:53:09 ET

Serial Number: 75976140 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2092314

Mark

The logo consists of the letters 'D', 'KE' in a bold, serif font. The letter 'O' is replaced by a solid black heart symbol. The letters are black and have a slightly distressed or stamped appearance.

(words only): [D KE](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2007-10-31](#)

Filing Date: [1995-06-28](#)

Transformed into a National Application: No

Registration Date: [1997-08-26](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 108](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [830 -Post Registration](#)

Date In Location: [2007-10-31](#)

---

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

---

1. [Duke University](#)**Address:**

[Duke University](#)  
[POST OFFICE BOX 3024](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [024](#)

**Class Status:** [Active](#)

[pennants not of paper](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1996-11-22](#)

**First Use in Commerce Date:** [1996-11-22](#)

---

**ADDITIONAL INFORMATION**

---

**Design Search Code(s):**

[02.11.01](#) - [Hearts excluding hearts as carriers or depicted on playing cards](#)

[27.03.05](#) - [Objects forming letters or numerals](#)

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

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

[2008-10-10](#) - [Notice Of Design Search Code Mailed](#)

[2007-10-31](#) - [First renewal 10 year](#)

[2007-10-31](#) - [Section 8 \(10-year\) accepted/ Section 9 granted](#)

[2007-10-31](#) - [Assigned To Paralegal](#)

[2007-05-31](#) - [Combined Section 8 \(10-year\)/Section 9 filed](#)

[2007-05-31](#) - [TEAS Section 8 & 9 Received](#)

2007-03-02 - Case File In TICRS

2003-07-10 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-04-17 - Section 8 (6-year) and Section 15 Filed

2003-04-17 - PAPER RECEIVED

1997-08-26 - Registered - Principal Register

1997-06-19 - Allowed for Registration - Principal Register (SOU accepted)

1997-03-17 - Communication received from applicant

1997-05-22 - Statement Of Use Processing Complete

1997-03-17 - Use Amendment Filed

1997-05-30 - Divisional processing completed

1997-03-17 - Divisional request received

1996-09-17 - NOA Mailed - SOU Required From Applicant

1996-06-25 - Published for opposition

1996-05-24 - Notice of publication

1996-04-11 - Approved For Pub - Principal Register

1996-02-21 - Communication received from applicant

1995-12-28 - Non-final action mailed

1995-12-15 - Assigned To Examiner

1995-12-07 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive  
OLIVE & OLIVE, P.A.  
POST OFFICE BOX 2049

# Duke University's Notice of Opposition

## Exhibit 10

TARR website printout of Reg. No. 2,122,067  
D[U]KE with Stylized "U"

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:53:50 ET

Serial Number: 74694684 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2122067

Mark

**D♥KE**

(words only): [DKE](#)

Standard Character claim: No

Current Status: [The registration has been renewed.](#)

Date of Status: [2007-06-23](#)

Filing Date: [1995-06-28](#)

Transformed into a National Application: No

Registration Date: [1997-12-16](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 108](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [830 -Post Registration](#)

Date In Location: [2007-06-23](#)

---

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

---

1. [Duke University](#)**Address:**[Duke University](#)[Durham, NC 27706](#)[United States](#)**Legal Entity Type:** [NONPROFIT CORPORATION](#)**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [016](#)**Class Status:** [Active](#)[decals, stickers, stationery, and note pads](#)**Basis:** [1\(a\)](#)**First Use Date:** [1996-11-05](#)**First Use in Commerce Date:** [1996-11-05](#)**International Class:** [021](#)**Class Status:** [Active](#)[drinking glasses, cups, and mugs](#)**Basis:** [1\(a\)](#)**First Use Date:** [1996-11-06](#)**First Use in Commerce Date:** [1996-11-06](#)

---

**ADDITIONAL INFORMATION**

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**Design Search Code(s):**[02.11.01](#) - [Hearts excluding hearts as carriers or depicted on playing cards](#)[27.03.05](#) - [Objects forming letters or numerals](#)**Prior Registration Number(s):**[2026492](#)[2082553](#)[2092314](#)

---

**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.**

2008-11-19 - Notice Of Design Search Code Mailed

2007-06-23 - First renewal 10 year

2007-06-23 - Section 8 (10-year) accepted/ Section 9 granted

2007-06-08 - Assigned To Paralegal

2007-05-15 - Combined Section 8 (10-year)/Section 9 filed

2007-05-15 - TEAS Section 8 & 9 Received

2007-02-26 - Case File In TICRS

2003-09-27 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-08-14 - Section 8 (6-year) and Section 15 Filed

2003-08-14 - PAPER RECEIVED

1997-12-16 - Registered - Principal Register

1997-10-16 - Allowed for Registration - Principal Register (SOU accepted)

1997-10-12 - Statement Of Use Processing Complete

1997-09-16 - Use Amendment Filed

1997-05-22 - Extension 1 granted

1997-03-17 - Extension 1 filed

1997-05-30 - Divisional processing completed

1997-05-30 - Divisional processing completed

1997-03-17 - Divisional request received

1997-03-17 - Divisional request received

1996-09-17 - NOA Mailed - SOU Required From Applicant

1996-06-25 - Published for opposition

1996-05-24 - Notice of publication

1995-12-07 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

SUSAN FREYA OLIVE

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE PA

P.O. Box 2049

500 Memorial Street

DURHAM NC 27702-2049

Phone Number: (919) 683-5514

Fax Number: (919) 688-3781

---

# Duke University's Notice of Opposition

## Exhibit 11

TARR website printout of Reg. No. 2,203,764  
DUKE CENTER FOR LIVING

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:54:37 ET

Serial Number: 75321843 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2203764

Mark(words only): DUKE CENTER FOR LIVING

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2008-05-24

Filing Date: 1997-07-01

Transformed into a National Application: No

Registration Date: 1998-11-17

Register: Principal

Law Office Assigned: LAW OFFICE 109

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 830 -Post Registration

Date In Location: 2008-05-24

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)  
[PO BOX 3024](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

---

**GOODS AND/OR SERVICES**

---

**International Class:** 041**Class Status:** Active

educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise

**Basis:** 1(a)**First Use Date:** 1991-08-00**First Use in Commerce Date:** 1991-08-00**International Class:** 042**Class Status:** Active

counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision

**Basis:** 1(a)**First Use Date:** 1991-08-00**First Use in Commerce Date:** 1991-08-00

---

**ADDITIONAL INFORMATION**

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**Disclaimer:** "CENTER"

---

**MADRID PROTOCOL INFORMATION**

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(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.

2008-05-24 - First renewal 10 year

2008-05-24 - Section 8 (10-year) accepted/ Section 9 granted

2008-05-21 - Assigned To Paralegal

2008-05-09 - TEAS Section 8 &amp; 9 Received

2007-07-27 - Case File In TICRS

2004-06-07 - Section 8 (6-year) accepted &amp; Section 15 acknowledged

2004-04-29 - Section 8 (6-year) and Section 15 Filed

1998-11-17 - Registered - Principal Register

1998-08-25 - Published for opposition

1998-07-24 - Notice of publication

1998-06-04 - Approved for Pub - Principal Register (Initial exam)

1998-05-20 - Communication received from applicant

1998-04-01 - Non-final action mailed

1998-03-13 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive

OLIVE & OLIVE PA

500 MEMORIAL ST.

DURHAM NC 27702-2049

Phone Number:

Fax Number: 919-688-3781

---

## Duke University's Notice of Opposition

### Exhibit 12:

TARR website printout of Reg. No. 2,317,603

DUKE

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:55:20 ET

Serial Number: 75347293 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2317603

Mark(words only): DUKE

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-08-12

Filing Date: 1997-08-26

Transformed into a National Application: No

Registration Date: 2000-02-15

Register: Principal

Law Office Assigned: LAW OFFICE 109

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: L20 -TMEG Law Office 102

Date In Location: 2009-09-14

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)  
[4th Floor 310 Blackwell Street](#)  
[Durham, NC 27701](#)  
[United States](#)

**Legal Entity Type:** [NONPROFIT CORPORATION](#)  
**State or Country Where Organized:** [North Carolina](#)

---

---

**GOODS AND/OR SERVICES**

---

**International Class:** 041**Class Status:** Active

Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing

**Basis:** 1(a)**First Use Date:** 1935-01-00**First Use in Commerce Date:** 1935-01-00**International Class:** 042**Class Status:** Active

providing hospital, medical, and health care services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services

**Basis:** 1(a)**First Use Date:** 1935-01-00**First Use in Commerce Date:** 1935-01-00

---

**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

2203764

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

2009-09-10 - Case File In TICRS

2009-08-12 - First renewal 10 year

2009-08-12 - Section 8 (10-year) accepted/ Section 9 granted

2009-08-10 - Assigned To Paralegal

2009-08-06 - TEAS Section 8 &amp; 9 Received

2005-12-03 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-12-03 - Assigned To Paralegal

2005-08-10 - Section 8 (6-year) and Section 15 Filed

2005-08-10 - TEAS Section 8 & 15 Received

2000-02-15 - Registered - Principal Register

1999-11-23 - Published for opposition

1999-10-22 - Notice of publication

1999-08-02 - Approved for Pub - Principal Register (Initial exam)

1999-07-29 - Examiner's amendment mailed

1999-01-21 - Non-final action mailed

1998-11-16 - Communication received from applicant

1998-05-11 - Non-final action mailed

1998-05-08 - Assigned To Examiner

1998-05-07 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

SUSAN FREYA OLIVE

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE PA

500 Memorial Street, P.O. Box 2049

DURHAM NC 27702-2049

Phone Number:

Fax Number: 919-688-3781

---

# Duke University's Notice of Opposition

## Exhibit 13

TARR website printout of Reg. No. 2,415,817  
DUKECARD

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:56:04 ET

Serial Number: 75892149 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 2415817

Mark(words only): DUKECARD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-11-03

Filing Date: 2000-01-07

Transformed into a National Application: No

Registration Date: 2000-12-26

Register: Principal

Law Office Assigned: LAW OFFICE 109

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: (NOT AVAILABLE)

Date In Location: 2010-11-03

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)  
[Office of University Counsel 310 Blackwell Street, 4th Floor](#)  
[Durham, NC 27701](#)  
[United States](#)

**Legal Entity Type:** [NON-PROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009**Class Status:** Active

magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events

**Basis:** 1(a)**First Use Date:** 1985-08-00**First Use in Commerce Date:** 1985-08-00**International Class:** 036**Class Status:** Active

financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto

**Basis:** 1(a)**First Use Date:** 1985-08-00**First Use in Commerce Date:** 1985-08-00

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

2010-11-03 - First renewal 10 year

2010-11-03 - Section 8 (10-year) accepted/ Section 9 granted

2010-11-01 - TEAS Section 8 & 9 Received

2007-01-06 - Section 8 (6-year) accepted & Section 15 acknowledged

2007-01-06 - Assigned To Paralegal

2006-10-30 - Section 8 (6-year) and Section 15 Filed

2006-10-30 - TEAS Section 8 & 15 Received

2006-07-19 - Case File In TICRS

2000-12-26 - Registered - Principal Register

2000-10-03 - Published for opposition

2000-09-01 - Notice of publication

2000-07-17 - Approved for Pub - Principal Register (Initial exam)

2000-07-13 - Examiner's amendment mailed

2000-06-28 - Assigned To Examiner

2000-06-22 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

Susan Freya Olive

Olive & Olive, P.A.

500 Memorial Street

DURHAM NC 27702-2049

Phone Number:

# Duke University's Notice of Opposition

## Exhibit 14

TARR website printout of Reg. No. 3,157,222

DUKIE

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:56:42 ET

Serial Number: 78674480 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 3157222

Mark

DUKIE

(words only): [DUKIE](#)

Standard Character claim: Yes

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2006-10-17](#)

Filing Date: [2005-07-20](#)

Transformed into a National Application: [No](#)

Registration Date: [2006-10-17](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2006-10-17](#)

---

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

---

1. [Duke University](#)**Address:**

[Duke University](#)  
[Duke University & Duke Health Systems POB 3024](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NON-PROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [025](#)

**Class Status:** [Active](#)

[Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [2002-07-17](#)

**First Use in Commerce Date:** [2002-07-17](#)

---

**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

[1701827](#)

[2026492](#)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

[2006-10-17 - Registered - Principal Register](#)

[2006-07-25 - Published for opposition](#)

[2006-07-05 - Notice of publication](#)

[2006-06-03 - Law Office Publication Review Completed](#)

2006-05-31 - Assigned To LIE

2006-05-31 - Assigned To LIE

2006-05-25 - Approved for Pub - Principal Register (Initial exam)

2006-04-27 - Teas/Email Correspondence Entered

2006-04-25 - Communication received from applicant

2006-04-25 - TEAS Response to Office Action Received

2006-02-17 - NON-FINAL ACTION E-MAILED

2006-02-17 - Non-Final Action Written

2006-02-17 - Non-final action e-mailed

2006-02-17 - Non-Final Action Written

2006-02-08 - Assigned To Examiner

2005-07-26 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE, P.A.

PO BOX 2049

DURHAM, NC 27702-2049

Phone Number:

Fax Number: (919) 688-3781

---

## Duke University's Notice of Opposition

### Exhibit 15:

TARR website printout of Reg. No. 3,780,204  
DUKEENGAGE

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:57:33 ET

Serial Number: [77700792](#) [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: [3780204](#)

Mark

# DUKEENGAGE

(words only): [DUKEENGAGE](#)

Standard Character claim: [Yes](#)

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2010-04-27](#)

Filing Date: [2009-03-27](#)

Transformed into a National Application: [No](#)

Registration Date: [2010-04-27](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 102](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2010-04-27](#)

---

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

---

## 1. Duke University

**Address:**

Duke University  
310 Blackwell Street 4th floor  
Durham, NC 27701  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** North Carolina

---

**GOODS AND/OR SERVICES**

---

**International Class:** 035**Class Status:** Active

charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service

**Basis:** 1(a)**First Use Date:** 2007-02-01**First Use in Commerce Date:** 2007-02-01**International Class:** 036**Class Status:** Active

charitable fundraising services

**Basis:** 1(a)**First Use Date:** 2007-02-01**First Use in Commerce Date:** 2007-02-01**International Class:** 041**Class Status:** Active

Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs

**Basis:** 1(a)**First Use Date:** 2007-02-01**First Use in Commerce Date:** 2007-02-01**International Class:** 042**Class Status:** Active

Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback

**Basis:** 1(a)**First Use Date:** 2007-02-01**First Use in Commerce Date:** 2007-02-01

---

**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**[2203764](#)[2317603](#)[2415817](#)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

[2010-04-27 - Registered - Principal Register](#)[2010-02-09 - Notice Of Publication E-Mailed](#)[2010-02-09 - Published for opposition](#)[2010-01-07 - Law Office Publication Review Completed](#)[2010-01-07 - Assigned To LIE](#)[2009-12-17 - Approved for Pub - Principal Register \(Initial exam\)](#)[2009-12-16 - Teas/Email Correspondence Entered](#)[2009-12-16 - Communication received from applicant](#)[2009-12-16 - TEAS Response to Office Action Received](#)[2009-06-17 - Notification Of Non-Final Action E-Mailed](#)[2009-06-17 - Non-final action e-mailed](#)[2009-06-17 - Non-Final Action Written](#)[2009-06-17 - Assigned To Examiner](#)[2009-04-01 - Notice Of Pseudo Mark Mailed](#)[2009-03-31 - New Application Office Supplied Data Entered In Tram](#)[2009-03-31 - New Application Entered In Tram](#)

---

**Correspondent**

SUSAN FREYA OLIVE  
OLIVE & OLIVE, P.A.  
PO BOX 2049  
DURHAM, NC 27702-2049  
Phone Number: 919-683-5514  
Fax Number: 919-688-3781

---

## Duke University's Notice of Opposition

### Exhibit 16:

TARR website printout of Reg. No. 3,878,213  
DUKE

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:58:11 ET

Serial Number: 78944344 [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: 3878213

Mark



(words only): [DUKE](#)

Standard Character claim: No

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2010-11-16](#)

Filing Date: [2006-08-03](#)

Transformed into a National Application: No

Registration Date: [2010-11-16](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 102](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: (NOT AVAILABLE)

Date In Location: [2011-02-17](#)

---

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

---

1. [Duke University](#)

**Address:**

[Duke University](#)  
[310 Blackwell Street, 4th Floor](#)  
[Durham, NC 27701](#)  
[United States](#)

**Legal Entity Type:** [NON-PROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [016](#)

**Class Status:** [Active](#)

[Decals, note pads, note cards, writing paper, and binders](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [2010-02-01](#)

**First Use in Commerce Date:** [2010-02-01](#)

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**ADDITIONAL INFORMATION**

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

**Design Search Code(s):**

[04.01.05](#) - [Heads of devils or horned personages, with or without wings; Heads with horns \(persons\)](#)

**Prior Registration Number(s):**

[1703446](#)

[1737968](#)

[1742734](#)

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**MADRID PROTOCOL INFORMATION**

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[\(NOT AVAILABLE\)](#)

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**PROSECUTION HISTORY**

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

[2010-12-17 - Section 7 correction issued](#)

[2010-12-17 - Assigned To Paralegal](#)

[2010-11-16 - Registered - Principal Register](#)

2010-10-14 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-10-13 - Law Office Registration Review Completed

2010-10-13 - Assigned To LIE

2010-09-30 - Allowed for Registration - Principal Register (SOU accepted)

2010-09-28 - Statement Of Use Processing Complete

2010-08-30 - Use Amendment Filed

2010-09-27 - Case Assigned To Intent To Use Paralegal

2010-08-30 - TEAS Statement of Use Received

2010-04-20 - NOA Mailed - SOU Required From Applicant

2010-03-05 - Extension Of Time To Oppose Process - Terminated

2009-11-18 - Extension Of Time To Oppose Received

2009-10-20 - Notice Of Publication E-Mailed

2009-10-20 - Published for opposition

2009-09-16 - Law Office Publication Review Completed

2009-09-15 - Approved For Pub - Principal Register

2009-08-26 - LIE Checked Susp - To Atty For Action

2009-02-21 - Report Completed Suspension Check Case Still Suspended

2009-01-29 - LIE Checked Susp - To Atty For Action

2008-07-24 - Report Completed Suspension Check Case Still Suspended

2008-01-23 - Report Completed Suspension Check Case Still Suspended

2007-07-23 - Notification Of Letter Of Suspension E-Mailed

2007-07-23 - LETTER OF SUSPENSION E-MAILED

2007-07-23 - Suspension Letter Written

2007-06-30 - LIE Checked Susp - To Atty For Action

2007-06-30 - Assigned To LIE

2006-12-28 - Letter of suspension e-mailed

2006-12-28 - Suspension Letter Written

2006-12-17 - Assigned To Examiner

2006-08-09 - Notice Of Design Search Code Mailed

2006-08-08 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE, P.A.

PO BOX 2049

DURHAM, NC 27702-2049

Phone Number:

Fax Number: (919) 688-3781

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## Duke University's Notice of Opposition

### Exhibit 17:

TARR website printout of Reg. No. 3,936,096  
DUKE

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:59:20 ET

Serial Number: [75567914](#) [Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [3936096](#)

Mark(words only): [DUKE](#)

Standard Character claim: [No](#)

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2011-03-29](#)

Filing Date: [1998-10-08](#)

Transformed into a National Application: [No](#)

Registration Date: [2011-03-29](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 104](#)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2011-03-29](#)

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

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1. [Duke University](#)

**Address:**

[Duke University](#)  
[Office of Counsel](#)  
[Durham, NC 27710](#)  
[United States](#)

**Legal Entity Type:** [NON-PROFIT CORPORATION](#)

**State or Country Where Organized:** [North Carolina](#)

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**GOODS AND/OR SERVICES**

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**International Class:** 025**Class Status:** Active

clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands

**Basis:** 1(a)**First Use Date:** 1926-00-00**First Use in Commerce Date:** 1926-00-00

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**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

1702830

1707827

2026492

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

2011-03-29 - Registered - Principal Register

2011-02-18 - TTAB Release Case To Trademarks

2011-02-18 - Opposition terminated for Proceeding

2011-02-18 - Opposition dismissed for Proceeding

2010-01-05 - Opposition instituted for Proceeding

2009-07-27 - Extension Of Time To Oppose Received

2009-07-07 - Published for opposition

2009-06-17 - Notice of publication

2009-06-04 - Law Office Publication Review Completed

2009-06-03 - Approved for Pub - Principal Register (Initial exam)

2009-06-02 - Teas/Email Correspondence Entered

2009-06-02 - Communication received from applicant

2009-06-02 - TEAS Request For Reconsideration Received

2008-12-08 - Final refusal mailed

2008-12-08 - Final Refusal Written

2008-11-17 - LIE Checked Susp - To Atty For Action

2008-05-14 - Report Completed Suspension Check Case Still Suspended

2008-05-14 - LIE Checked Susp - To Atty For Action

2007-11-13 - Report Completed Suspension Check Case Still Suspended

2007-05-09 - Report Completed Suspension Check Case Still Suspended

2007-04-26 - LIE Checked Susp - To Atty For Action

2007-04-26 - Assigned To LIE

2006-10-10 - Report Completed Suspension Check Case Still Suspended

2006-04-05 - Report Completed Suspension Check Case Still Suspended

2005-10-04 - Report Completed Suspension Check Case Still Suspended

2005-03-29 - Report Completed Suspension Check Case Still Suspended

2004-09-20 - Report Completed Suspension Check Case Still Suspended

2004-08-12 - Report Completed Suspension Check Case Still Suspended

2003-05-29 - Case File In TICRS

2000-04-26 - Letter of suspension mailed

2000-04-25 - Assigned To Examiner

1999-12-27 - Communication received from applicant

1999-06-21 - Non-final action mailed

1999-06-04 - Assigned To Examiner

1999-05-14 - Assigned To Examiner

1999-05-11 - Assigned To Examiner

1999-05-06 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

SUSAN FREYA OLIVE

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE PA

500 MEMORIAL STREET POST OFFICE BOX 20

49

DURHAM, NC 27702

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# Duke University's Notice of Opposition

## Exhibit 18:

TARR website printout of Reg. No. 3,995,015

DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY  
DIVERSITY EDUCATION ACCOUNTABILITY  
SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D



Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-08-03 13:43:04 ET

Serial Number: 85049335 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3995015

**Mark**



(words only): [DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT](#)  
D

**Standard Character claim:** No

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

**Date of Status:** 2011-07-12

**Filing Date:** 2010-05-27

**Transformed into a National Application:** No

**Registration Date:** 2011-07-12

**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](mailto:TrademarkAssistanceCenter@uspto.gov)

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2011-06-06

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

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**1. Duke University****Address:**

Duke University  
310 Blackwell Street, 4th Floor Office of Counsel  
Durham, NC 27710  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** North Carolina

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**GOODS AND/OR SERVICES**

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**International Class:** 025**Class Status:** Active

Clothing, namely, shirts

**Basis:** 1(a)**First Use Date:** 2006-09-11**First Use in Commerce Date:** 2006-09-11

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**ADDITIONAL INFORMATION**

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**Color(s) Claimed:** Color is not claimed as a feature of the mark.**Disclaimer:** "UNIVERSITY", "ATHLETICS", "EXCELLENCE", "LOYALTY", "DIVERSITY", "EDUCATION", "ACCOUNTABILITY", "SPORTSMANSHIP", "COMMITMENT", "INTEGRITY" AND "RESPECT"**Description of Mark:** The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.**Design Search Code(s):****24.07.04** - Medals**24.09.07** - Advertising, banners; Banners**26.01.07** - Circles with a decorative border, including scalloped, ruffled and zig-zag edges**26.01.17** - Circles, two concentric; Concentric circles, two; Two concentric circles**Prior Registration Number(s):**

2203764

2317603

2415817

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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

2011-07-12 - Registered - Principal Register

2011-06-07 - Notice Of Acceptance Of Statement Of Use E-Mailed

2011-06-06 - Law Office Registration Review Completed

2011-05-24 - Allowed for Registration - Principal Register (SOU accepted)

2011-05-24 - Statement Of Use Processing Complete

2011-05-19 - Use Amendment Filed

2011-05-24 - Case Assigned To Intent To Use Paralegal

2011-05-19 - TEAS Statement of Use Received

2011-01-11 - NOA E-Mailed - SOU Required From Applicant

2010-11-16 - Notice Of Publication E-Mailed

2010-11-16 - Published for opposition

2010-10-08 - Law Office Publication Review Completed

2010-10-08 - Assigned To LIE

2010-09-24 - Approved For Pub - Principal Register

2010-09-24 - Examiner's Amendment Entered

2010-09-24 - Notification Of Examiners Amendment E-Mailed

2010-09-24 - EXAMINERS AMENDMENT E-MAILED

2010-09-24 - Examiners Amendment -Written

2010-09-14 - Notification Of Priority Action E-Mailed

2010-09-14 - Priority Action E-Mailed

2010-09-14 - Priority Action Written

2010-09-09 - Assigned To Examiner

2010-06-02 - Notice Of Design Search Code Mailed

2010-06-01 - New Application Office Supplied Data Entered In Tram

2010-05-31 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE

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Phone Number:

Fax Number: 919-688-3781

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