

ESTTA Tracking number: **ESTTA424395**

Filing date: **08/10/2011**

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	Power Balance, LLC
Granted to Date of previous extension	08/10/2011
Address	30012 Ivy Glenn Suite 170 Laguna Niguel, CA 92677 UNITED STATES

Attorney information	Patchen M. Haggerty Dorsey & Whitney LLP 701 Fifth Ave., Ste. 6100 Seattle, WA 98104 UNITED STATES ipdocket-se@dorsey.com, haggerty.patchen@dorsey.com Phone:(206) 903-8839
----------------------	--

Applicant Information

Application No	85134611	Publication date	04/12/2011
Opposition Filing Date	08/10/2011	Opposition Period Ends	08/10/2011
Applicant	Power Force, LLC 2000 Eagle Point Corporate Drive Birmingham, AL 35242 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. First Use: 2010/10/15 First Use In Commerce: 2010/11/01 All goods and services in the class are opposed, namely: Bracelets and jewelry displaying holographic images that empower the wearer's inner force by helping focus positive energy inward to achieve maximum synergy of the human mind, body and spirit
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3988259	Application Date	04/30/2010
Registration Date	07/05/2011	Foreign Priority Date	NONE
Word Mark	POWER Å BALANCE		

Design Mark	POWER · BALANCE
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 2007/03/31 First Use In Commerce: 2007/03/31 Jewelry

U.S. Registration No.	3524766	Application Date	01/05/2007
Registration Date	10/28/2008	Foreign Priority Date	NONE
Word Mark	POWER / BALANCE		
Design Mark	POWER / BALANCE		
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 2008/02/01 First Use In Commerce: 2008/02/01 Cosmetics</p> <p>Class 009. First use: First Use: 2006/11/01 First Use In Commerce: 2006/11/01 Apparatus for recording, transmission or reproduction of sound and images; Apparatus for transmitting and reproducing sound or images; Electronic database in the field of Holographic, Biomagnetic, Bioenergetics, Biofield Balancing recorded on computer media</p> <p>Class 016. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Printed holograms</p> <p>Class 025. First use: First Use: 2008/01/25 First Use In Commerce: 2008/01/25 Button front aloha shirts; Athletic footwear; Beach footwear; Footwear; Headwear</p> <p>Class 032. First use: First Use: 2007/03/11 First Use In Commerce: 2007/03/11 Coffee-flavored soft drink; Colas; Concentrates, syrups or powders used in the preparation of soft drinks; Drinking water; Energy drinks; Essences for use in making soft drinks; Fruit drinks; Fruit flavored soft drinks; Fruit-based soft drinks flavored with tea; Fruit-flavored drinks; Pop; Soft drinks; Soft drinks, namely, for energy and endurance; Sports drinks</p>		

U.S. Application No.	85026919	Application Date	04/30/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PB POWER BALANCE PERFORMANCE TECHNOLOGY		
Design Mark			
Description of Mark	The mark consists of a stylized letter "P" intertwined with a stylized letter "B", and a dot in the lower portion of the "B", all over the stylized word "POWER" above the stylized word "BALANCE" above the stylized words "PERFORMANCE TECHNOLOGY".		
Goods/Services	Class 014. First use: First Use: 2007/03/31 First Use In Commerce: 2007/03/31 Jewelry Class 016. First use: First Use: 2006/11/11 First Use In Commerce: 2006/11/11 Printed materials, namely, holograms Class 025. First use: First Use: 2008/01/25 First Use In Commerce: 2008/01/25 Clothing, namely, shirts, shorts, pants, jackets, dresses, jerseys; swimwear; footwear; belts; socks; hats; gloves; undergarments; wet suits		

U.S. Application No.	85026920	Application Date	04/30/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PB POWER BALANCE PERFORMANCE TECHNOLOGY		
Design Mark			
Description of Mark	The mark consists of a stylized letter "P" intertwined with a stylized letter "B", and a dot in the lower portion of the "B", next to the stylized wording "POWER" and "BALANCE" separated by a dot, all over the stylized wording "PERFORMANCE TECHNOLOGY".		
Goods/Services	Class 014. First use: First Use: 2007/03/31 First Use In Commerce: 2007/03/31 Jewelry Class 016. First use: First Use: 2006/11/11 First Use In Commerce: 2006/11/11 Printed materials, namely, holograms Class 025. First use: First Use: 2008/01/25 First Use In Commerce: 2008/01/25		

	Clothing, namely, shirts, shorts, pants, jackets, dresses, jerseys; swimwear; footwear; belts; socks; hats; gloves; undergarments; wet suits
--	--

Attachments	85026914#TMSN.jpeg (1 page)(bytes) 77077142#TMSN.jpeg (1 page)(bytes) 85026919#TMSN.jpeg (1 page)(bytes) 85026920#TMSN.jpeg (1 page)(bytes) Power Force Opposition.pdf (19 pages)(237147 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	/Patchen M. Haggerty/
Name	Patchen M. Haggerty
Date	08/10/2011

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

In the matter of trademark application Serial No.: 85/134,611
Filed: September 21, 2010
For the mark: **POWER FORCE**
Published in the Official Gazette on: April 12, 2011

_____)	
POWER BALANCE LLC)	
)	
Opposer,)	
v.)	Opposition No: _____
)	
POWER FORCE, LLC)	Opposer's File No.: M224022
)	
Applicant.)	
_____)	

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Opposer, Power Balance LLC, a Delaware limited liability company having its principal place of business at 30012 Ivy Glenn Suite 170, Laguna Niguel, CA 92677, believes it will be damaged by registration of the mark **POWER FORCE** sought to be registered in Application Serial No. 85/134,611, published in the Official Gazette on April 12, 2011, and hereby opposes same.

As grounds for opposition, it is alleged that:

1. On September 21, 2010, Applicant, Power Force, LLC, applied for registration of the mark **POWER FORCE** on the Principal Register alleging a date of first use anywhere of October 15, 2010 and in commerce of November 1, 2010 in connection with the following goods:

International Class	Goods/Services
014	Bracelets and jewelry displaying holographic images that empower the wearer's inner force by helping focus positive energy inward to achieve maximum synergy of the human mind, body and spirit

This application was assigned Serial No. 85/134,611 and was published for opposition in the *Trademark Official Gazette* on April 12, 2011. In the application, Applicant indicated it is a limited liability company organized under the laws of the state of Alabama with a principal place of business of 2000 Eagle Point Corporate Drive, Birmingham, AL 35242.

2. Opposer is the owner of the following registrations on the Principal Register of the United States Patent and Trademark Office:

Mark	U.S. Reg. No.	International Class/Goods	Registration Date	Date of First Use Anywhere/ In Commerce
POWER · BALANCE	3988259	IC 014: Jewelry	July 5, 2011	March 31, 2007
POWER / BALANCE	3524766	IC 016: Printed holograms IC 025: Button front aloha shirts; Athletic footwear; Beach footwear; Footwear; Headwear	October 28, 2008	September 11, 2006 January 25, 2008

The aforesaid registrations are valid and subsisting, unrevoked and uncanceled, and Opposer is the owner of such registrations and all of the goodwill represented thereby (collectively, the “Power Balance Registrations”). In accordance with Rule 2.122(d) of the Trademark Rules of Practice, copies of Opposer’s registrations and printouts taken from the U.S. Patent and

Trademark Office's electronic TARR (Trademark Application and Registration Retrieval) database prepared and issued by the United States Patent and Trademark Office showing the current status of and current title to the registrations are attached hereto as Exhibit A and submitted into evidence on behalf of Opposer.

3. Opposer is the owner of the following applications pending on the Principal Register of the United States Patent and Trademark Office:

Mark	U.S. Serial No.	International Class/Goods	Filing Date	Date of First Use Anywhere/ In Commerce
	85/026919	IC 014: Jewelry IC 016: Printed materials, namely holograms IC 025: Clothing, namely, shirts, shorts, pants, jackets, dresses, jerseys; swimwear; footwear; belts; socks; hats; gloves; undergarments; wet suits	April 30, 2010	March 31, 2007 November 11, 2006 January 25, 2008
	85/026920	IC 014: Jewelry IC 016: Printed materials, namely holograms IC 025: Clothing,	April 30, 2010	March 31, 2007 November 11, 2006 January 25, 2008

		namely, shirts, shorts, pants, jackets, dresses, jerseys; swimwear; footwear; belts; socks; hats; gloves; undergarments; wet suits		
--	--	--	--	--

Opposer is the owner of the aforesaid applications and all of the goodwill represented thereby (collectively, the “Power Balance Applications”). In accordance with Rule 2.122(d) of the Trademark Rules of Practice, Opposer intends to rely on any registrations that issue from the pleaded Power Balance Applications and shall make the resulting registrations of record.

4. Ever since the adoption and use of the Power Balance Registrations and Power Balance Applications, Opposer has used and sold, advertised and promoted the goods listed there under in interstate commerce. As a consequence of same, the consuming public and trade have come to recognize and do recognize the marks shown in the Power Balance Registrations and Power Balance Applications as being used by Opposer, and to identify and associate the marks shown in the Power Balance Registrations and Power Balance Applications with Opposer, and Opposer derives substantial goodwill and value from the aforesaid recognition, association and identification by the consuming public and trade.

5. Opposer’s Power Balance Registrations and Power Balance Applications have become distinctive of the goods provided there under. The distinctiveness of Opposer’s Power Balance Registrations and Power Balance Applications would be lost if Applicant’s mark is allowed to register.

6. Opposer has clear priority over Applicant in that both Opposer's earliest use date of September 11, 2006 and date of first use in International Class 14 of March 31, 2007 predate the November 1, 2010 use in commerce date alleged in the subject application.

7. Applicant's registration of the mark **POWER FORCE** in International Class 014 for the goods listed in Paragraph 1, above, is likely to cause confusion, and mistake and to deceive, with consequent injury to Opposer, the consuming public and the trade.

8. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant's mark sought to be registered, and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

WHEREFORE Opposer believes that it will be damaged by registration of Applicant's mark and prays that this opposition be sustained, and that Application Serial No. 85/134,611 be denied.

Please recognize as attorneys for Opposer in this proceeding Patchen M. Haggerty, member of the Bar of the States of Washington and Oregon, whose address is Dorsey & Whitney LLP, 701 Fifth Ave., Ste. 6100, Seattle, WA 98104, telephone number (206) 903-8839.

Dated: August 10, 2011

DORSEY & WHITNEY LLP

By: /Patchen M. Haggerty/
Patchen M. Haggerty
701 Fifth Ave., Ste. 6100
Seattle, WA 98104
(206) 903-8839

Attorneys for Opposer
Power Balance LLC

EXHIBIT A

United States of America

United States Patent and Trademark Office

POWER · BALANCE

Reg. No. 3,988,259

Registered July 5, 2011

Int. Cl.: 14

TRADEMARK

PRINCIPAL REGISTER

POWER BALANCE, LLC (DELAWARE LIMITED LIABILITY COMPANY)
30012 IVY GLENN SUITE 170
LAGUNA NIGUEL, CA 92677

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 3-31-2007; IN COMMERCE 3-31-2007.

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

OWNER OF U.S. REG. NO. 3,524,766.

SER. NO. 85-026,914, FILED 4-30-2010.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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

Requirements in the First Ten Years*

What and When to File:

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

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

Requirements in Successive Ten-Year Periods*

What and When to File:

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

Grace Period Filings*

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

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

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

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

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

This page was generated by the TARR system on 2011-08-10 16:00:21 ET

Serial Number: 85026914 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3988259

Mark

POWER · BALANCE

(words only): [POWER · BALANCE](#)

Standard Character claim: Yes

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

Date of Status: 2011-07-05

Filing Date: 2010-04-30

Transformed into a National Application: No

Registration Date: 2011-07-05

Register: Principal

Law Office Assigned: [LAW OFFICE 113](#)

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-07-05

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

1. [POWER BALANCE, LLC](#)

Address:

[POWER BALANCE, LLC](#)

30012 IVY GLENN SUITE 170
Laguna Niguel, CA 92677
United States
Legal Entity Type: [Limited Liability Company](#)
State or Country Where Organized: [Delaware](#)

GOODS AND/OR SERVICES

International Class: [014](#)
Class Status: [Active](#)
[Jewelry](#)
Basis: [1\(a\)](#)
First Use Date: [2007-03-31](#)
First Use in Commerce Date: [2007-03-31](#)

ADDITIONAL INFORMATION

Prior Registration Number(s):
[3524766](#)

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.

[2011-07-05 - Registered - Principal Register](#)
[2011-04-19 - Notice Of Publication E-Mailed](#)
[2011-04-19 - Published for opposition](#)
[2011-03-11 - Law Office Publication Review Completed](#)
[2011-03-11 - Assigned To LIE](#)
[2011-02-18 - Approved for Pub - Principal Register \(Initial exam\)](#)
[2011-02-18 - Teas/Email Correspondence Entered](#)
[2011-02-17 - Communication received from applicant](#)
[2011-02-17 - TEAS Response to Office Action Received](#)
[2011-02-17 - TEAS Change Of Correspondence Received](#)

2011-02-16 - Attorney Revoked And/Or Appointed
2011-02-16 - TEAS Revoke/Appoint Attorney Received
2010-08-20 - Non-final action mailed
2010-08-19 - Non-Final Action Written
2010-08-12 - Assigned To Examiner
2010-05-05 - New Application Office Supplied Data Entered In Tram
2010-05-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Nina Freeland-Ringel

Correspondent

Nina Freeland-Ringel
Power Balance, LLC
30012 Ivy Glenn Suite 170
Laguna Niguel CA 92677
Phone Number: 949.272.7300
Fax Number: 949.545.6994

Int. Cls.: 3, 9, 16, 25, and 32

**Prior U.S. Cls.: 1, 2, 4, 5, 6, 21, 22, 23, 26, 29, 36, 37,
38, 39, 45, 46, 48, 50, 51, and 52**

Reg. No. 3,524,766

Registered Oct. 28, 2008

United States Patent and Trademark Office

**TRADEMARK
PRINCIPAL REGISTER**

POWER / BALANCE

POWER/BALANCE, INC (NEVADA CORPORATION)
232 AVENIDA FABRICANTE #110
SAN CLEMENTE, CA 92672

FOR: COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50,
51 AND 52).

FIRST USE 2-1-2008; IN COMMERCE 2-1-2008.

FOR: APPARATUS FOR RECORDING, TRANSMISSION OR REPRODUCTION OF SOUND AND IMAGES; APPARATUS FOR TRANSMITTING AND REPRODUCING SOUND OR IMAGES; ELECTRONIC DATABASE IN THE FIELD OF HOLOGRAPHIC, BIOMAGNETIC, BIOENERGETICS, BIOFIELD BALANCING RECORDED ON COMPUTER MEDIA, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-1-2006; IN COMMERCE 11-1-2006.

FOR: PRINTED HOLOGRAMS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 9-11-2006; IN COMMERCE 9-11-2006.

FOR: BUTTON FRONT ALOHA SHIRTS; ATHLETIC FOOTWEAR; BEACH FOOTWEAR; FOOT-

WEAR; HEADWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-25-2008; IN COMMERCE 1-25-2008.

FOR: COFFEE-FLAVORED SOFT DRINK; COLAS; CONCENTRATES, SYRUPS OR POWDERS USED IN THE PREPARATION OF SOFT DRINKS; DRINKING WATER; ENERGY DRINKS; ESSENCES FOR USE IN MAKING SOFT DRINKS; FRUIT DRINKS; FRUIT FLAVORED SOFT DRINKS; FRUIT-BASED SOFT DRINKS FLAVORED WITH TEA; FRUIT-FLAVORED DRINKS; POP; SOFT DRINKS; SOFT DRINKS, NAMELY, FOR ENERGY AND ENDURANCE; SPORTS DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-11-2007; IN COMMERCE 3-11-2007.

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

SN 77-077,142, FILED 1-5-2007.

MELVIN AXILBUND, EXAMINING ATTORNEY

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

This page was generated by the TARR system on 2011-08-10 15:58:28 ET

Serial Number: 77077142 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3524766

Mark

POWER / BALANCE

(words only): POWER / BALANCE

Standard Character claim: Yes

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

Date of Status: 2008-10-28

Filing Date: 2007-01-05

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2008-10-28

Register: Principal

Law Office Assigned: LAW OFFICE 113

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-09-23

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

1. POWER BALANCE LLC

Address:

POWER BALANCE LLC
30012 IVY GLENN SUITE 170
LAGUNA NIGUEL, CA 92677
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Cosmetics

Basis: 1(a)

First Use Date: 2008-02-01

First Use in Commerce Date: 2008-02-01

International Class: 009

Class Status: Active

Apparatus for recording, transmission or reproduction of sound and images; Apparatus for transmitting and reproducing sound or images; Electronic database in the field of Holographic, Biomagnetic, Bioenergetics, Biofield Balancing recorded on computer media

Basis: 1(a)

First Use Date: 2006-11-01

First Use in Commerce Date: 2006-11-01

International Class: 016

Class Status: Active

Printed holograms

Basis: 1(a)

First Use Date: 2006-09-11

First Use in Commerce Date: 2006-09-11

International Class: 025

Class Status: Active

Button front aloha shirts; Athletic footwear; Beach footwear; Footwear; Headwear

Basis: 1(a)

First Use Date: 2008-01-25

First Use in Commerce Date: 2008-01-25

International Class: 032

Class Status: Active

Coffee-flavored soft drink; Colas; Concentrates, syrups or powders used in the preparation of soft drinks; Drinking water; Energy drinks; Essences for use in making soft drinks; Fruit drinks; Fruit flavored soft drinks; Fruit-based soft drinks flavored with tea; Fruit-flavored drinks; Pop; Soft drinks; Soft drinks, namely, for energy and endurance; Sports drinks

Basis: 1(a)

First Use Date: 2007-03-11

First Use in Commerce Date: [2007-03-11](#)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

USPTO Reference Number: [A0013898](#)

International Registration Number: [0988096](#)

International Registration Date: [2008-09-22](#)

Original Filing Date with USPTO: [2008-09-22](#)

International Registration Status: [Application For IR Registered By IB](#)

Date of International Registration Status: [2009-01-08](#)

International Registration Renewal Date: [2018-09-22](#)

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

[08-12-2010 - 16:21:51 - Change Of Owner Received From IB](#)

[07-22-2010 - 22:01:02 - Change Of Owner Received From IB](#)

[03-20-2009 - 10:13:40 - Partial Ceasing Of Effect Processed By IB](#)

[02-11-2009 - 21:00:36 - Partial Ceasing Of Effect Notice Sent To IB](#)

[02-11-2009 - 09:38:29 - Ceasing Of Effect Processed](#)

[01-28-2009 - 08:00:24 - Partial Ceasing Of Effect To Be Processed](#)

[01-08-2009 - 17:36:45 - Application For IR Registered By IB](#)

[10-21-2008 - 09:26:14 - Irregularity Notice Received From IB \(Response Required\)](#)

[09-22-2008 - 21:00:31 - IR Certified And Sent To IB](#)

[09-22-2008 - 19:26:59 - Automatically Certified](#)

[09-22-2008 - 19:26:59 - New Application For IR Received](#)

PROSECUTION HISTORY

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

[2011-07-21 - Notice Of Suit](#)

[2011-03-08 - Notice Of Suit](#)

[2011-03-08 - Notice Of Suit](#)

[2011-02-16 - Attorney Revoked And/Or Appointed](#)

[2011-02-16 - TEAS Revoke/Appoint Attorney Received](#)

[2010-01-25 - TEAS Change Of Correspondence Received](#)

[2009-12-23 - Automatic Update Of Assignment Of Ownership](#)

2009-12-16 - Automatic Update Of Assignment Of Ownership

2008-10-28 - Registered - Principal Register

2008-10-23 - TEAS Change Of Correspondence Received

2008-10-08 - Undeliverable Mail - Courtesy Copy Mailed

2008-10-06 - Undeliverable Mail - Corresp. Rемаiled

2008-09-23 - Law Office Registration Review Completed

2008-09-23 - Allowed for Registration - Principal Register (SOU accepted)

2008-09-17 - Teas/Email Correspondence Entered

2008-09-17 - Communication received from applicant

2008-09-16 - Teas/Email Correspondence Entered

2008-09-16 - Communication received from applicant

2008-09-16 - TEAS Response to Office Action Received

2008-09-16 - TEAS Response to Office Action Received

2008-06-09 - Notification Of Non-Final Action E-Mailed

2008-06-09 - NON-FINAL ACTION E-MAILED

2008-06-09 - SU - Non-Final Action - Written

2008-05-21 - Statement Of Use Processing Complete

2008-05-09 - Use Amendment Filed

2008-05-09 - TEAS Statement of Use Received

2007-11-13 - NOA Mailed - SOU Required From Applicant

2007-08-21 - Published for opposition

2007-08-01 - Notice of publication

2007-05-16 - Law Office Publication Review Completed

2007-05-16 - Assigned To LIE

2007-04-30 - Approved For Pub - Principal Register

2007-04-30 - Examiner's Amendment Entered

2007-04-30 - Examiners amendment e-mailed

2007-04-30 - Examiners Amendment -Written

2007-04-25 - Assigned To Examiner

2007-01-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Nina Freeland-Ringel

Correspondent

Nina Freeland-Ringel

Power Balance, LLC

30012 Ivy Glenn Suite 170

Laguna Niguel CA 92677

Phone Number: 949.272.7300

Fax Number: 949.545.6994



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)[Assignments on the Web](#) > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 2Serial # : [77077142](#)

Filing Dt: 01/05/2007

Reg # : [3524766](#)

Reg. Dt: 10/28/2008

Registrant: POWER/BALANCE, INC

Mark: POWER / BALANCE

Assignment: 1Reel/ Frame: [4113/0912](#)

Received: 12/14/2009

Recorded: 12/12/2009

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [POWER BALANCE, INC.](#)

Exec Dt: 11/17/2009

Entity Type: CORPORATION

Citizenship: NEVADA

Assignee: [POWER BALANCE LLC](#)

30012 IVY GLENN

SUITE 170

LAGUNA NIGUEL, CALIFORNIA 92677

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Correspondent: LAWRENCE H. BINDEROW, ATTORNEY AT LAW

1330 CAMINO DEL MAR

SUITE 250

DEL MAR, CALIFORNIA 92014

Assignment: 2Reel/ Frame: [4575/0649](#)

Received: 07/05/2011

Recorded: 07/05/2011

Pages: 67

Conveyance: SECURITY INTEREST

Assignor: [POWER BALANCE, LLC](#)

Exec Dt: 06/07/2011

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [CONTEC CORP.](#)

200 HENNESSY ROAD

HANG SENG, WANCHAI BUILDING

WANCHAI, HONG KONG

Entity Type: CORPORATION

Citizenship: SAMOA

Correspondent: STEPHANIE S. KANN, SENIOR PARALEGAL

3161 MICHELSON DRIVE

GIBSON, DUNN & CRUTCHER LLP

IRVINE, CA 92612

Search Results as of: 08/10/2011 03:58 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.2
Web interface last modified: July 25, 2011 v.2.2[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2011, a copy of the foregoing Notice of Opposition was served on Applicant by mailing a copy to Applicant's Attorney of Record at:

E. Kirk Wood
Wood Law Firm, LLC
Suite 1000
2001 Park Place North
Birmingham AL 35203

/Patchen M. Haggerty/
Patchen M. Haggerty