

ESTTA Tracking number: **ESTTA445625**

Filing date: **12/09/2011**

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	Rain Bird Corporation
Granted to Date of previous extension	12/11/2011
Address	1000 W. SIERRA MADRE AVENUE Azusa, CA 91702 UNITED STATES

Attorney information	Selena M. Spritz Fitch Even Tabin & Flannery 120 South LaSalle Street, Suite 1600 Chicago, IL 60603 UNITED STATES trademark@fitcheven.com Phone:312 577-7000
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Applicant Information

Application No	85239168	Publication date	06/14/2011
Opposition Filing Date	12/09/2011	Opposition Period Ends	12/11/2011
Applicant	HaloSource, Inc. 1631 - 220th Street SE, Suite 100 Bothell, WA 98021 UNITED STATES		

Goods/Services Affected by Opposition

Class 011. All goods and services in the class are opposed, namely: Water filtration and purification units and replacement cartridges and filters therefor
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Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	771809	Application Date	09/16/1963
Registration Date	06/23/1964	Foreign Priority Date	NONE
Word Mark	RAIN BIRD		
Design Mark			

Description of Mark	NONE
Goods/Services	Class U021 (International Class 009). First use: First Use: 1962/06/21 First Use In Commerce: 1962/06/29 Electrically-Operated Controllers for Sprinkler Systems, and Electrical Wire for Use in Such Systems

U.S. Registration No.	771728	Application Date	09/16/1963
Registration Date	06/23/1964	Foreign Priority Date	NONE
Word Mark	RAIN BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U013 (International Class 006). First use: First Use: 1957/08/26 First Use In Commerce: 1957/08/29 Manually-Operated Turf Valves, Angle, Globe, and Check Valves, Quick Coupling Valves and Valve Keys, Electrically and Hydraulically Operated Remote Control Valves		

U.S. Registration No.	908921	Application Date	05/08/1970
Registration Date	03/02/1971	Foreign Priority Date	NONE
Word Mark	RAIN BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U013 (International Class 006). First use: First Use: 1953/01/01 First Use In Commerce: 1953/01/10 TURF AND AGRICULTURAL SPRINKLERS		

U.S. Registration No.	962015	Application Date	07/07/1972
Registration Date	06/26/1973	Foreign Priority Date	NONE
Word Mark	RAIN BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U027 (International Class 014). First use: First Use: 1962/06/21 First Use In Commerce: 1962/06/21 CLOCKS USED IN CONNECTION WITH TIMING CONTROLS		

U.S. Registration No.	982529	Application Date	07/07/1972
Registration Date	04/23/1974	Foreign Priority Date	NONE
Word Mark	RAIN BIRD		
Design Mark			

Description of Mark	NONE
Goods/Services	Class U026 (International Class 009). First use: First Use: 1962/06/21 First Use In Commerce: 1962/06/29 MOISTURE AND TEMPERATURE RESPONSIVE CONTROLLERS

U.S. Registration No.	984827	Application Date	08/04/1972
Registration Date	05/28/1974	Foreign Priority Date	NONE

Word Mark	RAIN BIRD
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class U013 (International Class 020). First use: First Use: 1950/01/10 First Use In Commerce: 1950/02/15 SPRINKLER HEAD SCREENS
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U.S. Registration No.	999325	Application Date	08/04/1972
Registration Date	11/26/1974	Foreign Priority Date	NONE

Word Mark	RAIN BIRD
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class U103 (International Class 037). First use: First Use: 1949/01/15 First Use In Commerce: 1949/01/30 REPAIR OF SPRINKLER AND RELATED IRRIGATION EQUIPMENT OWNED BY OTHERS
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U.S. Registration No.	1638034	Application Date	01/23/1989
Registration Date	03/19/1991	Foreign Priority Date	NONE

Word Mark	RAIN BIRD
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 001. First use: First Use: 1970/12/00 First Use In Commerce: 1970/12/00 [ADHESIVES FOR PVC PIPE] Class 003. First use: First Use: 1985/12/00 First Use In Commerce: 1985/12/00 [SHAMPOO STICKS FOR USE WITH BRUSHES FOR WASHING CARS] Class 006. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00 METAL MANUALLY OPERATED VALVES, NAMELY Y VALVES, SHUT-OFF VALVES, ANTI-SIPHON VALVES, AIR VENT VALVES, VACUUM RELIEF
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VALVES, PRESSURE REGULATING VALVES, QUICK COUPLING VALVES, DRAIN VALVES, ANGLE VALVES, GLOBE VALVES, BALL VALVES, GATE VALVES, AND CHECK VALVES; METAL HOSE HANGERS; AND METAL PIPES

Class 007. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00
HYDRAULICALLY OPERATED REMOTE CONTROL VALVES

Class 008. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00
[HAND TOOLS, namely, SAWS AND BLADES THEREFOR; WRENCHES; CHUCKS; SCREW DRIVERS; KNIVES; KEYS; PUNCHES; AND SHEARS, namely, LOPPING SHEARS, PRUNING SHEARS, HEDGE SHEARS, GRASS SHEARS, TRIMMING SHEARS, AND FLOWER SHEARS;] PIPE CUTTERS; AND DRIPPER INSTALLATION TOOLS

Class 009. First use: First Use: 1963/12/00 First Use In Commerce: 1963/12/00
AUTOMATIC CONTROLS FOR IRRIGATION SPRINKLERS AND SPRINKLER SYSTEMS, NAMELY MECHANICAL CONTROLLERS, ELECTROMECHANICAL CONTROLLERS, ELECTRICAL CONTROLLERS, COMPUTER CONTROLLERS, CLOCK TIMERS, WATER TIMERS, TEMPERATURE RESPONSIVE CONTROLLERS, MOISTURE RESPONSIVE CONTROLLERS; ELECTRIC SWITCHES; ELECTRIC SOLENOIDS, ELECTRIC RELAYS; ELECTRICAL CONNECTORS; ELECTRIC WIRE; PHOTO CELLS; WEATHER STATIONS, COMPRISING A RAIN GAUGE, SOLAR RADIATION SENSOR, WIND SPEED AND RELATIVE HUMIDITY SENSOR COMBINED AS A UNIT; FLUID METERS AND GAUGES, NAMELY WATER METERS, PILOT TUBES, PRESSURE GAUGES, AND RAIN GAUGES; SOLENOID AND ELECTRICALLY OPERATED REMOTE CONTROL VALVES; AUDIO RECORDINGS AND AUDIO VIDEO TAPE, NAMELY AUDIO CASSETTE TAPES AND VIDEO TAPES CONCERNING SPRINKLER SYSTEMS AND IRRIGATION; AND COMPUTERS AND COMPUTER PROGRAMS FOR IRRIGATION CONTROL; COMPUTERS; RADIO CONTROL TRANSCEIVERS; SURGE PROTECTORS; TRANSFORMERS; THERMOMETERS

Class 011. First use: First Use: 1963/12/00 First Use In Commerce: 1963/12/00
SPRINKLER SYSTEMS AND SPRINKLERS THEREFOR, NAMELY IMPACT AND IMPULSE DRIVE SPINKLERS, POP-UP SPRINKLERS, BALL DRIVE SPRINKLERS, TURBINE DRIVE SPRINKLERS, REACTION DRIVE SPRINKLERS; OSCILLATORS; SPRAY HEADS; BUBBLERS; SPRINKLER NOZZLES; SPRINKLER SUPPORTS AND BASES; DRIPPERS; EMITTERS; SOAKERS; SPINNER SEPARATORS, SPRINKLER SYSTEM FILTERS AND FILTER SCREENS; [ELECTRIC OUTDOOR LIGHTS;] AND FAUCET ADAPTERS

Class 014. First use: First Use: 1982/12/00 First Use In Commerce: 1982/12/00
[TIE TACKS; WATCHES AND CLOCKS]

Class 016. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00
MAINTENANCE AND OPERATIONAL MANUALS RELATED TO IRRIGATION EQUIPMENT AND SYSTEMS; INSTALLATION MANUALS RELATED TO IRRIGATION SPRINKLERS AND SPRINKLER SYSTEMS; IRRIGATION DESIGN MANUALS AND BOOKS; MAGAZINES AND NEWSLETTERS RELATED TO IRRIGATION; NOTE PAPER AND PADS; PAPER BANNERS; BINDERS; PAPER BOXES; BUMPER STICKERS; CALENDARS; DECALS; STATIONERY FOLDERS; LABELS; PAPER NAME BADGES; NAPKINS; PLAYING CARDS; SIGNS; POSTERS; PAPER FLAGS; LUGGAGE TAGS; PAPER SHOPPING BAGS; PENS; PENCILS; PAPER CLIP HOLDERS; CLIP BOARDS; LETTER OPENERS

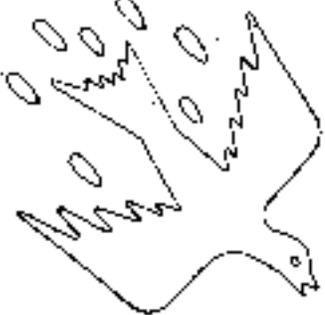
Class 017. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00
LAWN AND GARDEN EQUIPMENT COMPRISING NON-METALLIC HOSE, TUBING, PIPE, PIPE JOINT AND COUPLINGS, HOSE CONNECTORS, HOSE

	<p>QUICK COUPLING CONNECTORS, HOSE REPAIR COUPLINGS, RISER PIPES, PIPE ADAPTERS; FITTINGS, NAMELY DRIP FITTINGS, BARB FITTINGS; COMPRESSION FITTINGS; RUBBER VALVE MARKERS; BALLOONS; HOSE AND VALVE WASHERS; SPRINKLER COLLARS</p> <p>Class 020. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00</p> <p>CABINETS AND HOUSINGS FOR VALVES AND IRRIGATION CONTROLLERS; COUNTER STOOLS; LITERATURE AND CORRESPONDENCE RACKS; STADIUM CUSHIONS; PLASTIC MANUALLY OPERATED VALVES, NAMELY Y VALVES, SHUT-OFF VALVES, ANTI-SIPHON VALVES, AIR-VENT VALVES, VACUUM RELIEF VALVES, PRESSURE REGULATING VALVES, QUICK COUPLING VALVES, DRAIN VALVES, ANGLE VALVES, GLOBE VALVES, BALL VALVES, GATE VALVES, AND CHECK VALVES; PLASTIC HOSE HANGERS, AND PLASTIC SIGNS</p> <p>Class 021. First use: First Use: 1978/12/00 First Use In Commerce: 1978/12/00</p> <p>[BRUSHES, NAMELY CAR WASH BRUSHES AND PATIO AND DECK BRUSHES;] INSULATED CUPS; MUGS; CORK SCREWS; LAWN SPRINKLER NOZZLES; HOSE END NOZZLES AND HOSE NOZZLES</p> <p>Class 025. First use: First Use: 1977/12/00 First Use In Commerce: 1977/12/00</p> <p>CLOTHING, NAMELY COVERALLS, JACKETS, SCARFS, SWEATERS, SWEATSHIRTS, SHIRTS, NECKTIES, T-SHIRTS, VESTS, CAPS, PANTS</p> <p>Class 028. First use: First Use: 1978/12/00 First Use In Commerce: 1978/12/00</p> <p>SPORTS EQUIPMENT, NAMELY GOLF BALLS AND GOLF TEES</p> <p>Class 037. First use: First Use: 1965/12/00 First Use In Commerce: 1965/12/00</p> <p>IRRIGATION EQUIPMENT REPAIR SERVICES, NAMELY SPRINKLER REPAIR, VALVE REPAIR AND CONTROLLER REPAIR; AND IRRIGATION SYSTEM INSTALLATION SERVICES</p>
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U.S. Registration No.	771727	Application Date	09/16/1963
Registration Date	06/23/1964	Foreign Priority Date	NONE
Word Mark	TURF BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U013 (International Class 021). First use: First Use: 1960/02/19 First Use In Commerce: 1960/02/19 Sprinklers		

U.S. Registration No.	1038012	Application Date	06/14/1972
Registration Date	04/13/1976	Foreign Priority Date	NONE
Word Mark	BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U013 (International Class 007). First use: First Use: 1972/05/01 First Use In Commerce: 1972/05/01 SPRINKLERS AND SPRINKLER SYSTEMS FOR WATERING OR IRRIGATION OF AGRICULTURAL CROPS, LAWNS, HORTICULTURAL AND ORNAMENTAL PLANTS		

U.S. Registration No.	1092677	Application Date	04/28/1977
Registration Date	06/06/1978	Foreign Priority Date	NONE
Word Mark	BLACK BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 IRRIGATION SPRINKLERS		

U.S. Registration No.	1157940	Application Date	01/12/1979
Registration Date	06/23/1981	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1959/02/09 First Use In Commerce: 1959/02/09 Sprinklers and Sprinkler Systems for Watering or Irrigation of Agricultural Crops, Lawns, Horticultural and Ornamental Plants		

U.S. Registration No.	1211444	Application Date	06/15/1981
Registration Date	10/05/1982	Foreign Priority Date	NONE
Word Mark	MINI BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1981/01/00 First Use In Commerce: 1981/01/00 Irrigation Sprinklers		

U.S. Registration No.	1333111	Application Date	06/22/1984
Registration Date	04/30/1985	Foreign Priority Date	NONE
Word Mark	MICRO BIRD		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 011. First use: First Use: 1983/06/30 First Use In Commerce: 1983/06/30 IRRIGATION SPRINKLERS

U.S. Registration No.	1649405	Application Date	08/17/1990
Registration Date	07/02/1991	Foreign Priority Date	NONE
Word Mark	TOUGH BIRD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1989/10/27 First Use In Commerce: 1989/10/27 irrigation sprinklers		

Attachments	73776298#TMSN.gif (1 page)(bytes) 73199833#TMSN.gif (1 page)(bytes) 8473-101137 Rain Bird v HaloSource Inc _1.pdf (94 pages)(3119281 bytes)
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Certificate of Service

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

Signature	/Selena M. Spritz/
Name	Selena M. Spritz
Date	12/09/2011

8473-101137

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

Rain Bird Corporation,)	
Opposer,)	
)	Opposition No.
v.)	
)	
HaloSource, Inc.)	
Applicant.)	
)	
)	
Serial No.)	85/239,168
Filed:)	February 10, 2011
Mark:)	WATERBIRD
Published:)	June 14, 2011

NOTICE OF OPPOSITION

Rain Bird Corporation, having a principal place of business at 1000 West Sierra Madre Avenue, Azusa, California 91702 (hereafter, "Rain Bird") believes that it will be damaged by registration of the WATERBIRD mark, Application No. 85/239,168 by HaloSource, Inc. (hereafter, "Applicant") and hereby opposes the same upon the following grounds.

1. Applicant seeks registration on the Principal Register for the WATERBIRD mark, Application No. 85/239,168, filed February 10, 2011 and published for opposition June 14, 2011, based on an intent to use the WATERBIRD mark in connection with "Water filtration and purification units and replacement cartridges and filters therefor" in International.

2. On information and belief, the earliest date of actual or constructive use for the goods specified in the subject application upon which the Applicant can rely is February 10, 2011, the filing date of Application No. 85/239,168.

3. On information and belief, the Applicant has not used the mark WATERBIRD in interstate commerce on the goods specified in the Application.

4. Rain Bird began using the mark and trade name RAINBIRD at least as early as November 1, 1935 and in commerce May 6, 1936, in providing lawn and yard sprinklers.

5. Based on Rain Bird's longstanding, continuous, and extensive use of the RAINBIRD mark in commerce, Rain Bird filed an application on July 9, 1951, for which the U.S. Patent and Trademark Office issued Registration No. 567,442 on December 2, 1952, for the mark RAINBIRD covering "lawn and yard sprinklers" in International Class 11. Rain Bird's Registration No. 567,442 is presently valid and subsisting and is now owned by Rain Bird and is *prima facie* evidence of Rain Bird's exclusive right to use the RAINBIRD mark in commerce in connection with those goods. Rain Bird's Registration No. 567,442 is incontestable under the provisions of 15 U.S.C. § 1065. A printout of Registration No. 567,442 with status and title information from the U.S. Patent and Trademark Office website is attached as Exhibit A to this Notice of Opposition.

6. Based on its lengthy and extensive use of the mark and trade name RAIN BIRD in commerce for specified goods and services, Rain Bird is the owner of other Federal Trademark Registrations incorporating the word mark RAIN BIRD covering the goods and services identified in the specification of each of the following registrations:

Registration No. 771,809 Registration Date: June 23, 1964	International Class 09: Electrically-operated controllers for sprinkler systems, and electrical wire for use in such systems.
Registration No. 771,728 Registration Date: June 23, 1964	International Class 06: Manually-operated turf valves, angle, globe, and check valves, quick coupling valves and valve keys, electrically and hydraulically operated remote control valves.
Registration No. 908,921 Registration Date: March 2, 1971	International Class 06: Turf and agricultural sprinklers.
Registration No. 962,015 Registration Date: June 26, 1973	International Class 14: Clocks used in connection with timing controls.
Registration No. 982,529 Registration Date: April 23, 1974	International Class 09: Moisture and temperature responsive controllers.
Registration No. 984,827	International Class 20: Sprinkler head screens.

Registration Date: May 28, 1974	
Registration No. 999,325 Registration Date: November 26, 1974	International Class 37: Repair of sprinkler and related irrigation equipment owned by others.
Registration No. 1,638,034 Registration Date: March 19, 1991	<p>International Class 06: Metal manually operated valves, namely valves, shut-off valves, anti-siphon valves, air vent valves, vacuum relief valves, pressure regulating valves, quick coupling valves, drain valves, angle valves, globe valves, ball valves, gate valves, and check valves, metal hose hangers; and metal pipes.</p> <p>International Class 07: Hydraulically operated remote control valves.</p> <p>International Class 08: Pipe cutters; and dripper installation tools</p> <p>International Class 09: Automatic controls for irrigation sprinklers and sprinkler systems, namely, mechanical controllers, electromechanical controllers, electrical controllers, computer controllers, clock timers, water timers, temperature responsive controllers, moisture responsive controllers; electric switches; electric solenoids; electric relays; electrical connectors; electric wire; photo cells; weather stations, comprising a rain gauge, solar radiation sensor, wind speed and relative humidity sensor combined as a unit; fluid meters and gauges, namely water meters, pilot tubes, pressure gauges, and rain gauges; solenoid and electrically operated remote control valves; audio recordings and audio video tapes, namely audio cassette tapes and video tapes concerning sprinkler systems and irrigation; and computers and computer programs for irrigation control; computers; radio control transceivers; surge protectors; transformers; thermometers.</p> <p>International Class 11: Sprinkler systems and sprinklers therefore, namely, impact and impulse driven sprinklers, pop-up sprinklers, ball drive sprinklers, turbine drive sprinklers, reaction drive sprinklers; oscillators; spray heads; bubblers; sprinkler nozzles; sprinkler supports and bases; drippers; emitters; soakers; spinner separators; sprinkler system filters and filter screens; and</p>

faucet adapters.

International Class 16: Maintenance and operational manuals related to irrigation equipment and systems; installation manuals related to irrigation sprinklers and sprinkler systems; irrigation design manuals and books; magazines and newsletters related to irrigation; note paper and pads; paper banners; binders; paper boxes; bumper stickers; calendars; decals; stationery folders; labels; paper name badges; napkins; playing cards; signs; posters; paper flags; luggage tags; paper shopping bags; pens; pencils; paper clip holders, clip boards; letter openers.

International Class 17: Lawn and garden equipment comprising non-metallic hose, tubing, pipe, pipe joint and couplings, hose connectors, hose quick coupling connectors, hose repair couplings, riser pipes, pipe adapters; fittings, namely, drip fittings, barb fittings; compression fittings; rubber valve markers; balloons; hose and valve washers' sprinkler collars.

International Class 20: Cabinets and housings for valves and irrigation controllers; counter stools; literature and correspondence racks; stadium cushions; plastic manually operated valves, namely Y valves, shut-off valves, anti-siphon valves, air-vent valves, vacuum relief valves, pressure regulating valves, quick coupling valves, drain valves, angle valves, globe valves, ball valves, gate valves, and check valves; plastic hose hangers, and plastic signs.

International Class 21: Insulated cups; mugs; cork screws; lawn sprinkler nozzles; hose end nozzles and hose nozzles.

International Class 25: Clothing, namely coveralls, jackets, scarfs, sweaters, sweatshirts, shirts, neckties, t-shirts, vests, caps, pants.

International Class 28: Sports equipment, namely golf balls and golf tees.

International Class 37: Irrigation equipment repair

	services, namely sprinkler repair, valve repair and controller repair; and irrigation system installation services.
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The above registrations are presently valid and subsisting and are now owned by Rain Bird and are *prima facie* evidence of Rain Bird's exclusive right to use the RAIN BIRD marks in commerce in connection with those goods. The above registrations are incontestable under the provisions of 15 U.S.C. § 1065. Printouts from the Patent and Trademark Office website of each of these Rain Bird federal registrations with status and title information, all of which have filing, registration, and use-based priority earlier than the February 10, 2011 filing date of Application No. 85/239,168, are attached as Exhibit B to this Notice of Opposition.

7. Based on its lengthy and extensive use of the marks identified in the chart below in commerce, Rain Bird is the owner of the Federal Trademark Registrations covering the goods and services identified in the specification of each of the following Registrations.

TURF BIRD	Registration No. 771,727 Registration Date: June 23, 1964	International Class 21: Sprinklers.
BIRD	Registration No. 1,038,012 Registration Date: April 12, 1976	International Class 07: Sprinklers and sprinkler systems for watering or irrigation of agricultural crops, lawns horticultural and ornamental plants.
BLACK BIRD	Registration No. 1,092,677 Registration Date: June 6, 1978	International Class 07: Irrigation sprinklers.
BIRD Design	Registration No. 1,157,940 Registration Date: June 23, 1981	International Class 11: Sprinklers and sprinkler systems for watering or irrigation of agricultural crops, lawns, horticultural and ornamental plants.
MINI BIRD	Registration No. 1,211,444 Registration Date: October 5, 1982	International Class 11: Irrigation sprinklers.
MICRO BIRD	Registration No. 1,333,111 Registration Date: April 30, 1985	International Class 11: Irrigation sprinklers.

TOUGH BIRD	Registration No. 1,649,405 Registration Date: July 2, 1981	International Class 21: Sprinklers.
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The above registrations are presently valid and subsisting and are now owned by Rain Bird. The above registrations are incontestable under the provisions of 15 U.S.C. § 1065. Printouts from the Patent and Trademark Office website of each of these Rain Bird federal registrations with status and title information, all of which have filing, registration, and use-based priority earlier than the February 10, 2011 filing date of Application No. 85/239,168, are attached as Exhibit C to this Notice of Opposition.

8. Rain Bird's adoption and its manner of use of the above listed marks constitute a BIRD family of marks.

9. Rain Bird is the owner of the aforementioned Registrations which are currently active and on the Principal Register.

10. Each of Rain Bird's marks set forth in paragraphs 5-6 have been in continuous use and are currently in use in the United States in connection with Rain Bird's specified goods and services. Rain Bird's marks, including common-law rights and rights by registration, are collectively referred to herein as the "RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks."

11. Rain Bird is also owner of pending Application 85/257451 for the mark WATER BIRD.

12. Rain Bird has expended substantial monies in marketing, advertising, and promoting its RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks in connection with its numerous goods and services in the United States.

13. Rain Bird has enjoyed continuous and substantial sales of its goods and services in connection with the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks in the United States.

14. By reason of Rain Bird's longstanding and extensive marketing, advertising, promotion, and resulting sales of its goods and services in connection with the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks and the high quality of those goods and services, the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks have acquired distinctiveness, recognition, and fame among purchasers and the public long before Applicant can claim any priority in its WATERBIRD mark.

15. By reason of the extensive marketing, advertising, promotion, and resulting sales and public recognition of Rain Bird's goods and services in connection with the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks and the high quality of those goods and services, the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks have come to represent extremely valuable goodwill to Rain Bird.

16. Applicant's proposed adoption and alleged use of the WATERBIRD mark has been without the consent or permission of Rain Bird.

17. Upon information and belief, the Applicant's proposed adoption and use of its WATERBIRD mark has been with actual or constructive knowledge of the prior use of, and registration of the RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks in connection with Rain Bird's goods and services.

18. The specified goods for which the Applicant seeks registration of the WATERBIRD mark are similar and/or closely related to many of the goods and services Rain Bird provides in connection with its RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks and Rain Bird's trade name.

19. The goods for which the Applicant seeks registration of the WATERBIRD mark are likely to be sold to the same customers and through the same channels of trade in which Rain Bird provides its goods and services with its RAIN BIRD & RAIN BIRD & Design and the BIRD family of Marks, and Rain Bird's trade name.

20. The Applicant's WATERBIRD mark is substantially and confusingly similar to Rain Bird's RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks, and the Rain Bird trade name.

21. Upon information and belief, the Applicant has never used the WATERBIRD mark in United States commerce in connection with any of the goods identified in Application No. 85/239,168.

22. The Applicant's proposed WATERBIRD mark and use thereof by the Applicant on the goods specified in Application No. 85/239,168 is likely to cause confusion, mistake, or deception that Applicant's goods are those of Rain Bird's or are otherwise endorsed, sponsored, or approved by Rain Bird, whereby Rain Bird will be damaged by the registration of Applicant's proposed WATERBIRD mark on the Principal Register of the United States Patent and Trademark Office.

23. If the Applicant is granted registration of its proposed WATERBIRD mark as set forth in Application No. 85/239,168, the Applicant will thereby obtain the *prima facie* exclusive right to use such mark, and such registration will damage, impair, diminish, and dilute Rain Bird's goodwill and rights in its RAIN BIRD, RAIN BIRD & Design, and the BIRD family of Marks and trade name causing irreparable injury to Rain Bird.

COUNT I - Likelihood of Confusion

24. Rain Bird hereby incorporates the allegations contained in paragraph nos. 1-23 by reference herein.

25. The use or registration of the Applicant's proposed WATERBIRD mark is likely to cause confusion, mistake, or deception that Applicant's goods are those of Rain Bird or are otherwise endorsed, sponsored, or approved by Rain Bird, whereby Rain Bird will be damaged by the registration of Applicant's proposed mark on the Principal Register of the United States Patent and Trademark Office.

COUNT II - Dilution

26. Rain Bird hereby incorporates the allegations contained in paragraph nos. 1-25 by reference herein.

27. Rain Bird's RAIN BIRD, RAIN BIRD & Design, and trade name are widely recognized by the general consuming public of the United States as a designation of source of Rain Bird's goods and services.

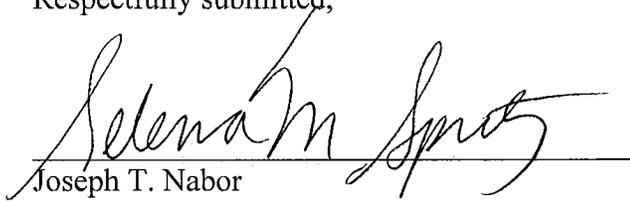
28. Rain Bird's RAIN BIRD and RAIN BIRD & Design, are famous as the term is defined in 15 U.S.C § 1125(c) and were famous prior to the filing of the subject application or prior to any use of the mark by the Applicant.

29. Applicant's WATERBIRD mark is likely to cause dilution and impairing the distinctiveness of Rain Bird's famous RAIN BIRD, RAIN BIRD & Design, and trade name whereby Rain Bird will be damaged by the registration of Applicant's proposed mark on the Principal Register of the United States Patent and Trademark Office.

PRAYER FOR RELIEF

WHEREFORE, Rain Bird prays that Application No. 85/239,168 be rejected, that registration of the mark WATERBIRD mark be refused, and that Rain Bird be awarded such further relief as this Board deems just and proper.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Selena M. Spritz", is written over a horizontal line.

Joseph T. Nabor
Mark W. Hetzler
Selena M. Spritz
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle, Suite 1600
Chicago, Illinois 60603

Telephone 312.577.7000
Facsimile 312.577.7007

Attorneys for Opposer

December 9, 2011

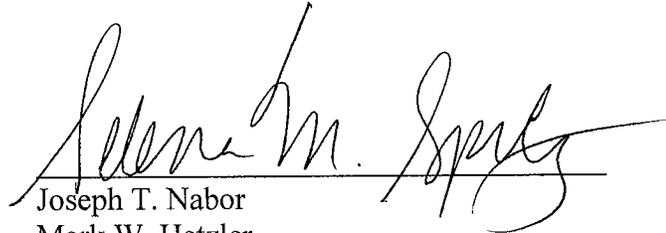
CERTIFICATE OF SERVICE

I, Selena M. Spritz, Attorney for Opposer, hereby certify that copies of the foregoing NOTICE OF OPPOSITION was served by first class mail, postage prepaid, upon:

EVERETT E. FRUEHLING
CHRISTENSEN O'CONNOR JOHNSON KINDNESS
1420 5TH AVE STE 2800
SEATTLE, WA 98101-1344

on this 9th day of December 2011.

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in cursive script, appearing to read "Selena M. Spritz", is written over a horizontal line.

Joseph T. Nabor
Mark W. Hetzler
Selena M. Spritz
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle, Suite 1600
Chicago, Illinois 60603

Telephone 312.577.7000
Facsimile 312.577.7007

Attorneys for Opposer

Exhibit A

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

This page was generated by the TARR system on 2011-05-25 14:17:00 ET

Serial Number: 71616244 Assignment Information Trademark Document Retrieval

Registration Number: 567442

Mark

RAINBIRD

(words only): RAINBIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2002-10-18

Filing Date: 1951-07-09

Transformed into a National Application: No

Registration Date: 1952-12-02

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-10-14

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States
Legal Entity Type: Corporation
State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 011)
Class Status: Active
LAWN AND YARD SPRINKLERS
Basis: 1(a)
First Use Date: 1935-11-01
First Use in Commerce Date: 1936-05-06

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.

- 2008-10-14 - Case File In TICRS
- 2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
- 2008-04-07 - TEAS Change Of Owner Address Received
- 2002-10-18 - Third renewal 10 year
- 2002-10-18 - Section 8 (10-year) accepted/ Section 9 granted
- 2002-07-22 - Combined Section 8 (10-year)/Section 9 filed
- 2002-07-22 - PAPER RECEIVED
- 1992-09-24 - Second renewal 10 year
- 1992-07-16 - Section 9 filed/check record for Section 8

1992-07-16 - Section 9 filed/check record for Section 8

1972-12-02 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOHN D. BAUERSFELD

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

Phone Number: 312-577-7000

Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 71616244

Filing Dt: 07/09/1951

Reg #: 567442

Reg. Dt: 12/02/1952

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAINBIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLEN DORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 02:17 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 671-272-3350. v.2.1
Web Interface last modified: Apr 30, 2009 v.2.1

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Int. Cl.: 11

Prior U.S. Cl.: 13

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 567,442

Registered Dec. 2, 1952

Renewal Term Begins Dec. 2, 1992

TRADEMARK
PRINCIPAL REGISTER

RAINBIRD

RAIN BIRD SPRINKLER MFG. CORP.
(CALIFORNIA CORPORATION)
633 WEST FOOTHILL BOULEVARD
GLENORA, CA 91740

FOR: LAWN AND YARD SPRINKLERS, IN CLASS 13 (INT. CL. 11).
FIRST USE 11-1-1935; IN COMMERCE
5-6-1936.

SER. NO. 71-616,244, FILED 7-9-1951.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Nov. 3, 1992,*

COMMISSIONER OF PATENTS AND TRADEMARKS

Exhibit B

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

This page was generated by the TARR system on 2011-05-25 15:53:28 ET

Serial Number: 72177093 Assignment Information Trademark Document Retrieval

Registration Number: 771809

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-06-12

Filing Date: 1963-09-16

Transformed into a National Application: No

Registration Date: 1964-06-23

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-10-31

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

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

GOODS AND/OR SERVICES

U.S. Class: 021 (International Class 009)

Class Status: Active

Electrically-Operated Controllers for Sprinkler Systems, and Electrical Wire for Use in Such Systems

Basis: 1(a)

First Use Date: 1962-06-21

First Use in Commerce Date: 1962-06-29

ADDITIONAL INFORMATION

Prior Registration Number(s):

567442

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.

2008-10-31 - Case File In TICRS

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2004-06-12 - Second renewal 10 year

2004-06-12 - Section 8 (10-year) accepted/ Section 9 granted

2004-04-16 - Combined Section 8 (10-year)/Section 9 filed

1984-06-23 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

Phone Number: 312-577-7000

Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 72177093

Filing Dt: 09/16/1963

Reg #: 771809

Reg. Dt: 06/23/1964

Registrant: Rain Bird Sprinkler Manufacturing Corp.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLEN DORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:53 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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United States Patent Office

771,809

Registered June 28, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 177,093, filed Sept. 16, 1963

RAIN BIRD

Rain Bird Sprinkler Manufacturing Corp. (California corporation)
19233 E. Foothill Blvd.
Glendora, Calif.

For: ELECTRICALLY-OPERATED CONTROLLERS
FOR SPRINKLER SYSTEMS, AND ELECTRICAL
WIRE FOR USE IN SUCH SYSTEMS, in CLASS 21.

First use June 21, 1962, on controllers; in commerce
June 29, 1962.

Owner of Reg. No. 567,442.

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

This page was generated by the TARR system on 2011-05-24 11:41:08 ET

Serial Number: 72177092 Assignment Information Trademark Document Retrieval

Registration Number: 771728

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-06-12

Filing Date: 1963-09-16

Transformed into a National Application: No

Registration Date: 1964-06-23

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-10-31

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

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

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 006)

Class Status: Active

Manually-Operated Turf Valves, Angle, Globe, and Check Valves, Quick Coupling Valves and Valve Keys, Electrically and Hydraulically Operated Remote Control Valves

Basis: 1(a)

First Use Date: 1957-08-26

First Use in Commerce Date: 1957-08-29

ADDITIONAL INFORMATION

Prior Registration Number(s):

567442

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.

2008-10-31 - Case File In TICRS

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2004-06-12 - Second renewal 10 year

2004-06-12 - Section 8 (10-year) accepted/ Section 9 granted

2004-04-16 - Combined Section 8 (10-year)/Section 9 filed

1984-06-23 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

Phone Number: 312-577-7000

Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 72177092

Filing Dt: 09/16/1963

Reg #: 771728

Reg. Dt: 06/23/1964

Registrant: Rain Bird Sprinkler Manufacturing Corp.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE

GLENDORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

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Web interface last modified: Apr 30, 2009 v.2.1

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United States Patent Office

771,728
Registered June 23, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 177,092, filed Sept. 16, 1963

RAIN BIRD

Rain Bird Sprinkler Manufacturing Corp. (California
corporation)
19233 E. Foothill Blvd.
Glendora, Calif.

For: MANUALLY-OPERATED TURF VALVES,
ANGLE, GLOBE, AND CHECK VALVES, QUICK
COUPLING VALVES AND VALVE KEYS, ELECTRI-
CALLY AND HYDRAULICALLY OPERATED RE-
MOTE CONTROL VALVES, in CLASS 13.

First use Aug. 26, 1957, on turf valves; in commerce
Aug. 29, 1957.

Owner of Reg. No. 567,442.

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

This page was generated by the TARR system on 2011-05-24 11:28:59 ET

Serial Number: 72359255 Assignment Information Trademark Document Retrieval

Registration Number: 908921

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2011-03-12

Filing Date: 1970-05-08

Transformed into a National Application: No

Registration Date: 1971-03-02

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

Current Location: (NOT AVAILABLE)

Date In Location: 2011-03-12

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

1. RAIN BIRD SPRINKLER MFG. CORP.

Address:

RAIN BIRD SPRINKLER MFG. CORP.

1000 W. Sierra Madre Avenue

Azusa, CA 91702

United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 006)
Class Status: Active
TURF AND AGRICULTURAL SPRINKLERS
Basis: 1(a)
First Use Date: 1953-01-01
First Use in Commerce Date: 1953-01-10

ADDITIONAL INFORMATION

Prior Registration Number(s):

567442
771728
771809

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.

2011-03-12 - Third renewal 10 year
2011-03-12 - Section 8 (10-year) accepted/ Section 9 granted
2011-03-01 - TEAS Section 8 & 9 Received
2008-09-16 - Case File In TICRS
2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
2008-04-07 - TEAS Change Of Owner Address Received
2001-05-26 - Second renewal 10 year
2001-05-26 - Section 8 (10-year) accepted/ Section 9 granted
2001-02-05 - Combined Section 8 (10-year)/Section 9 filed
1991-05-23 - First renewal 10 year
1991-04-29 - Section 9 filed/check record for Section 8
1977-02-28 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOSEPH T. NABOR

Correspondent
JOSEPH T. NABOR
Fitch Even Tabin & Flannery
Suite 1600
120 S. LaSalle Street
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 72359255

Filing Dt: 05/08/1970

Reg #: 908921

Reg. Dt: 03/02/1971

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLENORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:06 PM

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United States Patent Office

908,921
Registered Mar. 2, 1971

PRINCIPAL REGISTER Trademark

Ser. No. 359,253, filed May 8, 1970

RAIN BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand
Glendora, Calif. 91740

For: TURF AND AGRICULTURAL SPRINKLERS,
in CLASS 13 (INT. CL. 6).
First use on or about Jan. 1, 1953; in commerce on
or about Jan. 10, 1953.
Owner of Reg. Nos. 567,442, 771,728 and 771,809.

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

This page was generated by the TARR system on 2011-05-24 11:29:23 ET

Serial Number: 72429262 Assignment Information Trademark Document Retrieval

Registration Number: 962015

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-02-02

Filing Date: 1972-07-07

Transformed into a National Application: No

Registration Date: 1973-06-26

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-09-02

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 027 (International Class 014)
Class Status: Active
CLOCKS USED IN CONNECTION WITH TIMING CONTROLS
Basis: 1(a)
First Use Date: 1962-06-21
First Use in Commerce Date: 1962-06-21

ADDITIONAL INFORMATION

Prior Registration Number(s):
567442
908921

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.

- 2008-09-02 - Case File In TICRS
- 2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
- 2008-04-07 - TEAS Change Of Owner Address Received
- 2004-02-02 - Second renewal 10 year
- 2004-02-02 - Section 8 (10-year) accepted/ Section 9 granted
- 2003-09-15 - Post Registration action mailed Sections 8 & 9
- 2003-06-18 - Combined Section 8 (10-year)/Section 9 filed
- 2003-06-18 - PAPER RECEIVED
- 1993-07-15 - First renewal 10 year
- 1993-05-27 - Section 9 filed/check record for Section 8
- 1979-04-02 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOHN D. BAUERSFELD

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

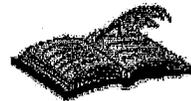
Phone Number: 312-577-7000

Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 72429262

Filing Dt: 07/07/1972

Reg #: 962015

Reg. Dt: 06/26/1973

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLENDORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:57 PM

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Web interface last modified: Apr 30, 2009 v.2.1

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United States Patent Office

962,015
Registered June 26, 1973

PRINCIPAL REGISTER Trademark

Ser. No. 429,262, filed July 7, 1972

RAIN BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For CLOCKS USED IN CONNECTION WITH
TIMING CONTROLS, in CLASS 27 (INT. CL. 14).
First use June 21, 1962; in commerce June 21, 1962.
Owner of Reg. Nos. 567,442, 908,921 and others.

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

This page was generated by the TARR system on 2011-05-24 11:29:42 ET

Serial Number: 72429350 Assignment Information Trademark Document Retrieval

Registration Number: 982529

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-06-12

Filing Date: 1972-07-07

Transformed into a National Application: No

Registration Date: 1974-04-23

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-08-08

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

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

GOODS AND/OR SERVICES

U.S. Class: 026 (International Class 009)
Class Status: Active
MOISTURE AND TEMPERATURE RESPONSIVE CONTROLLERS,
Basis: 1(a)
First Use Date: 1962-06-21
First Use in Commerce Date: 1962-06-29

ADDITIONAL INFORMATION

Prior Registration Number(s):
567442
908921

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.

- 2008-08-08 - Case File In TICRS
 - 2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
 - 2008-04-07 - TEAS Change Of Owner Address Received
 - 2004-06-12 - Second renewal 10 year
 - 2004-06-12 - Section 8 (10-year) accepted/ Section 9 granted
 - 2004-04-16 - Combined Section 8 (10-year)/Section 9 filed
 - 1994-05-11 - First renewal 10 year
 - 1994-03-24 - Section 9 filed/check record for Section 8
 - 1980-05-27 - Section 8 (6-year) accepted & Section 15 acknowledged
-

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOHN D. BAUERSFELD

Correspondent
John E. Bauersfeld

Fitch Even Tabin & Flannery
Suite 1600
120 South LaSalle Street
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: 72429350

Filing Dt: 07/07/1972

Reg #: 982529

Reg. Dt: 04/23/1974

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 0640/0449

Received:

Recorded: 03/01/1989

Pages: 0

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: ARVEY CORPORATION

Exec Dt: 12/22/1988

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: ARVEY LAMCOTE, INC.

3500 NORTH KIMBALL AVENUE
CHICAGO, ILLINOIS

Correspondent: DRESSLER, GOLDSMITH, SHORE,
SUTKER & MILNAMOW, LTD.
1800 PRUDENTIAL PLAZA
CHICAGO, IL 60601

Assignment: 2

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLEN DORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP
JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:58 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350, v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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11.1.72

United States Patent Office

982,529
Registered Apr. 23, 1974

PRINCIPAL REGISTER Trademark

Ser. No. 429,350, filed July 7, 1972

RAIN BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For: MOISTURE AND TEMPERATURE RESPON-
SIVE CONTROLLERS, in CLASS 26 (INT. CL. 9).
First use June 21, 1962; in commerce June 29, 1962.
Owner of Reg. Nos. 567,442, 908,921, and others.

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

This page was generated by the TARR system on 2011-05-24 11:29:56 ET

Serial Number: 72431781 Assignment Information Trademark Document Retrieval

Registration Number: 984827

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-06-12

Filing Date: 1972-08-04

Transformed into a National Application: No

Registration Date: 1974-05-28

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-08-21

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 020)
Class Status: Active
SPRINKLER HEAD SCREENS
Basis: 1(a)
First Use Date: 1950-01-10
First Use in Commerce Date: 1950-02-15

ADDITIONAL INFORMATION

Prior Registration Number(s):
567442
908921

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.

2008-08-21 - Case File In TICRS
2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
2008-04-07 - TEAS Change Of Owner Address Received
2004-06-12 - Second renewal 10 year
2004-06-12 - Section 8 (10-year) accepted/ Section 9 granted
2004-04-16 - Combined Section 8 (10-year)/Section 9 filed
1994-10-31 - First renewal 10 year
1994-03-02 - Section 9 filed/check record for Section 8
1979-10-09 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOHN D. BAUERSFELD

Correspondent
John E. Bauersfeld

Fitch Even Tabin & Flannery
Suite 1600
120 South LaSalle Street
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 72431781

Filing Dt: 08/04/1972

Reg #: 984827

Reg. Dt: 05/28/1974

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE
GLENORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:58 PM

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Web interface last modified: Apr 30, 2009 v.2.1

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United States Patent Office

984,827
Registered May 28, 1974

PRINCIPAL REGISTER Trademark

Ser. No. 431,781, filed Aug. 4, 1972

RAIN BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7043 N. Grand Ave.
Glendora, Calif. 91740

For: SPRINKLER HEAD SCREENS, in CLASS 13
(INT. CL. 20).
First use on or before Jan. 10, 1950; in commerce
Feb. 15, 1950.
Owner of Reg. Nos. 567,442, 908,921, and others.

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

This page was generated by the TARR system on 2011-05-24 11:30:09 ET

Serial Number: 72431727 Assignment Information Trademark Document Retrieval

Registration Number: 999325

Mark (words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-01-13

Filing Date: 1972-08-04

Transformed into a National Application: No

Registration Date: 1974-11-26

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-06-13

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 103 (International Class 037)

Class Status: Active

REPAIR OF SPRINKLER AND RELATED IRRIGATION EQUIPMENT OWNED BY OTHERS

Basis: 1(a)

First Use Date: 1949-01-15

First Use in Commerce Date: 1949-01-30

ADDITIONAL INFORMATION

Prior Registration Number(s):

567442

908921

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.

2008-06-13 - Case File In TICRS

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2005-01-13 - Second renewal 10 year

2005-01-13 - Section 8 (10-year) accepted/ Section 9 granted

2004-11-15 - Combined Section 8 (10-year)/Section 9 filed

2004-11-15 - PAPER RECEIVED

1994-08-09 - First renewal 10 year

1994-07-08 - Section 9 filed/check record for Section 8

1981-03-31 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOHN D. BAUERSFELD

Correspondent

John E. Bauersfeld
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Suite 1600
120 South LaSalle Street
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



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Filing Dt: 08/04/1972

Reg #: [999325](#)

Reg. Dt: 11/26/1974

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1Reel/Frame: [2412/0468](#)

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: [RAIN BIRD SPRINKLER MFG. CORP](#)

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: [RAIN BIRD CORPORATION](#)

145 NORTH GRAND AVENUE

GLENDORA, CALIFORNIA 91741

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 03:59 PM

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Web interface last modified: Apr 30, 2009 v.2.1[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Int. Cl.: 37

Prior U.S. Cl.: 103

United States Patent Office

Reg. No. 999,325

Registered Nov. 26, 1974

SERVICE MARK

Principal Register

RAIN BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For: REPAIR OF SPRINKLER AND RELATED IRRIGATION EQUIPMENT OWNED BY OTHERS, in CLASS 103 (INT. CL. 37).

First use on or before Jan. 15, 1949; in commerce on or before Jan. 30, 1949.

Owner of Reg. Nos. 567,442, 908,921, and others.

Ser. No. 431,727, filed Aug. 4, 1972.

M. E. ABRAMSON, Supervisory Examiner

F. P. WOOD, Examiner

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This page was generated by the TARR system on 2011-05-24 11:30:30 ET

Serial Number: 73776298 Assignment Information Trademark Document Retrieval

Registration Number: 1638034

Mark



(words only): RAIN BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2001-04-16

Filing Date: 1989-01-23

Transformed into a National Application: No

Registration Date: 1991-03-19

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

Current Location: 530 -TMEO Law Office # 3

Date In Location: 2011-04-15

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. SIERRA MADRE AVENUE
AZUSA, CA 91702
United States
Legal Entity Type: Corporation
State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 001
Class Status: Section 8 - Cancelled
Basis: 1(a)
First Use Date: 1970-12-00
First Use in Commerce Date: 1970-12-00

International Class: 003
Class Status: Section 8 - Cancelled
Basis: 1(a)
First Use Date: 1985-12-00
First Use in Commerce Date: 1985-12-00

International Class: 006
Class Status: Active
METAL MANUALLY OPERATED VALVES, NAMELY Y VALVES, SHUT-OFF VALVES, ANTI-SIPHON VALVES, AIR VENT VALVES, VACUUM RELIEF VALVES, PRESSURE REGULATING VALVES, QUICK COUPLING VALVES, DRAIN VALVES, ANGLE VALVES, GLOBE VALVES, BALL VALVES, GATE VALVES, AND CHECK VALVES; METAL HOSE HANGERS; AND METAL PIPES
Basis: 1(a)
First Use Date: 1965-12-00
First Use in Commerce Date: 1965-12-00

International Class: 007
Class Status: Active
HYDRAULICALLY OPERATED REMOTE CONTROL VALVES
Basis: 1(a)
First Use Date: 1965-12-00
First Use in Commerce Date: 1965-12-00

International Class: 008
Class Status: Active
PIPE CUTTERS; AND DRIPPER INSTALLATION TOOLS
Basis: 1(a)
First Use Date: 1965-12-00
First Use in Commerce Date: 1965-12-00

International Class: 009
Class Status: Active
AUTOMATIC CONTROLS FOR IRRIGATION SPRINKLERS AND SPRINKLER SYSTEMS, NAMELY MECHANICAL CONTROLLERS, ELECTROMECHANICAL CONTROLLERS,

ELECTRICAL CONTROLLERS, COMPUTER CONTROLLERS, CLOCK TIMERS, WATER TIMERS, TEMPERATURE RESPONSIVE CONTROLLERS, MOISTURE RESPONSIVE CONTROLLERS; ELECTRIC SWITCHES; ELECTRIC SOLENOIDS, ELECTRIC RELAYS; ELECTRICAL CONNECTORS; ELECTRIC WIRE; PHOTO CELLS; WEATHER STATIONS, COMPRISING A RAIN GAUGE, SOLAR RADIATION SENSOR, WIND SPEED AND RELATIVE HUMIDITY SENSOR COMBINED AS A UNIT; FLUID METERS AND GAUGES, NAMELY WATER METERS, PILOT TUBES, PRESSURE GAUGES, AND RAIN GAUGES; SOLENOID AND ELECTRICALLY OPERATED REMOTE CONTROL VALVES; AUDIO RECORDINGS AND AUDIO VIDEO TAPE, NAMELY AUDIO CASSETTE TAPES AND VIDEO TAPES CONCERNING SPRINKLER SYSTEMS AND IRRIGATION; AND COMPUTERS AND COMPUTER PROGRAMS FOR IRRIGATION CONTROL; COMPUTERS; RADIO CONTROL TRANSCEIVERS; SURGE PROTECTORS; TRANSFORMERS; THERMOMETERS

Basis: 1(a)

First Use Date: 1963-12-00

First Use in Commerce Date: 1963-12-00

International Class: 011

Class Status: Active

SPRINKLER SYSTEMS AND SPRINKLERS THEREFOR, NAMELY IMPACT AND IMPULSE DRIVE SPINKLERS, POP-UP SPRINKLERS, BALL DRIVE SPRINKLERS, TURBINE DRIVE SPRINKLERS, REACTION DRIVE SPRINKLERS; OSCILLATORS; SPRAY HEADS; BUBBLERS; SPRINKLER NOZZLES; SPRINKLER SUPPORTS AND BASES; DRIPPERS; EMITTERS; SOAKERS; SPINNER SEPARATORS, SPRINKLER SYSTEM FILTERS AND FILTER SCREENS; AND FAUCET ADAPTERS

Basis: 1(a)

First Use Date: 1963-12-00

First Use in Commerce Date: 1963-12-00

International Class: 014

Class Status: Active

Basis: 1(a)

First Use Date: 1982-12-00

First Use in Commerce Date: 1982-12-00

International Class: 016

Class Status: Active

MAINTENANCE AND OPERATIONAL MANUALS RELATED TO IRRIGATION EQUIPMENT AND SYSTEMS; INSTALLATION MANUALS RELATED TO IRRIGATION SPRINKLERS AND SPRINKLER SYSTEMS; IRRIGATION DESIGN MANUALS AND BOOKS; MAGAZINES AND NEWSLETTERS RELATED TO IRRIGATION; NOTE PAPER AND PADS; PAPER BANNERS; BINDERS; PAPER BOXES; BUMPER STICKERS; CALENDARS; DECALS; STATIONERY FOLDERS; LABELS; PAPER NAME BADGES; NAPKINS; PLAYING CARDS; SIGNS; POSTERS; PAPER FLAGS; LUGGAGE TAGS; PAPER SHOPPING BAGS; PENS; PENCILS; PAPER CLIP HOLDERS; CLIP BOARDS; LETTER OPENERS

Basis: 1(a)

First Use Date: 1965-12-00

First Use in Commerce Date: 1965-12-00

International Class: 017

Class Status: Active

LAWN AND GARDEN EQUIPMENT COMPRISING NON-METALLIC HOSE, TUBING, PIPE,

PIPE JOINT AND COUPLINGS, HOSE CONNECTORS, HOSE QUICK COUPLING CONNECTORS, HOSE REPAIR COUPLINGS, RISER PIPES, PIPE ADAPTERS; FITTINGS, NAMELY DRIP FITTINGS, BARB FITTINGS; COMPRESSION FITTINGS; RUBBER VALVE MARKERS; BALLOONS; HOSE AND VALVE WASHERS; SPRINKLER COLLARS

Basis: 1(a)

First Use Date: 1965-12-00

First Use in Commerce Date: 1965-12-00

International Class: 020

Class Status: Active

CABINETS AND HOUSINGS FOR VALVES AND IRRIGATION CONTROLLERS; COUNTER STOOLS; LITERATURE AND CORRESPONDENCE RACKS; STADIUM CUSHIONS; PLASTIC MANUALLY OPERATED VALVES, NAMELY Y VALVES, SHUT-OFF VALVES, ANTI-SIPHON VALVES, AIR-VENT VALVES, VACUUM RELIEF VALVES, PRESSURE REGULATING VALVES; QUICK COUPLING VALVES, DRAIN VALVES, ANGLE VALVES, GLOBE VALVES, BALL VALVES, GATE VALVES, AND CHECK VALVES; PLASTIC HOSE HANGERS, AND PLASTIC SIGNS

Basis: 1(a)

First Use Date: 1965-12-00

First Use in Commerce Date: 1965-12-00

International Class: 021

Class Status: Active

INSULATED CUPS; MUGS; CORK SCREWS; LAWN SPRINKLER NOZZLES; HOSE END NOZZLES AND HOSE NOZZLES

Basis: 1(a)

First Use Date: 1978-12-00

First Use in Commerce Date: 1978-12-00

International Class: 025

Class Status: Active

CLOTHING, NAMELY COVERALLS, JACKETS, SCARFS, SWEATERS, SWEATSHIRTS, SHIRTS, NECKTIES, T-SHIRTS, VESTS, CAPS, PANTS

Basis: 1(a)

First Use Date: 1977-12-00

First Use in Commerce Date: 1977-12-00

International Class: 028

Class Status: Active

SPORTS EQUIPMENT, NAMELY GOLF BALLS AND GOLF TEES

Basis: 1(a)

First Use Date: 1978-12-00

First Use in Commerce Date: 1978-12-00

International Class: 037

Class Status: Active

IRRIGATION EQUIPMENT REPAIR SERVICES, NAMELY SPRINKLER REPAIR, VALVE REPAIR AND CONTROLLER REPAIR; AND IRRIGATION SYSTEM INSTALLATION SERVICES

Basis: 1(a)

First Use Date: 1965-12-00

First Use in Commerce Date: 1965-12-00

ADDITIONAL INFORMATION

Design Search Code(s):

03.15.19 - Birds or bats in flight or with outspread wings

03.15.25 - Cardinals; Crows; Doves; Other birds; Pigeons; Ravens; Robins; Woodpeckers

Prior Registration Number(s):

567442

1038012

1157940

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.

2011-04-15 - Post Registration action mailed Sections 8 & 9

2011-03-31 - TEAS Section 8 & 9 Received

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2007-10-23 - Case File In TICRS

2001-04-16 - First renewal 10 year

2001-04-16 - Section 8 (10-year) accepted/ Section 9 granted

2001-03-19 - Post Registration action correction

2000-11-20 - Combined Section 8 (10-year)/Section 9 filed

1998-02-23 - Response received for Post Registration action

1998-03-02 - Partial Section 8 (6-year) accepted & Section 15 acknowledged

1997-10-21 - Response received for Post Registration action

1997-05-06 - Post Registration action mailed Section 8 & 15

1997-02-18 - Post Registration action correction
1997-02-18 - Section 8 (6-year) and Section 15 Filed
1997-02-18 - Section 8 (6-year) and Section 15 Filed
1991-03-19 - Registered - Principal Register
1990-12-25 - Published for opposition
1990-11-24 - Notice of publication
1990-07-11 - Approved for Pub - Principal Register (Initial exam)
1990-06-27 - Examiner's amendment mailed
1990-06-26 - Allowance/count withdrawn
1990-06-07 - Examiner's amendment mailed
1990-06-06 - Allowance/count withdrawn
1990-03-05 - Communication received from applicant
1990-02-08 - Final refusal mailed
1989-10-27 - Communication received from applicant
1989-04-24 - Non-final action mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
SELENA M. SPRITZ

Correspondent
SELENA M. SPRITZ
FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 73776298

Filing Dt: 01/23/1989

Reg #: 1638034

Reg. Dt: 03/19/1991

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: RAIN BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE

GLENDORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 05/25/2011 04:18 PM

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Web interface last modified: Apr 30, 2009 v.2.1

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Int. Cls.: 1, 3, 6, 7, 8, 9, 11, 14, 16, 17, 20,
21, 25, 28 and 37

Prior U.S. Cls.: 2, 5, 13, 21, 22, 23, 26, 27,
28, 29, 31, 32, 37, 38, 39, 50, 52 and 103

Reg. No. 1,638,034

United States Patent and Trademark Office Registered Mar. 19, 1991

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

RAIN BIRD

RAIN BIRD SPRINKLER MFG. CORP. (CALI-
FORNIA CORPORATION)
633 EAST FOOTHILL BOULEVARD
GLEN DORA, CA 91740

FOR: ADHESIVES FOR PVC PIPE, IN CLASS
1 (U.S. CL. 5).

FIRST USE 12-0-1970; IN COMMERCE
12-0-1970.

FOR: SHAMPOO STICKS FOR USE WITH
BRUSHES FOR WASHING CARS, IN CLASS 3
(U.S. CL. 52).

FIRST USE 12-0-1985; IN COMMERCE
12-0-1985.

FOR: METAL MANUALLY OPERATED
VALVES, NAMELY Y VALVES, SHUT-OFF
VALVES, ANTESIPHON VALVES, AIR VENT
VALVES, VACUUM RELIEF VALVES, PRES-
SURE REGULATING VALVES, QUICK COU-
PLING VALVES, DRAIN VALVES, ANGLE
VALVES, GLOBE VALVES, BALL VALVES,
GATE VALVES, AND CHECK VALVES;
METAL HOSE HANGERS; AND METAL PIPES,
IN CLASS 6 (U.S. CL. 13).

FIRST USE 12-0-1965; IN COMMERCE
12-0-1965.

FOR: HYDRAULICALLY OPERATED
REMOTE CONTROL VALVES, IN CLASS 7
(U.S. CLS. 13 AND 23).

FIRST USE 12-0-1965; IN COMMERCE
12-0-1965.

FOR: HAND TOOLS, NAMELY SAWS AND
BLADES THEREFOR; WRENCHES; CHUCKS;
SCREW DRIVERS; KNIVES; KEYS; PUNCHES;
AND SHEARS, NAMELY LOPPING SHEARS,

PRUNING SHEARS, HEDGE SHEARS, GRASS
SHEARS, TRIMMING SHEARS, AND FLOWER
SHEARS; PIPE CUTTERS; DRIPPER INSTAL-
LATION TOOLS, IN CLASS 8 (U.S. CL. 23).

FIRST USE 12-0-1965; IN COMMERCE
12-0-1965.

FOR: AUTOMATIC CONTROLS FOR IRRI-
GATION SPRINKLERS AND SPRINKLER SYS-
TEMS, NAMELY MECHANICAL CONTROL-
LERS; ELECTROMECHANICAL CONTROL-
LERS; ELECTRICAL CONTROLLERS, COM-
PUTER CONTROLLERS, CLOCK TIMERS,
WATER TIMERS; TEMPERATURE RESPON-
SIVE CONTROLLERS, MOISTURE RESPON-
SIVE CONTROLLERS; ELECTRIC SWITCHES;
ELECTRIC SOLENOIDS, ELECTRIC RELAYS;
ELECTRICAL CONNECTORS; ELECTRIC
WIRES; PHOTO CELLS; WEATHER STATIONS,
COMPRISING A RAIN GAUGE, SOLAR RADI-
ATION SENSOR, WIND SPEED AND RELA-
TIVE HUMIDITY SENSOR COMBINED AS A
UNIT; FLUID METERS AND GAUGES,
NAMELY WATER METERS, PILOT TUBES,
PRESSURE GAUGES, AND RAIN GAUGES;
SOLENOID AND ELECTRICALLY OPERATED
REMOTE CONTROL VALVES; AUDIO RE-
CORDINGS AND AUDIO VIDEO TAPE,
NAMELY AUDIO CASSETTE TAPES AND
VIDEO TAPES CONCERNING SPRINKLER
SYSTEMS AND IRRIGATION; AND COMPUT-
ERS AND COMPUTER PROGRAMS FOR IRRI-
GATION CONTROL; COMPUTERS; RADIO
CONTROL TRANSCIVERS; SURGE PROTEC-

Exhibit C

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

This page was generated by the TARR system on 2011-12-09 13:51:21 ET

Serial Number: 72177091 Assignment Information Trademark Document Retrieval

Registration Number: 771727

Mark (words only): TURF BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-06-22

Filing Date: 1963-09-16

Transformed into a National Application: No

Registration Date: 1964-06-23

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-10-31

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 021)
Class Status: Active
Sprinklers
Basis: 1(a)
First Use Date: 1960-02-19
First Use in Commerce Date: 1960-02-19

ADDITIONAL INFORMATION

Prior Registration Number(s):
567442

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.

2008-10-31 - Case File In TICRS

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2004-06-22 - Second renewal 10 year

2004-06-22 - Section 8 (10-year) accepted/ Section 9 granted

2004-04-22 - Combined Section 8 (10-year)/Section 9 filed

1984-06-23 - First renewal

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

John E. Bauersfeld
Fitch Even Tabin & Flannery
Suite 1600
120 South LaSalle Street
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



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Trademark Assignment Abstract of Title

Total Assignments: 1Serial #: [72177091](#)

Filing Dt: 09/16/1963

Reg #: [771727](#)

Reg. Dt: 06/23/1964

Registrant: Rain Bird Sprinkler Manufacturing Corp.

Mark: TURF BIRD

Assignment: 1Reel/Frame: [2412/0468](#)

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: [RAIN BIRD SPRINKLER MFG. CORP](#)

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: [RAIN BIRD CORPORATION](#)145 NORTH GRAND AVENUE
GLENORA, CALIFORNIA 91741

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:51 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](#)

United States Patent Office

771,727
Registered June 23, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 177,091, filed Sept. 16, 1963

TURF BIRD

Rain Bird Sprinkler Manufacturing Corp. (California
corporation)
19233 E. Foothill Blvd.
Glendora, Calif.

For: SPRINKLERS, in CLASS 13.
First use Feb. 19, 1960; in commerce Feb. 19, 1960.
Owner of Reg. No. 567,442.

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

This page was generated by the TARR system on 2011-12-09 13:29:39 ET

Serial Number: 72427185 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 1038012

Mark (words only): BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2007-04-10

Filing Date: 1972-06-14

Transformed into a National Application: No

Registration Date: 1976-04-13

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-02-15

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

1. Rain Bird Corporation

Address:

Rain Bird Corporation
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

U.S. Class: 013 (International Class 007)

Class Status: Active

SPRINKLERS AND SPRINKLER SYSTEMS FOR WATERING OR IRRIGATION OF
AGRICULTURAL CROPS, LAWNS, HORTICULTURAL AND ORNAMENTAL PLANTS

Basis: 1(a)

First Use Date: 1972-05-01

First Use in Commerce Date: 1972-05-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

567442

908921

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.

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2008-02-15 - Case File In TICRS

2007-04-10 - Second renewal 10 year

2007-04-10 - Section 8 (10-year) accepted/ Section 9 granted

2007-01-05 - Response received to Post Registration action - Sections 8 & 9

2007-01-05 - PAPER RECEIVED

2006-07-05 - Post Registration action mailed Sections 8 & 9

2006-06-20 - Assigned To Paralegal

2006-03-23 - Combined Section 8 (10-year)/Section 9 filed

2006-03-23 - TEAS Section 8 & 9 Received

1996-05-02 - First renewal 10 year

1996-03-25 - Section 9 filed/check record for Section 8

1981-09-28 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

JOHN D. BAUERSFELD

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

Phone Number: 312-577-7000

Fax Number: 312-577-7007



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Trademark Assignment Abstract of Title

Total Assignments: 1Serial #: [72427185](#)

Filing Dt: 06/14/1972

Reg #: [1038012](#)

Reg. Dt: 04/13/1976

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: BIRD

Assignment: 1Reel/Frame: [2412/0468](#)

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: [RAIN BIRD SPRINKLER MFG. CORP](#)

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: [RAIN BIRD CORPORATION](#)145 NORTH GRAND AVENUE
GLENORA, CALIFORNIA 91741

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:30 PM

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Web interface last modified: July 25, 2011 v.2.2[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Int. Cl.: 7

Prior U.S. Cl.: 13

United States Patent Office

Reg. No. 1,038,012

Registered Apr. 13, 1976

TRADEMARK

Principal Register

BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand
Glendora, Calif. 91740

For: SPRINKLERS AND SPRINKLER SYSTEMS
FOR WATERING OR IRRIGATION OF AGRICUL-
TURAL CROPS, LAWNS, HORTICULTURAL AND
ORNAMENTAL PLANTS, in CLASS 13 (INT. CL. 7).

First use May 1, 1972; in commerce May 1, 1972.
Owner of Reg. Nos. 567,442, 908,921, and others.

Ser. No. 427,185, filed June 14, 1972.

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

This page was generated by the TARR system on 2011-12-09 13:35:05 ET

Serial Number: 73124612 Assignment Information Trademark Document Retrieval

Registration Number: 1092677

Mark (words only): BLACK BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2008-06-06

Filing Date: 1977-04-28

Transformed into a National Application: No

Registration Date: 1978-06-06

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

Current Location: 830 -Post Registration

Date In Location: 2008-06-06

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

1. Rain Bird Corporation

Address:

Rain Bird Corporation
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 007
Class Status: Active
IRRIGATION SPRINKLERS
Basis: 1(a)
First Use Date: 1960-00-00
First Use in Commerce Date: 1960-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
1038012

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.

2008-06-06 - Second renewal 10 year
2008-06-06 - Section 8 (10-year) accepted/ Section 9 granted
2008-06-06 - Assigned To Paralegal
2008-05-15 - TEAS Section 8 & 9 Received
2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
2008-04-07 - TEAS Change Of Owner Address Received
2007-12-14 - Case File In TICRS
1998-07-09 - First renewal 10 year
1998-06-05 - Section 9 filed/check record for Section 8
1984-05-01 - Section 8 (6-year) accepted & Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
John D. Bauersfeld

Correspondent

John D. Bauersfeld
Fitch Even Tabin & Flannery
120 South LaSalle Street
Suite 1600
Chicago IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 73124612

Filing Dt: 04/28/1977

Reg #: 1092677

Reg. Dt: 06/06/1978

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: BLACK BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE

GLENDORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:35 PM

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Web interface last modified: July 25, 2011 v.2.2

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Int. Cl.: 7

Prior U.S. Cl.: 13

United States Patent and Trademark Office

Reg. No. 1,092,677

Registered June 6, 1978

TRADEMARK

Principal Register

BLACK BIRD

Rain Bird Sprinkler Mfg. Corp. (California corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For: IRRIGATION SPRINKLERS, in CLASS 7 (U.S. CL. 13).

First use at least as early as 1960; in commerce at least as early as 1960.

Owner of Reg. No. 1,038,012.

Ser. No. 124,612, filed Apr. 28, 1977.

BEATRIZ STACK, Examiner

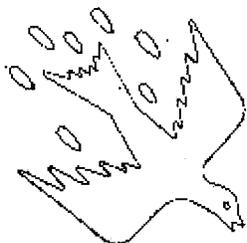
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-12-09 13:31:38 ET

Serial Number: 73199833 Assignment Information Trademark Document Retrieval

Registration Number: 1157940

Mark



Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2011-06-03

Filing Date: 1979-01-12

Transformed into a National Application: No

Registration Date: 1981-06-23

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

Current Location: (NOT AVAILABLE)

Date In Location: 2011-06-03

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

1. Rain Bird Sprinkler Mfg. Corp.

Address:

Rain Bird Sprinkler Mfg. Corp.
1000 W. Sierra Madre Avenue

Azusa, CA 91702

United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 011

Class Status: Active

Sprinklers and Sprinkler Systems for Watering or Irrigation of Agricultural Crops, Lawns, Horticultural and Ornamental Plants

Basis: 1(a)

First Use Date: 1959-02-09

First Use in Commerce Date: 1959-02-09

ADDITIONAL INFORMATION

Design Search Code(s):

03.15.19 - Birds or bats in flight or with outspread wings

03.15.24 - Stylized birds and bats

03.15.25 - Cardinals; Crows; Doves; Other birds; Pigeons; Ravens; Robins; Woodpeckers

Prior Registration Number(s):

1038012

5674420

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.

2011-06-03 - Second renewal 10 year

2011-06-03 - Section 8 (10-year) accepted/ Section 9 granted

2011-05-25 - TEAS Section 8 & 9 Received

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered

2008-04-07 - TEAS Change Of Owner Address Received

2008-02-28 - Case File In TICRS

2001-06-26 - First renewal 10 year
2001-06-26 - Section 8 (10-year) accepted/ Section 9 granted
2001-03-22 - Combined Section 8 (10-year)/Section 9 filed
1999-10-18 - Combined Section 8 (10-year)/Section 9 filed
1988-02-13 - Section 8 (6-year) accepted & Section 15 acknowledged
1987-06-23 - Section 8 (6-year) and Section 15 Filed
1981-06-23 - Registered - Principal Register
1981-03-31 - Published for opposition
1981-03-31 - Published for opposition
1981-02-10 - Notice of publication
1980-09-17 - Approved for Pub - Principal Register (Initial exam)
1980-01-03 - Non-final action mailed
1979-07-06 - Assigned To Examiner
1979-04-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Joseph T. Nabor

Correspondent

Joseph T. Nabor
FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO IL 60603
Phone Number: 312-577-7000
Fax Number: 312-577-7007



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Trademark Assignment Abstract of Title

Total Assignments: 1Serial #: [73199833](#)

Filing Dt: 01/12/1979

Reg #: [1157940](#)

Reg. Dt: 06/23/1981

Registrant: Rain Bird Sprinkler Mfg. Corp.

Mark:

Assignment: 1Reel/Frame: [2412/0468](#)

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: [RAIN BIRD SPRINKLER MFG. CORP](#)

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: [RAIN BIRD CORPORATION](#)

145 NORTH GRAND AVENUE

GLENORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:33 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

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Int. Cl.: 11

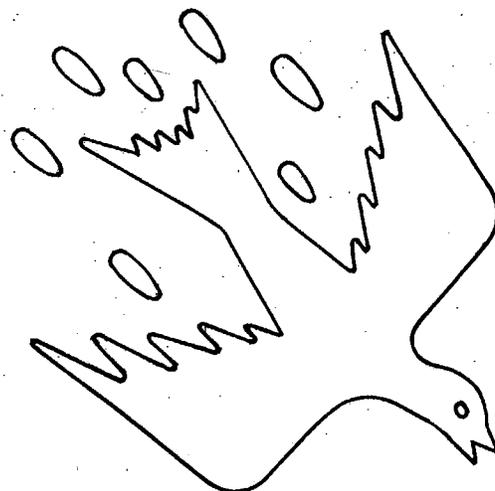
Prior U.S. Cl.: 13

United States Patent and Trademark Office

Reg. No. 1,157,940

Registered Jun. 23, 1981

TRADEMARK
Principal Register



Rain Bird Sprinkler Mfg. Corp. (California
corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For: SPRINKLERS AND SPRINKLER SYSTEMS FOR WATERING OR IRRIGATION OF AGRICULTURAL CROPS, LAWNS, HORTICULTURAL AND ORNAMENTAL PLANTS, in CLASS 11 (U.S. Cl. 13).

First use Feb. 9, 1959; in commerce Feb. 9, 1959.

Owner of U.S. Reg. Nos. 567,442, 1,038,012 and others.

Ser. No. 199,833, filed Jan. 12, 1979.

M. E. BODSON, Primary Examiner

PAUL E. FAHRENKOPF, Examiner

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

This page was generated by the TARR system on 2011-12-09 13:38:25 ET

Serial Number: 73309939 Assignment Information Trademark Document Retrieval

Registration Number: 1211444

Mark (words only): MINI BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2002-12-10

Filing Date: 1981-06-15

Transformed into a National Application: No

Registration Date: 1982-10-05

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

Current Location: 40S -Scanning On Demand

Date In Location: 2008-04-08

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 011
Class Status: Active
Irrigation Sprinklers
Basis: 1(a)
First Use Date: 1981-01-00
First Use in Commerce Date: 1981-01-00

ADDITIONAL INFORMATION

Disclaimer: Applicant disclaims the word "Mini" apart from the mark as shown.

Prior Registration Number(s):
1092677
5674420

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.

- 2008-04-08 - Case File In TICRS
- 2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
- 2008-04-07 - TEAS Change Of Owner Address Received
- 2002-12-10 - First renewal 10 year
- 2002-12-10 - Section 8 (10-year) accepted/ Section 9 granted
- 2002-09-09 - Combined Section 8 (10-year)/Section 9 filed
- 2002-09-09 - PAPER RECEIVED
- 1988-11-14 - Section 8 (6-year) accepted & Section 15 acknowledged
- 1988-09-06 - Section 8 (6-year) and Section 15 Filed
- 1982-10-05 - Registered - Principal Register
- 1982-07-13 - Published for opposition

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John D. Bauersfeld

Correspondent

John E. Bauersfeld

Fitch Even Tabin & Flannery

Suite 1600

120 South LaSalle Street

Chicago IL 60603

Phone Number: 312-577-7000

Fax Number: 312-577-7007



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Trademark Assignment Abstract of Title

Total Assignments: 1Serial #: [73309939](#)

Filing Dt: 06/15/1981

Reg #: [1211444](#)

Reg. Dt: 10/05/1982

Registrant: Rain Bird Sprinkler Mfg. Corp.

Mark: MINI BIRD

Assignment: 1Reel/Frame: [2412/0468](#)

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: [RAIN BIRD SPRINKLER MFG. CORP](#)

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: [RAIN BIRD CORPORATION](#)

145 NORTH GRAND AVENUE

GLEN DORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:39 PM

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Web interface last modified: July 25, 2011 v.2.2[| .HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Int. Cl.: 11

Prior U.S. Cl.: 13

United States Patent and Trademark Office

Reg. No. 1,211,444
Registered Oct. 5, 1982

TRADEMARK
Principal Register

MINI BIRD

Rain Bird Sprinkler Mfg. Corp. (California
corporation)
7045 N. Grand Ave.
Glendora, Calif. 91740

For: IRRIGATION SPRINKLERS, in CLASS 11
(U.S. Cl. 13).

First use Jan. 1981; in commerce Jan. 1981.

Owner of U.S. Reg. Nos. 567,442, 1,092,677 and
others.

Applicant disclaims the word "Mini" apart from
the mark as shown.

Ser. No. 309,939, filed Jun. 15, 1981.

A. D. HOOKS, Primary Examiner

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

This page was generated by the TARR system on 2011-12-09 13:37:26 ET

Serial Number: 73486510 Assignment Information Trademark Document Retrieval

Registration Number: 1333111

Mark (words only): MICRO BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2005-08-18

Filing Date: 1984-06-22

Transformed into a National Application: No

Registration Date: 1985-04-30

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

Current Location: 830 -Post Registration

Date In Location: 2005-08-18

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

1. RAIN BIRD CORPORATION

Address:

RAIN BIRD CORPORATION
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 011
Class Status: Active
IRRIGATION SPRINKLERS
Basis: 1(a)
First Use Date: 1983-06-30
First Use in Commerce Date: 1983-06-30

ADDITIONAL INFORMATION

Prior Registration Number(s):
1211444

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.

2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
2008-04-07 - TEAS Change Of Owner Address Received
2005-08-18 - First renewal 10 year
2005-08-18 - Section 8 (10-year) accepted/ Section 9 granted
2005-08-18 - Assigned To Paralegal
2005-04-19 - Combined Section 8 (10-year)/Section 9 filed
2005-04-19 - PAPER RECEIVED
1991-09-06 - Section 8 (6-year) accepted & Section 15 acknowledged
1991-04-29 - Section 8 (6-year) and Section 15 Filed
1985-04-30 - Registered - Principal Register
1985-02-19 - Published for opposition
1985-02-12 - Notice of publication
1985-01-12 - Notice of publication
1984-12-06 - Approved for Pub - Principal Register (Initial exam)

1984-12-04 - Examiner's amendment mailed

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Phone Number: 312-577-7000

Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: 73486510

Filing Dt: 06/22/1984

Reg #: 1333111

Reg. Dt: 04/30/1985

Registrant: RAIN BIRD SPRINKLER MFG. CORP.

Mark: MICRO BIRD

Assignment: 1

Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION

145 NORTH GRAND AVENUE

GLENDORA, CALIFORNIA 91741

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP

JOHN D. BAUERSFELD, ESQ.

6320 CANOGA AVENUE, SUITE 1650

WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:37 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

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Int. Cl.: 11

Prior U.S. Cl.: 13

United States Patent and Trademark Office Reg. No. 1,333,111
Registered Apr. 30, 1985

**TRADEMARK
PRINCIPAL REGISTER**

MICRO BIRD

RAIN BIRD SPRINKLER MFG. CORP. (CALI-
FORNIA CORPORATION)
633 E. FOOTHILL BLVD.
GLEN DORA, CA 91740

FIRST USE 6-30-1983; IN COMMERCE
6-30-1983.
OWNER OF US REG. NO. 1,211,444 AND
OTHERS.

FOR: IRRIGATION SPRINKLERS, IN CLASS
11 (U.S. CL. 13).

SER. NO. 486,510, FILED 6-22-1984.
JAMES F. BROWNE, 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 2011-12-09 13:41:56 ET

Serial Number: 74088767 Assignment Information Trademark Document Retrieval

Registration Number: 1649405

Mark (words only): TOUGH BIRD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2011-08-16

Filing Date: 1990-08-17

Transformed into a National Application: No

Registration Date: 1991-07-02

Register: Principal

Law Office Assigned: LAW OFFICE 9

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: (NOT AVAILABLE)

Date In Location: 2011-08-16

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

1. Rain Bird Corporation

Address:

Rain Bird Corporation
1000 W. Sierra Madre Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 011
Class Status: Active
irrigation sprinklers
Basis: 1(a)
First Use Date: 1989-10-27
First Use in Commerce Date: 1989-10-27

ADDITIONAL INFORMATION

Prior Registration Number(s):
1211444
1333111

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.

- 2011-08-16 - Second renewal 10 year
- 2011-08-16 - Section 8 (10-year) accepted/ Section 9 granted
- 2011-08-15 - Case Assigned To Post Registration Paralegal
- 2011-06-23 - TEAS Section 8 & 9 Received
- 2008-04-07 - Applicant/Correspondence Changes (Non-Responsive) Entered
- 2008-04-07 - TEAS Change Of Owner Address Received
- 2007-10-31 - Case File In TICRS
- 2001-08-24 - First renewal 10 year
- 2001-08-24 - Section 8 (10-year) accepted/ Section 9 granted
- 2001-05-30 - Combined Section 8 (10-year)/Section 9 filed
- 1997-07-08 - Section 8 (6-year) accepted & Section 15 acknowledged
- 1997-06-13 - Section 8 (6-year) and Section 15 Filed
- 1991-07-02 - Registered - Principal Register

1991-04-09 - Published for opposition
1991-03-08 - Notice of publication
1991-01-18 - Approved for Pub - Principal Register (Initial exam)
1991-01-16 - Examiner's amendment mailed
1991-01-08 - Assigned To Examiner
1991-01-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

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Fax Number: 312-577-7007



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query**Trademark Assignment Abstract of Title****Total Assignments: 1**Serial #: 74088767

Filing Dt: 08/17/1990

Reg #: 1649405

Reg. Dt: 07/02/1991

Registrant: Rain Bird Sprinkler Mfg. Corp.

Mark: TOUGH BIRD

Assignment: 1Reel/Frame: 2412/0468

Received: 12/26/2001

Recorded: 12/18/2001

Pages: 21

Conveyance: CHANGE OF NAME

Assignor: RAIN BIRD SPRINKLER MFG. CORP

Exec Dt: 12/03/2001

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Assignee: RAIN BIRD CORPORATION145 NORTH GRAND AVENUE
GLENORA, CALIFORNIA 91741

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Correspondent: KELLY BAUERSFELD LOWRY & KELLY, LLP
JOHN D. BAUERSFELD, ESQ.
6320 CANOGA AVENUE, SUITE 1650
WOODLAND HILLS, CA 91367

Search Results as of: 12/09/2011 01:42 PM

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Web interface last modified: July 25, 2011 v.2.2| [HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Int. Cl.: 11

Prior U.S. Cls.: 13 and 23

United States Patent and Trademark Office

Reg. No. 1,649,405

Registered July 2, 1991

**TRADEMARK
PRINCIPAL REGISTER**

TOUGH BIRD

RAIN BIRD SPRINKLER MFG. CORP. (CALI-
FORNIA CORPORATION)
633 WEST FOOTHILL BOULEVARD
GLEN DORA, CA 91740

OWNER OF U.S. REG. NOS. 1,211,444, 1,333,111
AND OTHERS.

SER. NO. 74-088,767, FILED 8-17-1990.

FOR: IRRIGATION SPRINKLERS, IN CLASS
11 (U.S. CLS. 13 AND 23).
FIRST USE 10-27-1989; IN COMMERCE
10-27-1989.

ROSANNE F. GREENE, EXAMINING ATTOR-
NEY