

ESTTA Tracking number: **ESTTA628046**

Filing date: **09/18/2014**

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

Proceeding	91204259
Party	Defendant Valhalla Game Studios Co. Ltd.
Correspondence Address	MARVIN GELFAND WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN 9665 WILSHIRE BLVD, 9TH FLOOR BEVERLY HILLS, CA 90212 2316 UNITED STATES mgelfand@weintraub.com, lwang@weintraub.com, dmoreno@weintraub.com
Submission	Defendant's Notice of Reliance
Filer's Name	Marvin Gelfand, Esq.
Filer's e-mail	mgelfand@weintraub.com, dmoreno@weintraub.com
Signature	/marvingelfand/
Date	09/18/2014
Attachments	Fifth Notice of Reliance.pdf(1894891 bytes)

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

In Re: Serial Nos. 77/948,333; 77/948,895; 85/310,089

Applicant's Marks: VALHALLA GAME STUDIOS, VALHALLA
GAME STUDIOS and Design;
Applicant's Mark in Child Case: VALHALLA ENTERTAINMENT

VALHALLA MOTION PICTURES, INC.,

Opposer,

v.

Opposition No. 91204259
(parent case)

VALHALLA GAME STUDIOS CO. LTD.,

Applicant.

VALHALLA GAME STUDIOS CO. LTD.,

Opposer,

v.

Opposition No. 91206662

VALHALLA MOTION PICTURES, INC.,

Applicant.

FIFTH NOTICE OF RELIANCE

Opposition No. 91204259 and 91206662

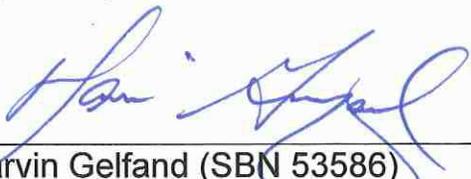
Pursuant to Trademark Trial and Appeal Board Manual of Procedure ("TMBP") § 704.03(b)(1)(A), Applicant Valhalla Game Studios Co. Ltd., hereby serves notice that it will rely upon the following U.S. Trademark Registrations:

1. U.S. Registration No. 2,384,466 issued September 12, 2000 (and cancelled June 16, 2007) for VALHALLA MOTION PICTURES;
2. U.S. Registration No. 2,389,038 issued September 26, 2000 (and cancelled June 30, 2007) for VALHALLA MOTION PICTURES and design;
3. U.S. Serial No. 75/218,559 filed December 26, 1996 and abandoned September 10, 1998 for VALHALLA ENTERTAINMENT.

Attached are true and correct copies of the certificates of registration and/or the TSDR printouts for such registrations or application as of September 11, 2014.

Respectfully submitted,

September 18, 2014



Marvin Gelfand (SBN 53586)
WEINTRAUB TOBIN CHEDIAK
COLEMAN GRODIN
9665 Wilshire Boulevard, Ninth Floor
Beverly Hills, California 90212
Telephone: (310) 858-7888
Facsimile: (310) 550-7191

Attorneys for Applicant

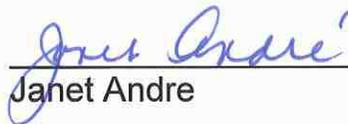
CERTIFICATE OF SERVICE

I hereby certify that this Notice of Testimonial Deposition Upon Written Questions is being filed electronically with the United States Trademark Trial and Appeal Board pursuant to 37 C.F.R. § 18.

I hereby further certify that a true and complete copy of the foregoing **FIFTH NOTICE OF RELIANCE** has been served on Opposer, has been served on September 18, 2014, by electronic mail, to:

Michael Grace
mgrace@gracelaw.com
Pamela D. Deitchle
pdeitchle@gracelaw.com
Grace+Grace LLP
790 East Colorado Blvd., Suite 797
Pasadena, CA 91101-2113

Dated: September 18, 2014



Janet Andre

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,384,466

United States Patent and Trademark Office

Registered Sep. 12, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

VALHALLA MOTION PICTURES

VALHALLA ENTERTAINMENT, INC. (NEVADA
CORPORATION)
5555 MELROSE AVENUE
LUBITSCH ANNEX, SUITE 119
HOLLYWOOD, CA 90038

FOR: MOTION PICTURE FILM PRODUCTION
SERVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND
107).

FIRST USE 7-25-1997; IN COMMERCE 7-25-1997.

FOR: WRITING AND EDITING SCRIPTS,
TELEPLAYS AND SCREENPLAYS FOR OTHERS, IN
CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-25-1997; IN COMMERCE 7-25-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT
TO USE "MOTION PICTURES", APART FROM THE
MARK AS SHOWN.

SER. NO. 75-326,422, FILED 7-16-1997.

DARLENE BULLOCK, EXAMINING ATTORNEY

Attorney of Record

Attorney Name: MICHAEL K GRACE

Docket Number: 73296.000.03

Correspondent

Correspondent Name/Address: MICHAEL K GRACE
GREENBERG GLUSKER FIELDS CLAMAN ET AL
1900 AVE OF THE STARS STE 2100
LOS ANGELES, CALIFORNIA 90067
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 16, 2007	CANCELLED SEC. 8 (6-YR)	
Feb. 03, 2006	CASE FILE IN TICRS	
Sep. 12, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 20, 2000	PUBLISHED FOR OPPOSITION	
May 19, 2000	NOTICE OF PUBLICATION	
Apr. 12, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 12, 2000	ASSIGNED TO EXAMINER	69249
Apr. 02, 1999	LETTER OF SUSPENSION MAILED	
Oct. 06, 1998	FINAL REFUSAL MAILED	
Jul. 23, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 07, 1998	USE AMENDMENT ACCEPTED	
Mar. 07, 1998	ASSIGNED TO EXAMINER	73373
Jan. 29, 1998	AMENDMENT TO USE PROCESSING COMPLETE	
Jan. 20, 1998	USE AMENDMENT FILED	
Jan. 21, 1998	NON-FINAL ACTION MAILED	
Jan. 14, 1998	ASSIGNED TO EXAMINER	73343
Jan. 09, 1998	ASSIGNED TO EXAMINER	74228

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111 - DOCKET CLERK

Date in Location: Feb. 13, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Valhalla Entertainment, Inc.

Assignment 1 of 2

Conveyance: CHANGE OF REGISTRANT'S ADDRESS

Reel/Frame: [2232/0048](#)

Pages: 2

Date Recorded: Dec. 05, 2000

Supporting Documents: [assignment-tm-2232-0048.pdf](#)

Assignor

Name: [VALAHALLA ENTERTAINMENT, INC.](#)

Execution Date: Oct. 23, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Assignee

Name: [VALAHALLA ENTERTAINMENT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Address: 270 N. CANON DRIVE
PMB 1195
BEVERLY HILLS, CALIFORNIA 90210

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: KRISTEN E. GREEN, ESQ.
25TH FLOOR
350 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF REGISTRANT'S ADDRESS
Reel/Frame: [2279/0059](#)
Date Recorded: Dec. 05, 2000
Supporting Documents: [assignment-tm-2279-0059.pdf](#)

Pages: 2

Name: [VALAHALLA ENTERTAINMENT, INC.](#)
Legal Entity Type: CORPORATION

Assignor

Execution Date: Oct. 23, 2000

State or Country Where Organized: NEVADA

Name: [VALAHALLA ENTERTAINMENT, INC.](#)
Legal Entity Type: CORPORATION

Assignee

State or Country Where Organized: NEVADA

Address: PMB 1195
270 N. CANON DRIVE
BEVERLY HILLS, CALIFORNIA 90210

Correspondent

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: KRISTEN E. GREEN, ESQ.
350 SOUTH GRAND AVENUE
25TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

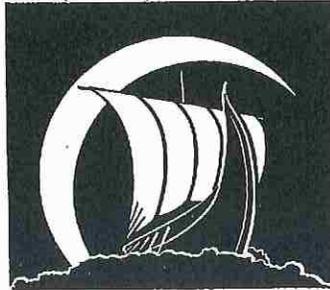
Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,389,038

United States Patent and Trademark Office Registered Sep. 26, 2000

**SERVICE MARK
PRINCIPAL REGISTER**



VALHALLA
MOTION PICTURES

VALHALLA ENTERTAINMENT, INC. (NEVADA
CORPORATION)
5555 MELROSE AVENUE
LUBITSCH ANNEX, SUITE 119
HOLLYWOOD, CA 90038

FOR: MOTION PICTURE FILM PRODUCTION
SERVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND
107).

FIRST USE 7-25-1997; IN COMMERCE 7-25-1997.
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT
TO USE "MOTION PICTURES", APART FROM THE
MARK AS SHOWN.

SER. NO. 75-423,371, FILED 1-26-1998.

DARLENE BULLOCK, EXAMINING ATTORNEY

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Mark: VALHALLA MOTION PICTURES



US Serial Number: 75423371 **Application Filing Date:** Jan. 26, 1998
US Registration Number: 2389038 **Registration Date:** Sep. 26, 2000
Register: Principal
Mark Type: Service Mark
Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.
Status Date: Jun. 30, 2007
Publication Date: Jul. 04, 2000
Date Cancelled: Jun. 30, 2007

Mark Information

Mark Literal Elements: VALHALLA MOTION PICTURES
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Disclaimer: "MOTION PICTURES"
Design Search Code(s): 01.11.02 - Partial moons, including half moons and crescent moons (not a moon with craters); Moons, half; Moons, crescent
01.15.13 - Waves, single; Ripple (single wave)
18.07.05 - Catamarans; Boats, sail
26.09.21 - Squares that are completely or partially shaded
26.17.01 - Lines, straight; Bands, straight; Bars, straight; Straight line(s), band(s) or bar(s)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Motion picture film production services

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Jul. 25, 1997

Use in Commerce: Jul. 25, 1997

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Valhalla Entertainment, Inc.
Owner Address: 5555 Melrose Avenue
Lubitsch Annex, Suite 119
Hollywood, CALIFORNIA 90038
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEVADA

Attorney/Correspondence Information

Attorney Name: WILLIAM J. ROBINSON
Attorney of Record
Docket Number: 00.62559.5

Correspondent
Correspondent Name/Address: WILLIAM J ROBINSON
MAYER, BROWN & PLATT
350 S GRAND AVE
25TH FL
LOS ANGELES, CALIFORNIA 90071-1503
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2007	CANCELLED SEC. 8 (6-YR)	
Jan. 23, 2006	CASE FILE IN TICRS	
Sep. 26, 2000	REGISTERED-PRINCIPAL REGISTER	
Jul. 04, 2000	PUBLISHED FOR OPPOSITION	
Jun. 02, 2000	NOTICE OF PUBLICATION	
Apr. 28, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 2000	ASSIGNED TO EXAMINER	69249
Apr. 02, 1999	LETTER OF SUSPENSION MAILED	
Feb. 12, 1999	FINAL REFUSAL MAILED	
Dec. 21, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 22, 1998	NON-FINAL ACTION MAILED	
Jun. 15, 1998	ASSIGNED TO EXAMINER	73373
Jun. 12, 1998	ASSIGNED TO EXAMINER	74812

TM Staff and Location Information

TM Staff Information - None
File Location
Current Location: TMO LAW OFFICE 113 - DOCKET CLERK
Date in Location: Jan. 24, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Valhalla Entertainment, Inc.

Assignment 1 of 2

Conveyance: CHANGE OF REGISTRANT'S ADDRESS
Reel/Frame: [2232/0048](#) **Pages:** 2
Date Recorded: Dec. 05, 2000
Supporting Documents: [assignment-tm-2232-0048.pdf](#)

Assignor
Name: [VALAHALLA ENTERTAINMENT, INC.](#)
Legal Entity Type: CORPORATION
Execution Date: Oct. 23, 2000
State or Country Where Organized: NEVADA

Assignee
Name: [VALAHALLA ENTERTAINMENT, INC.](#)
Legal Entity Type: CORPORATION
State or Country Where Organized: NEVADA
Address: 270 N. CANON DRIVE
PMB 1195
BEVERLY HILLS, CALIFORNIA 90210

Correspondent Name: MAYER, BROWN & PLATT
Correspondent Address: KRISTEN E. GREEN, ESQ.

25TH FLOOR
350 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF REGISTRANT'S ADDRESS

Reel/Frame: [2279/0059](#)

Pages: 2

Date Recorded: Dec. 05, 2000

Supporting Documents: [assignment-tm-2279-0059.pdf](#)

Name: [VALAHALLA ENTERTAINMENT, INC.](#)

Assignor

Execution Date: Oct. 23, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Assignee

Name: [VALAHALLA ENTERTAINMENT, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Address: PMB 1195
270 N. CANON DRIVE
BEVERLY HILLS, CALIFORNIA 90210

Correspondent

Correspondent Name: MAYER, BROWN & PLATT

Correspondent Address: KRISTEN E. GREEN, ESQ.
350 SOUTH GRAND AVENUE
25TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

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Mark: VALHALLA ENTERTAINMENT

US Serial Number: 75218559

Application Filing Date: Dec. 26, 1996

Register: Principal

Mark Type: Service Mark

Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Nov. 18, 1998

Date Abandoned: Sep. 10, 1998

Mark Information

Mark Literal Elements: VALHALLA ENTERTAINMENT

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "ENTERTAINMENT"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: motion picture film production services

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ABANDONED

Basis: 1(b)

For: writing and editing scripts, teleplays and screenplays for others

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ABANDONED

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Valhalla Entertainment, Inc.

Owner Address: 5555 Melrose Avenue
Lubitsch Annex, Suite 119
Hollywood, CALIFORNIA 90038
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MICHAEL K GRACE

Docket Number: 38322.601.01

Correspondent

Correspondent Name/Address: MICHAEL K GRACE
GREENBERG GLUSKER FIELDS CLAMAN ET AL
1900 AVE OF THE STARS STE 2100
LOS ANGELES, CALIFORNIA 90067-4590
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 18, 1998	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Mar. 09, 1998	FINAL REFUSAL MAILED	
Mar. 07, 1998	ASSIGNED TO EXAMINER	73373
Dec. 30, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 03, 1997	NON-FINAL ACTION MAILED	
Jun. 25, 1997	ASSIGNED TO EXAMINER	73343

TM Staff and Location Information

TM Staff Information

TM Attorney: PRESSEY, MONTIA GIVENS

Law Office Assigned: LAW OFFICE 101

File Location

Current Location: FILE REPOSITORY (FRANCONIA)

Date in Location: Nov. 24, 1998