

ESTTA Tracking number: **ESTTA463450**

Filing date: **03/23/2012**

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	Buffalo Wild Wings, Inc.
Granted to Date of previous extension	03/25/2012
Address	5500 Wayzata Blvd.Suite 1600 Minneapolis, MN 55416 UNITED STATES
Correspondence information	Ruth Rivard Leonard, Street and Deinard 150 South Fifth Street, Suite 2300 Minneapolis, MN 55402 UNITED STATES ruth.rivard@leonard.com, eric.paulsrud@leonard.com, suzanne.mullen@leonard.com Phone:612.335.1799

Applicant Information

Application No	85313027	Publication date	09/27/2011
Opposition Filing Date	03/23/2012	Opposition Period Ends	03/25/2012
Applicant	FUZION FOOD GROUP USA, INC. 404 West 9th St. Sioux Falls, SD 57104 UNITED STATES		

Goods/Services Affected by Opposition

Class 043. All goods and services in the class are opposed, namely: Restaurant and bar services
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1497262	Application Date	11/09/1987
Registration Date	07/19/1988	Foreign Priority Date	NONE
Word Mark	BW-3 BUFFALO WILD WINGS AND WECK THE REAL WING		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1982/08/00 First Use In Commerce: 1982/08/00 RESTAURANT SERVICES		

U.S. Registration No.	1496316	Application Date	11/13/1987
Registration Date	07/12/1988	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS & WECK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1982/08/00 First Use In Commerce: 1982/08/00 RESTAURANT SERVICES		

U.S. Registration No.	2187765	Application Date	09/29/1997
Registration Date	09/08/1998	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS GRILL & BAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1997/06/09 First Use In Commerce: 1997/06/09 restaurant services		

U.S. Registration No.	2239550	Application Date	05/05/1997
Registration Date	04/13/1999	Foreign Priority	NONE

		Date	
Word Mark	BUFFALO WILD WINGS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1997/06/16 First Use In Commerce: 1997/06/16 restaurant services		

U.S. Registration No.	3038769	Application Date	01/25/2002
Registration Date	01/10/2006	Foreign Priority Date	NONE

Word Mark	BUFFALO WILD WINGS GRILL & BAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 SAUCES, NAMELY, BARBECUE SAUCES		

U.S. Registration No.	3038771	Application Date	01/25/2002
Registration Date	01/10/2006	Foreign Priority Date	NONE

Word Mark	BUFFALO WILD WINGS		
Design Mark	<p style="text-align: center;">BUFFALO WILD WINGS</p>		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1998/11/00 First Use In Commerce: 1998/11/00 SAUCES, NAMELY, BARBECUE SAUCES		

U.S. Registration No.	3038770	Application Date	01/25/2002
Registration Date	01/10/2006	Foreign Priority Date	NONE

Word Mark	BUFFALO WILD WINGS GRILL & BAR		
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Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2001/12/16 First Use In Commerce: 2001/12/16 SEASONINGS, NAMELY, AN INGREDIENT FOR FLAVORING POTATO CHIPS, POPCORN, PRETZELS, AND PEANUTS		

U.S. Registration No.	3038772	Application Date	01/25/2002
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS		
Design Mark	<p style="text-align: center;">BUFFALO WILD WINGS</p>		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2001/12/16 First Use In Commerce: 2001/12/16 SEASONING, NAMELY, AN INGREDIENT FOR FLAVORING POTATO CHIPS, POPCORN, PRETZELS, AND PEANUTS		

U.S. Registration No.	3699826	Application Date	04/23/2008
Registration Date	10/20/2009	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS GRILL & BAR		
Design Mark			
Description of Mark	The mark consists of a stylized black buffalo with white wing and horn against a yellow circle background surrounded by a black half-circle, sitting atop a black		

	rectangle with the white terms "Buffalo Wild Wings Grill & Bar" and two yellow shooting stars within.
Goods/Services	Class 030. First use: First Use: 1997/06/06 First Use In Commerce: 1997/06/06 Sauces, namely, barbecue sauces Class 035. First use: First Use: 1997/06/06 First Use In Commerce: 1997/06/06 Franchise services, namely, offering business management assistance in the establishment and operation of restaurants Class 043. First use: First Use: 1997/06/06 First Use In Commerce: 1997/06/06 Restaurant services

U.S. Registration No.	3319506	Application Date	06/22/2004
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS EXPRESS		
Design Mark	 <p style="text-align: center;">BUFFALO WILD WINGS EXPRESS</p>		
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2007/06/18 First Use In Commerce: 2007/06/18 Restaurant services		

U.S. Registration No.	3106653	Application Date	07/05/2005
Registration Date	06/20/2006	Foreign Priority Date	NONE
Word Mark	BUFFALO WILD WINGS GRILL & BAR		
Design Mark	 <p style="text-align: center;">BUFFALO WILD WINGS GRILL & BAR</p>		
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 1997/06/09 First Use In Commerce: 1997/06/09 restaurant services		

Attachments	73694348#TMSN.gif (1 page)(bytes) 75364510#TMSN.gif (1 page)(bytes) 76363152#TMSN.gif (1 page)(bytes) 76363161#TMSN.gif (1 page)(bytes) 76363160#TMSN.gif (1 page)(bytes) 76363171#TMSN.gif (1 page)(bytes) 77456114#TMSN.jpeg (1 page)(bytes) 78439123#TMSN.jpeg (1 page)(bytes) 78663478#TMSN.jpeg (1 page)(bytes) BWW Notice of Opposition.pdf (6 pages)(1308453 bytes) Exhibits 1-11 for BWW Notice of Opposition.pdf (61 pages)(8975999 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	/Ruth Rivard/
Name	Ruth Rivard
Date	03/23/2012

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

In the matter of Trademark Application No.: **85313027**

For the Mark: **WILD WINDS**

Published in the *Official Gazette* on: **September 27, 2011, page TM 928**

Buffalo Wild Wings, Inc.)	
)	
Registrant,)	
)	
vs.)	Opposition No. _____
)	
Fuzion Food Group USA, Inc.)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Registrant Buffalo Wild Wings, Inc., (“Buffalo Wild Wings” or “Registrant”), a corporation organized under the laws of the State of Minnesota, having its principal place of business at 5500 Wayzata Blvd., Suite 1600, Minneapolis, MN 55416, believes that it will be damaged if Fuzion Food Group USA, Inc. (“Fuzion Food” or “Applicant”) is allowed to register the mark WILD WINDS, and hereby opposes registration of the same.

To the best of Registrant’s knowledge, the name and address of the current owner of the application opposed is Fuzion Food Group USA, Inc., a corporation organized under the laws of South Dakota, having its principal place of business at 404 West 9th Street, Sioux Falls, SD 57104.

The grounds for the opposition are as follows:

1. Buffalo Wild Wings is a corporation organized under the laws of the State of Minnesota, having its principal place of business at 5500 Wayzata Blvd., Suite 1600, Minneapolis, MN 55416.

2. Buffalo Wild Wings is one of the fastest-growing restaurant chains in the country and is an established owner, operator and franchisor of Buffalo Wild Wings Grill & Bar[®] restaurants, an award-winning restaurant featuring a variety of boldly-flavored signature sauces for chicken wings and other made to order menu items. Currently, there are over 830 Buffalo Wild Wings Grill & Bar[®] restaurants in 48 states and 2 countries.

3. Upon information and belief the applicant, Fuzion Food Group USA, Inc., is a corporation organized under the laws of South Dakota, having its principal place of business at 404 West 9th Street, Sioux Falls, SD 57104.

4. On May 5, 2011, Applicant filed an intent-to-use application for the mark WILD WINDS to be used in connection with restaurant and bar services in International Class 43, Serial No. 85313027.

5. Upon information and belief, Applicant had not made use of the mark in commerce prior to filing its trademark application.

6. Buffalo Wild Wings has used the term BUFFALO WILD WINGS for restaurant services since at least as early as August 1982.

7. Buffalo Wild Wings is the owner of the following trademark registrations containing the phrase "WILD WINGS":

Trademark	Ser. No.	Filing Date	Reg. No.	Reg. Date	Goods & Services
BUFFALO WILD WINGS AND WECK THE REAL WING*	73694348	11-9-1987	1497262	7-19-1988	Restaurant services
BUFFALO WILD WINGS & WECK*	73695006	11-13-1987	1496316	7-12-1988	Restaurant services
BUFFALO WILD WINGS*	75286844	5-5-1997	2239550	4-13-1999	Restaurant services
BUFFALO WILD WINGS BAR & GRILL*	75364510	9-29-1997	2187765	9-8-1998	Restaurant services
BUFFALO WILD WINGS BAR & GRILL*	76363152	1-25-2002	3038769	1-10-2006	Sauces, namely, barbecue sauces
BUFFALO WILD WINGS*	76363161	1-25-2002	3038771	1-10-2006	Restaurant services
BUFFALO WILD WINGS BAR & GRILL*	76363160	1-25-2002	3038770	1-10-2006	Seasonings, namely, an ingredient for flavoring potato chips, popcorn, pretzels and peanuts
BUFFALO WILD WINGS*	76363171	1-14-2003	3038772	1-10-2006	Seasonings, namely, an ingredient for flavoring potato chips, popcorn, pretzels and peanuts
BUFFALO WILD WINGS BAR & GRILL	77456114	4-23-2008	3699826	10-20-2009	Sauces, namely, barbecue sauces
BUFFALO WILD WINGS EXPRESS	78439123	6-22-2004	3319506	10-23-2007	Restaurant services
BUFFALO WILD WINGS BAR & GRILL*	78663478	7-5-2005	3106653	6-20-2006	Restaurant services

8. Pursuant to Trademark Rule 122, 37 CFR §2.122(d), Registrant attaches to this Notice of Opposition as Exhibits 1 through 12 true and correct photocopies of current status and current title information, prepared and issued by the United States Patent and Trademark Office, for each of the registrations set forth in paragraph 7 above. Having complied with Trademark Rule 122, 37 CFR §2.122(d), these registrations are entitled to be received in evidence and made part of the record.

9. As can be seen by the attached registrations and the table above, Buffalo Wild Wings has a strong family of marks containing the common formative WILD WINGS.

10. Buffalo Wild Wings' first federal trademark registration for the mark BW-3 BUFFALO WILD WINGS AND WECK THE REAL WING, Registration No. 1,497,262, issued on July 19, 1988 for restaurant services and became incontestable under Section 15 of the Trademark Act of 1994.

11. Several of Buffalo Wild Wing's registrations are incontestable under Section 15 of the 1994 Trademark Act. Each of the incontestable registrations are indicated in the table above with an asterisk ("**"). Seven of the above registration are for restaurant services.

12. Buffalo Wild Wings has spent substantial sums of money over the years on promoting and advertising the BUFFALO WILD WINGS family of marks in print, broadcast media, and on the www.buffalowildwings.com internet web site, accessible throughout the United States and Canada.

13. The BUFFALO WILD WINGS family of marks are inherently distinctive for the goods and services for which the marks are used by Registrant and the BUFFALO WILD WINGS family of marks has acquired distinctiveness through Registrant's extensive use and promotion of the BUFFALO WILD WINGS family of marks.

14. Registrant's family of BUFFALO WILD WINGS marks are of great value to Registrant as identification of source in connection with its restaurant services, to identify and distinguish Registrant's services and business from the goods, services and business of others, and the family of BUFFALO WILD WINGS marks symbolizes the goodwill of Registrant's business.

15. The services listed in Applicant's registration encompasses the identical services as seven of the registrations for Buffalo Wild Wings: restaurant services.

16. There is only a one-letter difference between the last two words in Buffalo Wild Wings' mark BUFFALO WILD WINGS and Applicant's mark WILD WINDS.

17. The term "wild wings" and "wild winds" are of similar sound and cadence.

18. Applicant's use of the WILD WINDS mark is without Buffalo Wild Wings' consent.

19. Upon information and belief, Applicant's services are or will be offered in the same or substantially identical channels of trade as Registrant's services.

20. Confusion, mistake and deception are likely to be caused by Applicant's use of the mark WILD WINDS in connection with restaurant services. As a result of such confusion Buffalo Wild Wings will be damaged.

21. Buffalo Wild Wings' marks are both well known and famous throughout the United States as a result of their broad use and the publicity Buffalo Wild Wings has received.

WHEREFORE, Registrant Buffalo Wild Wings respectfully requests that its Notice of Opposition to the application for the mark WILD WINDS for use in connection with restaurant and bar services be sustained and that the Applicant be refused registration of the mark WILD WINDS.

Dated: March 23, 2012

By:  _____

Ruth Rivard
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone: (612) 335-1799
Facsimile: (612) 335-1657

ATTORNEYS FOR REGISTRANT
BUFFALO WILD WINGS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the foregoing NOTICE OF OPPOSITION and exhibits were served on Registrant's attorney of record, Troy Leonard, of Woods, Fuller, Shultz, & Smith, PC, on March 23, 2012, and on Registrant, Fuzion Food Group USA, Inc., by depositing copies of same in the United States mail, first class postage pre-paid, addressed to:

Troy Leonard
Woods, Fuller, Shultz & Smith, PC
300 S. Phillips Ave., Suit 300
Sioux Falls, SD 57104

and

Fuzion Food Group USA, Inc.
404 West 9th Street
Sioux Falls, SD 57104


Ruth Rivard

EXHIBITS 1-11

FOR

**NOTICE OF OPPOSITION
BY
BUFFALO WILD WINGS, INC.**

Exhibit 1

Int. Cl.: 42

Prior U.S. Cl.: 100

United States Patent and Trademark Office

Reg. No. 1,497,262
Registered July 19, 1988

**SERVICE MARK
PRINCIPAL REGISTER**



J. M. S. ASSOCIATES, INC. (OHIO CORPORATION)
2634 VINE STREET
CINCINNATI, OH 45219

FIRST USE 8-0-1982; IN COMMERCE
8-0-1982.

SER. NO. 694,348, FILED 11-9-1987.

FOR: RESTAURANT SERVICES, IN CLASS
42 (U.S. CL. 100).

LIZ KULICK, 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 2012-03-23 12:21:25 ET

Serial Number: 73694348 Assignment Information Trademark Document Retrieval

Registration Number: 1497262

Mark



(words only): BW-3 BUFFALO WILD WINGS AND WECK THE REAL WING

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2008-07-31

Filing Date: 1987-11-09

Transformed into a National Application: No

Registration Date: 1988-07-19

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: 830 -Post Registration

Date In Location: 2008-07-31

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

1. BUFFALO WILD WINGS, INC.

Address:

BUFFALO WILD WINGS, INC.
Suite 1600 5500 Wayzata Boulevard
Minneapolis, MN 55416
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 042
Class Status: Active
RESTAURANT SERVICES
Basis: 1(a)
First Use Date: 1982-08-00
First Use in Commerce Date: 1982-08-00

ADDITIONAL INFORMATION

Design Search Code(s):
03.07.05 - Bison; Other buffalo, bison
03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose
26.01.13 - Circles, two (not concentric); Two circles

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit

2009-07-07 - Notice Of Suit

2008-11-19 - Notice Of Suit

2008-07-31 - First renewal 10 year

2008-07-31 - Section 8 (10-year) accepted/ Section 9 granted

2008-07-29 - Assigned To Paralegal

2008-07-18 - TEAS Section 8 & 9 Received

2008-06-30 - Case File In TICRS
2008-05-22 - Notice Of Suit
2006-09-25 - Applicant/Correspondence Changes (Non-Responsive) Entered
2006-09-25 - TEAS Change Of Owner Address Received
2006-09-25 - TEAS Change Of Correspondence Received
1994-05-12 - Section 8 (6-year) accepted & Section 15 acknowledged
1993-12-20 - Section 8 (6-year) and Section 15 Filed
1988-07-19 - Registered - Principal Register
1988-04-26 - Published for opposition
1988-03-26 - Notice of publication
1988-02-12 - Approved for Pub - Principal Register (Initial exam)
1988-02-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John Pickerill

Correspondent

John Pickerill
FREDRIKSON & BYRON, P.A.
Suite 4000
200 South Sixth Street
MINNEAPOLIS MN 55402
Phone Number: 612.492.7306
Fax Number: 612.492.7077

Exhibit 2

Int. Cl.: 42

Prior U.S. Cl.: 100

United States Patent and Trademark Office Reg. No. 1,496,316
Registered July 12, 1988

**SERVICE MARK
PRINCIPAL REGISTER**

BUFFALO WILD WINGS & WECK

J. M. S. ASSOCIATES, INC. (OHIO CORPORATION)
2634 VINE STREET
CINCINNATI, OH 45219

FIRST USE 8-0-1982; IN COMMERCE
8-0-1982.

SER. NO. 695,006, FILED 11-13-1987.

FOR: RESTAURANT SERVICES, IN CLASS
42 (U.S. CL. 100).

LIZ KULICK, 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 2012-03-23 12:22:02 ET

Serial Number: 73695006 Assignment Information Trademark Document Retrieval

Registration Number: 1496316

Mark (words only): BUFFALO WILD WINGS & WECK

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-04-10

Filing Date: 1987-11-13

Transformed into a National Application: No

Registration Date: 1988-07-12

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: 2009-04-10

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

1. BUFFALO WILD WINGS, INC.

Address:

BUFFALO WILD WINGS, INC.
5500 Wayzata Boulevard Suite 1600
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 042
Class Status: Active
RESTAURANT SERVICES
Basis: 1(a)
First Use Date: 1982-08-00
First Use in Commerce Date: 1982-08-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit

2009-04-10 - First renewal 10 year

2009-04-10 - Section 8 (10-year) accepted/ Section 9 granted

2009-04-08 - Assignment Of Ownership Not Updated Automatically

2009-04-01 - FAX RECEIVED

2009-04-01 - PAPER RECEIVED

2008-11-19 - Notice Of Suit

2008-10-17 - Post Registration action mailed Sections 8 & 9

2008-07-23 - Assigned To Paralegal

2008-07-11 - TEAS Section 8 & 9 Received

2008-06-24 - Case File In TICRS

2008-05-22 - Notice Of Suit

2006-09-25 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-09-25 - TEAS Change Of Owner Address Received
2006-09-25 - TEAS Change Of Correspondence Received
1994-05-12 - Section 8 (6-year) accepted & Section 15 acknowledged
1993-12-20 - Section 8 (6-year) and Section 15 Filed
1988-07-12 - Registered - Principal Register
1988-04-19 - Published for opposition
1988-03-24 - Notice of publication
1988-03-22 - Notice of publication
1988-02-12 - Approved for Pub - Principal Register (Initial exam)
1988-02-11 - Assigned To Examiner
1988-02-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John Pickerill

Correspondent

John Pickerill
FREDRIKSON & BYRON, P.A.
Suite 4000
200 South Sixth Street
MINNEAPOLIS MN 55402
Phone Number: 612.492.7306
Fax Number: 612.492.7077

Exhibit 3

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,239,550

United States Patent and Trademark Office

Registered Apr. 13, 1999

**SERVICE MARK
PRINCIPAL REGISTER**

BUFFALO WILD WINGS

BW-3, INC. (MINNESOTA CORPORATION)
1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BUFFALO & WINGS", APART
FROM THE MARK AS SHOWN.

FOR: RESTAURANT SERVICES, IN CLASS
42 (U.S. CLS. 100 AND 101).

SN 75-286,844, FILED 5-5-1997

FIRST USE 6-16-1997; IN COMMERCE
6-16-1997.

DARLENE BULLOCK, EXAMINING ATTOR-
NEY

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

This page was generated by the TARR system on 2012-03-23 12:22:20 ET

Serial Number: 75286844 Assignment Information Trademark Document Retrieval

Registration Number: 2239550

Mark (words only): BUFFALO WILD WINGS

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-03-13

Filing Date: 1997-05-05

Transformed into a National Application: No

Registration Date: 1999-04-13

Register: Principal

Law Office Assigned: LAW OFFICE 111

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: 2009-03-13

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

1. BUFFALO WILD WINGS, INC.

Address:

BUFFALO WILD WINGS, INC.
5500 WAYZATA BOULEVARD
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 042

Class Status: Active

restaurant services

Basis: 1(a)

First Use Date: 1997-06-16

First Use in Commerce Date: 1997-06-16

ADDITIONAL INFORMATION

Disclaimer: "BUFFALO & WINGS"

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.

2012-01-20 - Notice Of Suit

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit

2009-03-13 - First renewal 10 year

2009-03-13 - Section 8 (10-year) accepted/ Section 9 granted

2009-03-09 - Assigned To Paralegal

2009-03-05 - TEAS Section 8 & 9 Received

2008-11-19 - Notice Of Suit

2008-05-22 - Notice Of Suit

2007-07-20 - Case File In TICRS

2006-09-25 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-09-25 - TEAS Change Of Owner Address Received

2005-11-29 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-11-29 - Assigned To Paralegal

2005-10-17 - Section 8 (6-year) and Section 15 Filed
2005-10-17 - PAPER RECEIVED
2005-10-13 - TEAS Change Of Owner Address Received
2005-10-13 - TEAS Change Of Correspondence Received
2002-10-24 - TEAS Change Of Correspondence Received
1999-04-13 - Registered - Principal Register
1999-02-01 - Allowed for Registration - Principal Register (SOU accepted)
1999-01-20 - Assigned To Examiner
1999-01-15 - Statement Of Use Processing Complete
1998-12-16 - Use Amendment Filed
1998-07-21 - NOA Mailed - SOU Required From Applicant
1998-04-28 - Published for opposition
1998-03-27 - Notice of publication
1998-02-15 - Approved For Pub - Principal Register
1998-01-26 - Communication received from applicant
1997-10-29 - Non-final action mailed
1997-10-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John C. Pickerill

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MINNEAPOLIS MN 55402
Phone Number: 6124927306
Fax Number: 6124927077

Exhibit 4

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,187,765

United States Patent and Trademark Office

Registered Sep. 8, 1998

**SERVICE MARK
PRINCIPAL REGISTER**



BW-3, INC. (MINNESOTA CORPORATION)
1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

FOR: RESTAURANT SERVICES, IN CLASS
42 (U.S. CLS. 100 AND 101).

FIRST USE 6-9-1997; IN COMMERCE
6-9-1997.

OWNER OF U.S. REG. NOS. 1,496,316 AND
1,497,262.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BUFFALO" OR "WINGS" OR
"GRILL & BAR", APART FROM THE MARK
AS SHOWN.

SER. NO. 75-364,510, FILED 9-29-1997.

DAWN FELDMAN, 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 2012-03-23 12:22:33 ET

Serial Number: 75364510 Assignment Information Trademark Document Retrieval

Registration Number: 2187765

Mark



(words only): BUFFALO WILD WINGS GRILL & BAR

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2008-09-22

Filing Date: 1997-09-29

Transformed into a National Application: No

Registration Date: 1998-09-08

Register: Principal

Law Office Assigned: LAW OFFICE 101

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

Current Location: 830 -Post Registration

Date In Location: 2008-09-22

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

1. BUFFALO WILD WINGS, INC.

Address:

BUFFALO WILD WINGS, INC.
SUITE 700 1600 UTICA AVENUE SOUTH
MINNEAPOLIS, MN 55416
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 042
Class Status: Active
restaurant services
Basis: 1(a)
First Use Date: 1997-06-09
First Use in Commerce Date: 1997-06-09

ADDITIONAL INFORMATION

Disclaimer: "BUFFALO" or "WINGS" or "GRILL & BAR"

Design Search Code(s):

01.01.06 - Stars with rays or radiating lines
01.01.13 - Stars - multiple stars with five points
03.07.04 - Water buffalo; Water buffalo, yaks; Yak
03.17.01 - Wings, birds'
26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)
26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

1496316
1497262

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit

2008-11-19 - Notice Of Suit

2008-09-22 - First renewal 10 year
2008-09-22 - Section 8 (10-year) accepted/ Section 9 granted
2008-09-10 - Assigned To Paralegal
2008-09-08 - TEAS Section 8 & 9 Received
2008-06-06 - Counter claim opp. for Proceeding No.
2008-05-22 - Notice Of Suit
2007-08-03 - Case File In TICRS
2006-09-25 - TEAS Change Of Correspondence Received
2004-12-07 - Section 8 (6-year) accepted & Section 15 acknowledged
2004-11-02 - Section 8 (6-year) and Section 15 Filed
2004-11-02 - TEAS Section 8 & 15 Received
2002-10-24 - TEAS Change Of Correspondence Received
1998-09-08 - Registered - Principal Register
1998-06-16 - Published for opposition
1998-05-15 - Notice of publication
1998-04-07 - Approved for Pub - Principal Register (Initial exam)
1998-03-23 - Examiner's amendment mailed
1998-03-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John Pickerill

Correspondent

John Pickerill

FREDRIKSON & BYRON, P.A.

Suite 4000

200 South Sixth Street

Minneapolis MN 55402

Phone Number: 612.492.7306

Fax Number: 612.492.7077

Exhibit 5

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,038,769

Registered Jan. 10, 2006

**TRADEMARK
PRINCIPAL REGISTER**

BUFFALO WILD WINGS GRILL & BAR

BUFFALO WILD WINGS, INC. (MINNESOTA
CORPORATION)
1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

FOR: SAUCES, NAMELY, BARBECUE SAUCES,
IN CLASS 30 (U.S. CL. 46).

FIRST USE 11-0-1998; IN COMMERCE 11-0-1998.

OWNER OF U.S. REG. NOS. 2,187,765 AND
2,239,550.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BUFFALO" AND "WINGS", APART
FROM THE MARK AS SHOWN.

SER. NO. 76-363,152, FILED 1-25-2002.

DAWN FELDMAN, 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 2012-03-23 12:22:46 ET

Serial Number: 76363152 Assignment Information Trademark Document Retrieval

Registration Number: 3038769

Mark (words only): BUFFALO WILD WINGS GRILL & BAR

Standard Character claim: No

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

Date of Status: 2012-01-24

Filing Date: 2002-01-25

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 111

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: M20 -TMO Law Office 111

Date In Location: 2012-01-24

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
5500 Wayzata Boulevard Suite 1600
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 030
Class Status: Active
SAUCES, NAMELY, BARBECUE SAUCES
Basis: 1(a)
First Use Date: 1998-11-00
First Use in Commerce Date: 1998-11-00

ADDITIONAL INFORMATION

Disclaimer: "BUFFALO" and "WINGS"

Prior Registration Number(s):

2187765
2239550

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.

2012-01-24 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed
2012-01-24 - Section 8 (6-year) accepted & Section 15 acknowledged
2012-01-24 - Case Assigned To Post Registration Paralegal
2011-12-01 - TEAS Change Of Correspondence Received
2011-12-02 - TEAS Section 8 & 15 Received
2010-05-11 - Notice Of Suit
2008-11-20 - Notice Of Suit
2008-06-21 - Counter claim opp. for Proceeding No.
2008-05-22 - Notice Of Suit
2006-09-25 - TEAS Change Of Correspondence Received
2006-02-14 - TEAS Change Of Owner Address Received
2006-01-10 - Registered - Principal Register

2005-12-15 - Changes/Corrections After Pub Approval Entered
2005-12-02 - PAPER RECEIVED
2005-10-21 - Opposition terminated for Proceeding
2005-10-21 - Opposition dismissed for Proceeding
2005-03-18 - Opposition instituted for Proceeding
2004-09-13 - Case File In TICRS
2003-05-05 - Extension Of Time To Oppose Received
2003-04-08 - Published for opposition
2003-03-19 - Notice of publication
2003-01-28 - Approved for Pub - Principal Register (Initial exam)
2002-11-08 - TEAS Change Of Correspondence Received
2002-10-08 - Communication received from applicant
2002-10-11 - PAPER RECEIVED
2002-05-10 - Non-final action mailed
2002-04-19 - Assigned To Examiner
2002-04-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOHN PICKERILL

Correspondent
JOHN PICKERILL
FREDRIKSON & BYRON, P.A.
200 SOUTH SIXTH STREET
SUITE 4000
MINNEAPOLIS, MN 55402
Phone Number: 612-492-7306
Fax Number: 612-492-7077

Exhibit 6

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,038,771

Registered Jan. 10, 2006

**TRADEMARK
PRINCIPAL REGISTER**

BUFFALO WILD WINGS

BUFFALO WILD WINGS, INC. (MINNESOTA
CORPORATION)
1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

FOR: SAUCES, NAMELY, BARBECUE SAUCES,
IN CLASS 30 (U.S. CL. 46).

FIRST USE 11-0-1998; IN COMMERCE 11-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BUFFALO" AND "WINGS", APART
FROM THE MARK AS SHOWN.

SER. NO. 76-363,161, FILED 1-25-2002.

DAWN FELDMAN, 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 2012-03-23 12:32:44 ET

Serial Number: 76363161 Assignment Information Trademark Document Retrieval

Registration Number: 3038771

Mark (words only): BUFFALO WILD WINGS

Standard Character claim: No

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

Date of Status: 2012-01-24

Filing Date: 2002-01-25

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 111

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: M20 -TMO Law Office 111

Date In Location: 2012-01-24

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
5500 Wayzata Boulevard Suite 1600
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 030
Class Status: Active
SAUCES, NAMELY, BARBECUE SAUCES
Basis: 1(a)
First Use Date: 1998-11-00
First Use in Commerce Date: 1998-11-00

ADDITIONAL INFORMATION

Disclaimer: "BUFFALO" and "WINGS"

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.

- 2012-01-24 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed
- 2012-01-24 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2012-01-24 - Case Assigned To Post Registration Paralegal
- 2011-12-01 - TEAS Change Of Correspondence Received
- 2011-12-02 - TEAS Section 8 & 15 Received
- 2010-05-14 - Notice Of Suit
- 2010-05-11 - Notice Of Suit
- 2008-11-20 - Notice Of Suit
- 2008-06-21 - Counter claim opp. for Proceeding No.
- 2008-05-22 - Notice Of Suit
- 2006-09-25 - TEAS Change Of Correspondence Received
- 2006-02-14 - TEAS Change Of Owner Address Received
- 2006-01-10 - Registered - Principal Register
- 2005-12-02 - PAPER RECEIVED

2005-10-21 - Opposition terminated for Proceeding
2005-10-21 - Opposition dismissed for Proceeding
2005-03-18 - Opposition instituted for Proceeding
2004-09-13 - Case File In TICRS
2003-06-10 - Extension Of Time To Oppose Received
2003-05-13 - Published for opposition
2003-04-23 - Notice of publication
2003-03-13 - Approved for Pub - Principal Register (Initial exam)
2003-02-21 - Communication received from applicant
2003-02-21 - PAPER RECEIVED
2003-01-06 - Final refusal mailed
2002-11-08 - TEAS Change Of Correspondence Received
2002-10-11 - Communication received from applicant
2002-10-11 - PAPER RECEIVED
2002-05-10 - Non-final action mailed
2002-04-23 - Assigned To Examiner
2002-04-19 - Assigned To Examiner
2002-04-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

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Correspondent
JOHN PICKERILL
FREDRIKSON & BYRON, P.A.
200 SOUTH SIXTH STREET
SUITE 4000
MINNEAPOLIS, MN 55402
Phone Number: 612-492-7306
Fax Number: 612-492-7077

Exhibit 7

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,038,770

Registered Jan. 10, 2006

**TRADEMARK
PRINCIPAL REGISTER**



BUFFALO WILD WINGS, INC. (MINNESOTA CORPORATION)

1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

PRETZELS, AND PEANUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 12-16-2001; IN COMMERCE 12-16-2001.

SER. NO. 76-363,160, FILED 1-25-2002.

FOR: SEASONINGS, NAMELY, AN INGREDIENT FOR FLAVORING POTATO CHIPS, POPCORN,

DAWN FELDMAN, 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 2012-03-23 12:33:05 ET

Serial Number: 76363160 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3038770

Mark



(words only): BUFFALO WILD WINGS GRILL & BAR

Standard Character claim: No

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

Date of Status: 2012-01-25

Filing Date: 2002-01-25

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 111

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: M20 -TMO Law Office 111

Date In Location: 2012-01-25

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
1600 Utica Avenue South Suite 700
Minneapolis, MN 55416
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

SEASONINGS, NAMELY, AN INGREDIENT FOR FLAVORING POTATO CHIPS, POPCORN, PRETZELS, AND PEANUTS

Basis: 1(a)

First Use Date: 2001-12-16

First Use in Commerce Date: 2001-12-16

ADDITIONAL INFORMATION

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

Design Search Code(s):

01.01.06 - Stars with rays or radiating lines

26.01.28 - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference

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.

2012-01-25 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed

2012-01-25 - Section 8 (6-year) accepted & Section 15 acknowledged

2012-01-25 - Case Assigned To Post Registration Paralegal

2011-12-05 - TEAS Section 8 & 15 Received

2011-12-02 - TEAS Change Of Correspondence Received

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit
2008-11-20 - Notice Of Suit
2008-06-21 - Counter claim opp. for Proceeding No.
2008-05-22 - Notice Of Suit
2006-02-14 - TEAS Change Of Owner Address Received
2006-01-10 - Registered - Principal Register
2005-12-02 - PAPER RECEIVED
2005-10-21 - Opposition terminated for Proceeding
2005-10-21 - Opposition dismissed for Proceeding
2005-03-18 - Opposition instituted for Proceeding
2004-09-13 - Case File In TICRS
2004-09-13 - Case File In TICRS
2003-02-06 - Extension Of Time To Oppose Received
2003-01-14 - Published for opposition
2002-12-25 - Notice of publication
2002-11-08 - TEAS Change Of Correspondence Received
2002-11-15 - Approved for Pub - Principal Register (Initial exam)
2002-10-11 - Communication received from applicant
2002-10-11 - PAPER RECEIVED
2002-05-10 - Non-final action mailed
2002-04-23 - Assigned To Examiner
2002-04-19 - Assigned To Examiner
2002-04-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Stephen R. Bergerson

Correspondent

John Pickerill
FREDRIKSON & BYRON, P.A.
Suite 4000
200 South Sixth Street
MINNEAPOLIS MN 55402
Phone Number: 612-492-7306
Fax Number: 612-492-7077

Exhibit 8

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,038,772

Registered Jan. 10, 2006

**TRADEMARK
PRINCIPAL REGISTER**

BUFFALO WILD WINGS

BUFFALO WILD WINGS, INC. (MINNESOTA
CORPORATION)
1919 INTERCHANGE TOWER
600 SOUTH HIGHWAY 169
MINNEAPOLIS, MN 55426

PRETZELS, AND PEANUTS, IN CLASS 30 (U.S. CL.
46).

FIRST USE 12-16-2001; IN COMMERCE 12-16-2001.

SBR. NO. 76-563,171, FILED 1-25-2002.

FOR: SEASONING, NAMELY, AN INGREDIENT
FOR FLAVORING POTATO CHIPS, POPCORN,

DAWN FELDMAN, 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 2012-03-23 12:33:16 ET

Serial Number: 76363171 Assignment Information Trademark Document Retrieval

Registration Number: 3038772

Mark (words only): BUFFALO WILD WINGS

Standard Character claim: No

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

Date of Status: 2012-01-26

Filing Date: 2002-01-25

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 111

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: M20 -TMO Law Office 111

Date In Location: 2012-01-26

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
1600 Utica Avenue South Suite 700
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 030

Class Status: Active

SEASONING, NAMELY, AN INGREDIENT FOR FLAVORING POTATO CHIPS, POPCORN, PRETZELS, AND PEANUTS

Basis: 1(a)

First Use Date: 2001-12-16

First Use in Commerce Date: 2001-12-16

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.

2012-01-26 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed
2012-01-26 - Section 8 (6-year) accepted & Section 15 acknowledged
2012-01-25 - Case Assigned To Post Registration Paralegal
2011-12-05 - TEAS Section 8 & 15 Received
2011-12-02 - TEAS Change Of Correspondence Received
2010-05-14 - Notice Of Suit
2010-05-11 - Notice Of Suit
2008-11-20 - Notice Of Suit
2008-06-21 - Counter claim opp. for Proceeding No.
2008-05-22 - Notice Of Suit
2006-09-25 - TEAS Change Of Correspondence Received
2006-02-14 - TEAS Change Of Owner Address Received
2006-01-10 - Registered - Principal Register
2005-12-02 - PAPER RECEIVED

2005-10-21 - Opposition terminated for Proceeding
2005-10-21 - Opposition dismissed for Proceeding
2005-03-18 - Opposition instituted for Proceeding
2004-09-13 - Case File In TICRS
2004-09-13 - Case File In TICRS
2003-02-06 - Extension Of Time To Oppose Received
2003-01-14 - Published for opposition
2002-12-25 - Notice of publication
2002-11-08 - TEAS Change Of Correspondence Received
2002-11-14 - Approved for Pub - Principal Register (Initial exam)
2002-09-30 - Communication received from applicant
2002-09-30 - PAPER RECEIVED
2002-05-10 - Non-final action mailed
2002-04-23 - Assigned To Examiner
2002-04-19 - Assigned To Examiner
2002-04-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Stephen R. Bergerson

Correspondent

JOHN PICKERILL
FREDRIKSON & BYRON, P.A.
Suite 4000
200 South Sixth Street
MINNEAPOLIS MN 55402
Phone Number: 612-492-7306
Fax Number: 612-492-7077

Exhibit 9

United States of America

United States Patent and Trademark Office



Reg. No. 3,699,826 BUFFALO WILD WINGS, INC. (MINNESOTA CORPORATION)
Registered Oct. 20, 2009 SUITE 1600
5500 WAYZATA BLVD.
MINNEAPOLIS, MN 55416

Int. Cls.: 30, 35, and 43

FOR: SAUCES, NAMELY, BARBECUE SAUCES, IN CLASS 30 (U.S. CL. 46).

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

FIRST USE 6-6-1997; IN COMMERCE 6-6-1997.

FOR: FRANCHISE SERVICES, NAMELY, OFFERING BUSINESS MANAGEMENT ASSISTANCE IN THE ESTABLISHMENT AND OPERATION OF RESTAURANTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-6-1997; IN COMMERCE 6-6-1997.

FOR: RESTAURANT SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 6-6-1997; IN COMMERCE 6-6-1997.

OWNER OF U.S. REG. NOS. 2,187,765 AND 3,038,770.

THE COLOR(S) YELLOW, BLACK AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BUFFALO" AND "WINGS" AND "GRILL & BAR", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A STYLIZED BLACK BUFFALO WITH WHITE WING AND HORN AGAINST A YELLOW CIRCLE BACKGROUND SURROUNDED BY A BLACK HALF-CIRCLE, SITTING ATOP A BLACK RECTANGLE WITH THE WHITE TERMS "BUFFALO WILD WINGS GRILL & BAR" AND TWO YELLOW SHOOTING STARS WITHIN.

SN 77-456,114, FILED 4-23-2008.

II. M. FISHER, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

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

This page was generated by the TARR system on 2012-03-23 12:33:41 ET

Serial Number: 77456114 Assignment Information Trademark Document Retrieval

Registration Number: 3699826

Mark



(words only): BUFFALO WILD WINGS GRILL & BAR

Standard Character claim: No

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

Date of Status: 2009-10-20

Filing Date: 2008-04-23

Transformed into a National Application: No

Registration Date: 2009-10-20

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-09-14

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
Suite 1600 5500 Wayzata Blvd.
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Minnesota

GOODS AND/OR SERVICES

International Class: 030**Class Status:** Active

Sauces, namely, barbecue sauces

Basis: 1(a)**First Use Date:** 1997-06-06**First Use in Commerce Date:** 1997-06-06**International Class:** 035**Class Status:** Active

Franchise services, namely, offering business management assistance in the establishment and operation of restaurants

Basis: 1(a)**First Use Date:** 1997-06-06**First Use in Commerce Date:** 1997-06-06**International Class:** 043**Class Status:** Active

Restaurant services

Basis: 1(a)**First Use Date:** 1997-06-06**First Use in Commerce Date:** 1997-06-06

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) Yellow, black and white is/are claimed as a feature of the mark.**Disclaimer:** "BUFFALO" AND "WINGS" AND "GRILL & BAR"**Description of Mark:** The mark consists of a stylized black buffalo with white wing and horn against a yellow circle background surrounded by a black half-circle, sitting atop a black rectangle with the white terms "Buffalo Wild Wings Grill & Bar" and two yellow shooting stars within.**Design Search Code(s):**

01.01.07 - Comets; Stars with tails or comets

01.01.09 - Stars, two; Two stars

03.07.05 - Bison; Other buffalo, bison

03.17.01 - Wings, birds'

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)

26.01.21 - Circles that are totally or partially shaded.

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

2187765

3038770

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-05-14 - Notice Of Suit

2009-10-20 - Registered - Principal Register

2009-09-14 - Law Office Registration Review Completed

2009-09-05 - Allowed for Registration - Principal Register (SOU accepted)

2009-08-20 - Teas/Email Correspondence Entered

2009-08-20 - Communication received from applicant

2009-08-19 - TEAS Response to Office Action Received

2009-08-16 - Notification Of Non-Final Action E-Mailed

2009-08-16 - NON-FINAL ACTION E-MAILED

2009-08-16 - SU - Non-Final Action - Written

2009-07-24 - Statement Of Use Processing Complete

2009-06-30 - Use Amendment Filed

2009-07-24 - Case Assigned To Intent To Use Paralegal

2009-06-30 - TEAS Statement of Use Received

2009-06-02 - NOA Mailed - SOU Required From Applicant

2009-04-20 - TTAB Release Case To Trademarks

2009-04-20 - Opposition terminated for Proceeding

2009-03-25 - PAPER RECEIVED
2009-03-23 - Opposition instituted for Proceeding
2008-10-21 - Extension Of Time To Oppose Received
2008-09-23 - Published for opposition
2008-09-03 - Notice of publication
2008-08-20 - Law Office Publication Review Completed
2008-08-15 - Assigned To LIE
2008-08-08 - Approved For Pub - Principal Register
2008-08-08 - Examiner's Amendment Entered
2008-08-08 - Notification Of Examiners Amendment E-Mailed
2008-08-08 - Examiners amendment e-mailed
2008-08-08 - Examiners Amendment -Written
2008-08-06 - Assigned To Examiner
2008-04-29 - Notice Of Design Search Code And Pseudo Mark Mailed
2008-04-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John Pickerill

Correspondent

JOHN PICKERILL
FREDRIKSON & BYRON, P.A.
200 SOUTH SIXTH STREET SUITE 4000
MINNEAPOLIS, MN 55402-1425
Phone Number: 612-492-7306
Fax Number: 612-492-7077

Exhibit 10

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,319,506

Registered Oct. 23, 2007

SERVICE MARK
PRINCIPAL REGISTER

BUFFALO WILD WINGS
EXPRESS

BUFFALO WILD WINGS, INC. (MINNESOTA
CORPORATION)
SUITE 700
1600 UTICA AVENUE SOUTH
MINNEAPOLIS, MN 55416

OWNER OF U.S. REG. NOS. 1,496,316, 2,239,550,
AND OTHERS.

FOR: RESTAURANT SERVICES, IN CLASS 43
(U.S. CLS. 100 AND 101).

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BUFFALO" OR "WINGS", APART
FROM THE MARK AS SHOWN.

FIRST USE 6-13-2007; IN COMMERCE 6-18-2007.

SN 78-439,123, FILED 6-22-2004.

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

G. MAYERSCHOFF, 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 2012-03-23 12:34:08 ET

Serial Number: 78439123 Assignment Information Trademark Document Retrieval

Registration Number: 3319506

Mark

**BUFFALO WILD WINGS
EXPRESS**

(words only): BUFFALO WILD WINGS EXPRESS

Standard Character claim: Yes

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

Date of Status: 2007-10-23

Filing Date: 2004-06-22

Transformed into a National Application: No

Registration Date: 2007-10-23

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-19

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
Suite 700 1600 Utica Avenue South
Minneapolis, MN 55416
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Minnesota

GOODS AND/OR SERVICES

International Class: 043**Class Status:** Active

Restaurant services

Basis: 1(a)**First Use Date:** 2007-06-18**First Use in Commerce Date:** 2007-06-18

ADDITIONAL INFORMATION

Disclaimer: "BUFFALO" or "WINGS"**Prior Registration Number(s):**

1496316

1497262

2187765

2239550

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

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

2010-05-14 - Notice Of Suit

2010-05-11 - Notice Of Suit

2008-11-20 - Notice Of Suit

2008-05-22 - Notice Of Suit

2007-10-23 - Registered - Principal Register

2007-09-19 - Law Office Registration Review Completed

2007-09-19 - Assigned To LIE

2007-08-14 - Allowed for Registration - Principal Register (SOU accepted)

2007-08-13 - Statement Of Use Processing Complete

2007-06-20 - Use Amendment Filed

2007-06-20 - TEAS Statement of Use Received

2006-12-20 - Extension 2 granted

2006-12-20 - Extension 2 filed

2006-12-20 - TEAS Extension Received

2006-09-25 - TEAS Change Of Correspondence Received

2006-05-18 - Extension 1 granted

2006-05-18 - Extension 1 filed

2006-05-18 - TEAS Extension Received

2005-12-20 - NOA Mailed - SOU Required From Applicant

2005-09-27 - Published for opposition

2005-09-07 - Notice of publication

2005-07-19 - Law Office Publication Review Completed

2005-07-01 - Assigned To LIE

2005-06-27 - Approved For Pub - Principal Register

2005-06-25 - Amendment From Applicant Entered

2005-06-20 - Communication received from applicant

2005-06-20 - PAPER RECEIVED

2005-01-28 - Non-final action mailed

2005-01-27 - Non-Final Action Written

2005-01-27 - Assigned To Examiner

2004-06-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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Correspondent

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Fax Number: 612.492.7077

Exhibit 11

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,106,653

Registered June 20, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

**BUFFALO WILD WINGS GRILL &
BAR**

BUFFALO WILD WINGS, INC. (MINNESOTA
CORPORATION)
SUITE 700
1500 UTICA AVENUE SOUTH
MINNEAPOLIS, MN 55416

FOR: RESTAURANT SERVICES, IN CLASS 43
(U.S. CLS. 100 AND 101).

FIRST USE 6-9-1997; IN COMMERCE 6-9-1997.

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

OWNER OF U.S. REG. NOS. 2,239,550, 3,038,770
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE BUFFALO AND WINGS GRILL &
BAR, APART FROM THE MARK AS SHOWN.

SER. NO. 78-663,478, FILED 7-5-2005.

AMY GEARIN, 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 2012-03-23 12:34:22 ET

Serial Number: 78663478 Assignment Information Trademark Document Retrieval

Registration Number: 3106653

Mark

**BUFFALO WILD WINGS GRILL &
BAR**

(words only): BUFFALO WILD WINGS GRILL & BAR

Standard Character claim: Yes

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

Date of Status: 2011-08-04

Filing Date: 2005-07-05

Transformed into a National Application: No

Registration Date: 2006-06-20

Register: Principal

Law Office Assigned: LAW OFFICE 115

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

Current Location: M60 -TMO Law Office 115

Date In Location: 2011-08-04

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

1. Buffalo Wild Wings, Inc.

Address:

Buffalo Wild Wings, Inc.
Suite 1600 5500 Wayzata Boulevard
Minneapolis, MN 55416
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 043
Class Status: Active
restaurant services
Basis: 1(a)
First Use Date: 1997-06-09
First Use in Commerce Date: 1997-06-09

ADDITIONAL INFORMATION

Disclaimer: BUFFALO and WINGS GRILL & BAR

Prior Registration Number(s):
2239550
3038769
3038770

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.

2011-08-04 - Notice Of Acceptance Of Sec. 8 & 15 - E-Mailed
2011-08-04 - Section 8 (6-year) accepted & Section 15 acknowledged
2011-08-04 - Case Assigned To Post Registration Paralegal
2011-06-22 - TEAS Section 8 & 15 Received
2010-05-14 - Notice Of Suit
2010-05-11 - Notice Of Suit
2006-06-20 - Registered - Principal Register

2006-03-28 - Published for opposition
2006-03-08 - Notice of publication
2006-02-09 - Law Office Publication Review Completed
2006-02-03 - Assigned To LIE
2006-01-27 - Approved for Pub - Principal Register (Initial exam)
2006-01-27 - Examiners amendment e-mailed
2006-01-27 - Examiners Amendment -Written
2006-01-25 - Assigned To Examiner
2005-07-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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