

ESTTA Tracking number: **ESTTA497308**

Filing date: **09/28/2012**

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	Duke University		
Entity	Corporation	Citizenship	North Carolina
Address	Office of Counsel 310 Blackwell Street, 4th Floor Durham, NC 27701 UNITED STATES		

Attorney information	Susan Freya Olive Olive & Olive, P.A. 500 Memorial St Durham, NC 27701 UNITED STATES emailboxTTAB@oliveandolive.com		
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Applicant Information

Application No	85600102	Publication date	09/18/2012
Opposition Filing Date	09/28/2012	Opposition Period Ends	10/18/2012
Applicant	Sather, Eric 3532 Cazador Lane Fallbrook, CA 92028 UNITED STATES		

Goods/Services Affected by Opposition

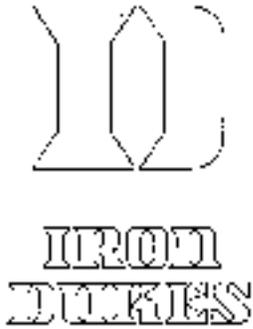
Class 025. All goods and services in the class are opposed, namely: Hats; Hooded sweatshirts; Short-sleeved or long-sleeved t-shirts; Sweatshirts
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Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1003662	Application Date	09/27/1973
Registration Date	01/28/1975	Foreign Priority Date	NONE
Word Mark	IRON DUKES ID		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 200. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 INDICATING MEMBERSHIP IN THE IRON DUKES AN UNINCORPORATED ORGANIZATION OF ALUMNI AND FRIENDS OF DUKE UNIVERSITY WHO HAVE AS THEIR COMMON PURPOSE THE SUPPORT OF THE UNIVERSITY'S ATHLETIC PROGRAM		

U.S. Registration No.	1701827	Application Date	10/01/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE

Word Mark	DUKE UNIVERSITY
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 020. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 pillows Class 021. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 cups Class 025. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 shirts		
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U.S. Registration No.	1702350	Application Date	09/30/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE

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

U.S. Registration No.	1702830	Application Date	10/01/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE

Word Mark	DUKE UNIVERSITY
Design Mark	

Description of Mark	NONE
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Goods/Services	Class 006. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 key rings made primarily of metal and metal license plates Class 016. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags Class 018. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 trunks for traveling, travel bags, and toiletry cases sold empty Class 024. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 tablecloths not of paper, blankets, and cloth flags
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U.S. Registration No.	1713473	Application Date	10/01/1991
Registration Date	09/08/1992	Foreign Priority Date	NONE

Word Mark	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
Design Mark	

Description of Mark	NONE
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Goods/Services	Class 014. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00
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	jewelry; namely, class rings Class 041. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 educational services; namely, providing courses of study at the undergraduate and graduate level
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U.S. Registration No.	2026492	Application Date	06/27/1995
Registration Date	12/31/1996	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1995/02/17 First Use In Commerce: 1995/02/17 clothing, namely, T-shirts		

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

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

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

U.S. Registration No.	2122067	Application Date	06/28/1995
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1996/11/05 First Use In Commerce: 1996/11/05 decals, stickers, stationery, and note pads Class 021. First use: First Use: 1996/11/06 First Use In Commerce: 1996/11/06 drinking glasses, cups, and mugs		

U.S. Registration No.	2203764	Application Date	07/01/1997
Registration Date	11/17/1998	Foreign Priority Date	NONE
Word Mark	DUKE CENTER FOR LIVING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for		

	<p>exercise</p> <p>Class 042. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision</p>
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U.S. Registration No.	2317603	Application Date	08/26/1997
Registration Date	02/15/2000	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing</p> <p>Class 042. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 providing hospital, medical, and health care services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services</p>		

U.S. Registration No.	2415817	Application Date	01/07/2000
Registration Date	12/26/2000	Foreign Priority Date	NONE
Word Mark	DUKECARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00		

	<p>magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events</p> <p>Class 036. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto</p>
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U.S. Registration No.	3157222	Application Date	07/20/2005
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Registration Date	10/17/2006	Foreign Priority Date	NONE
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Word Mark	DUKIE		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	<p>Class 025. First use: First Use: 2002/07/17 First Use In Commerce: 2002/07/17 Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs</p>		
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U.S. Registration No.	3780204	Application Date	03/27/2009
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Registration Date	04/27/2010	Foreign Priority Date	NONE
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Word Mark	DUKEENGAGE		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	<p>Class 035. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service</p> <p>Class 036. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable fundraising services</p> <p>Class 041. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs</p> <p>Class 042. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback</p>
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U.S. Registration No.	3878213	Application Date	08/03/2006
Registration Date	11/16/2010	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2010/02/01 First Use In Commerce: 2010/02/01 Decals, note pads, note cards, writing paper, and binders		

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

U.S. Registration No.	3995015	Application Date	05/27/2010
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Registration Date	07/12/2011	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D		
Design Mark			
Description of Mark	<p>The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.</p>		
Goods/Services	<p>Class 025. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Clothing, namely, shirts</p> <p>Class 041. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs</p>		

U.S. Registration No.	4108223	Application Date	06/27/2011
Registration Date	03/06/2012	Foreign Priority Date	NONE
Word Mark	IRON DUKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12		

	<p>Decals</p> <p>Class 021. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Drinking vessels</p> <p>Class 024. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Blankets for outdoor use</p> <p>Class 025. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Shirts and hats for non-industrial uses</p> <p>Class 028. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Golf balls</p>
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U.S. Registration No.	4172132	Application Date	08/03/2006
Registration Date	07/10/2012	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".		
Goods/Services	Class 025. First use: First Use: 2009/10/00 First Use In Commerce: 2009/10/00 Clothing for men and women, namely, tops and sweatshirts		

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

	memo pads, books, napkins; collectibles; sports equipment, accessories & team memorabilia including helmets and ball markers; decor items; pre-recorded music; cell phone ringtones; streaming live musical performances; magazines, periodicals and other publications directed to a variety of subjects of interest to or related to the University, its programs, research, students, professors, or alumni
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U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	Duke		
Goods/Services	A wide range of services for men, women and children, including but not limited to educational services, namely providing courses of instruction for men, women and children, including classes, seminars, workshops, conferences, tutoring and training in virtually all fields of learning at the pre-university, university, graduate and post-graduate levels, including but not limited to liberal arts, science and medicine, business, law, music, art, religion, sports, health and wellness, and auxiliary skills necessary to success in a career; educational and scientific research; services in the fields of entertainment and sports, such as photography services, sports team and club services and performances in, among others, the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, motor sports including automobile racing, music, racquetball, rowing, rugby, sailing, ski, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, as well as others; sports medicine programs; sports training programs; provision of sports, athletic and health training and education; publishing services; entertainment and educational services in the nature of museums; entertainment and educational services in the nature of musical and theatrical performances; fund raising; medical and wellness services; medical and nutritional research and programs, including research on dietary supplements, and other "non-traditional" medical treatments and research involving dogs and other animals; psychological services including but not limited to counseling and treatment for victims of physical, emotional and sexual abuse; religious instruction, teaching, counseling and services including divinity school services and church services; and provision of information of interest to or related to the University, its programs, research, students, professors, or alumni; on-line and fixed premises retail store and sales services featuring a wide range of products including but not limited to those listed hereinabove		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	Duke University		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, and sports related services as provided herein with respect to DUKE		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		

Word Mark	Duke Blue Devils
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, and sports related services as provided herein with respect to DUKE

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

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	IRON DUKES		
Goods/Services	Clothing including footwear, head wear, tops, bottoms, foul weather gear, and athletic apparel; sports equipment and accessories; decals and other items indicating affiliation with the athletic support organization; membership services related to the athletic support organization; operating a website with links to purchase a variety of goods, including, but not limited to, prerecorded music and to streaming entertainment in the nature of musical and sports performances		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	Duke and Duchess		
Goods/Services	Clothing		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	Dukes and Duchesses		
Goods/Services	Clothing indicating affiliation with the Duke University's student ambassador program; Provision of information of interest to or related to the University, its programs, research, students, professors, alumni, donors or visitors; membership in a student ambassador program and services related thereto		

Attachments	73002136#TMSN.gif (1 page)(bytes) 74208935#TMSN.gif (1 page)(bytes) 74208934#TMSN.gif (1 page)(bytes) 74208924#TMSN.gif (1 page)(bytes) 74693793#TMSN.gif (1 page)(bytes) 75976141#TMSN.gif (1 page)(bytes) 75976140#TMSN.gif (1 page)(bytes) 74694684#TMSN.gif (1 page)(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	/sfo/
Name	Susan Freya Olive
Date	09/28/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Trademark Trial and Appeal Board

IN THE MATTER OF Trademark Application of Eric Sather
For Registration of WE NEED DUKE and Design, Serial No. 85600102
Published for Opposition in the Official Gazette on September 18, 2012

DUKE UNIVERSITY, Plaintiff-Opposer vs ERIC SATHER, Defendant-Applicant	OPPOSITION TO REGISTRATION OF MARK
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Attorney Docket No.: DUKU9242

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

The grounds for opposition are as follows:

1. Opposer is the owner of many marks consisting in whole or substantial part of the term DUKE (“DUKE Marks”).
2. Since long prior to the filing date of Applicant's application, and any other priority date to which Applicant might be entitled, Opposer directly and through licensees has provided educational and other services under its famous marks DUKE and DUKE UNIVERSITY and closely associated variants and has sold and/or provided directly and through licensees, in commerce, a multitude of products and services under its DUKE Marks including a wide range of clothing and apparel items.

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

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

IC025 Hats; Hooded sweatshirts; Short-sleeved or long sleeved t-shirts; Sweatshirts

5. Among the many products that Opposer provides under its DUKE marks are a wide range of apparel items including hats, sweatshirts (both hooded and otherwise), and t-shirts.

6. Opposer owns the following United States Trademark Registrations, among others, for its DUKE marks, each of which includes the term DUKE or another term that reminds viewers and customers of DUKE. Each of the marks listed below was lawfully issued, and is valid and subsisting (copies of the electronic records provided by the United States Trademark Office for each registration are attached hereto as Exhibits 1 through 19 and are incorporated herein by reference and for purpose of reliance):

Registration No.	Issue Date	Mark
1,003,662	01/28/75	IRON DUKES and D design
1,701,827	07/21/92	DUKE UNIVERSITY
1,702,350	07/21/92	DUKE UNIVERSITY STORES
1,702,830	07/28/92	DUKE UNIVERSITY
1,713,473	09/08/92	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
2,026,492	12/31/96	D[U]KE with Stylized “U”
2,082,553	07/22/97	D[U]KE with Stylized “U”
2,092,314	08/26/97	D[U]KE with Stylized “U”
2,122,067	12/16/97	D[U]KE with Stylized “U”
2,203,764	11/17/98	DUKE CENTER FOR LIVING

2,317,603	02/15/00	DUKE
2,415,817	12/26/00	DUKECARD
3,157,222	10/17/06	DUKIE
3,780,204	04/27/10	DUKEENGAGE
3,878,213	11/16/10	DUKE and Design
3,936,096	03/29/11	DUKE
3,995,015	07/12/11	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D
4,108,223	03/06/12	IRON DUKES

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

8. The mark DUKE has become famous, and is associated with Opposer.

9. Opposer has established standards for the licensing of its DUKE Marks to ensure that products and services bearing Opposer's DUKE Marks protect the integrity and reputation of the institution, maintain and build upon the goodwill of the institution, and promote support for and increase awareness of the institution, its mission and goals. Consistent with its policies and in order to prevent tarnishment of its brand, Opposer does not permit the use of DUKE Marks for products that in its opinion are harmful to the mission or image of Duke University. Opposer requires, for example, that clothing items be manufactured in facilities that adhere to standards intended to ensure that employees are fairly treated and paid a living wage.

10. Applicant seeks to register a mark that incorporates terms that are substantially similar or identical to the terms contained in Opposer's DUKE Marks, for goods that are identical to goods and services with which Opposer's DUKE Marks are used.

11. In view of the similarity of Opposer's prior-used and not abandoned DUKE Marks to Applicant's mark, the similarities between the use made by Opposer and its licensees of the DUKE Marks and the use of Applicant's mark by Applicant as identified in Applicant's application and shown through Applicant's use and actual and potential channels of commerce, it is alleged that Applicant's mark as currently applied for, identified and described, so resembles Opposer's marks as to be likely to cause confusion, to cause mistake, and to deceive.

12. Moreover, registration and/or use of Applicant's mark as sought in Applicant's application is likely to interfere with Opposer's use and exploitation of Opposer's DUKE Marks, to falsely suggest a connection with Opposer, and to diminish, dilute, and tarnish Opposer's rights in said DUKE marks and the distinctive quality thereof and the goodwill associated therewith which presently inures to the benefit of Opposer.

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

This 28th day of September, 2012

OLIVE & OLIVE, P.A.
Attorneys for Opposer
/ Susan Freya Olive
Susan Freya Olive
P. O. Box 2049
Durham, North Carolina 27702
Telephone: (919) 683-5514
Email: emailboxTTAB@oliveandolive.com

cc: Duke University

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Notice of Opposition filed herein, together with any and all attachments thereto, has been served upon Applicant by depositing a copy of the same in the United States mail, first class postage prepaid, addressed to Applicant at the address of record, to wit:

Eric Sather
3532 Cazador Ln
Fallbrook, CA 92028

This 28th day of September, 2012

(Susan Freya Olive)

Susan Freya Olive
Olive & Olive, P.A.
Attorneys for Opposer

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

cc: Duke University

Duke University's Notice of Opposition

Exhibit 1:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:05:42 EST

Mark: IRON DUKES ID



US Serial Number: 73002136

Application Filing Date: Sep. 27, 1973

US Registration Number: 1003662

Registration Date: Jan. 28, 1975

Register: Principal

Mark Type: Collective Membership Mark

Status: The registration has been renewed.

Status Date: Mar. 15, 2005

Mark Information

Mark Literal Elements: IRON DUKES ID

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

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

International Class: No International Class Entered
U.S Class: 200 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 01, 1971
Use in Commerce: Jul. 01, 1971

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: DUKE UNIVERSITY
Owner Address: DURHAM, NORTH CAROLINA 27706
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record
Attorney Name: SUSAN FREYA OLIVE
Correspondent
Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE
500 MEMORIAL ST
P O BOX 2049
DURHAM, NORTH CAROLINA 27702
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 15, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 27, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 27, 2005	PAPER RECEIVED	
Mar. 09, 1995	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 12, 1995	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 20, 1994	POST REGISTRATION ACTION MAILED - SEC. 9	
Sep. 30, 1994	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Aug. 04, 1980	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 28, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 15, 2005

Duke University's Notice of Opposition

Exhibit 2:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:05:04 EST

Mark: DUKE UNIVERSITY



US Serial Number: 74208935

Application Filing Date: Oct. 01, 1991

US Registration Number: 1701827

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

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

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: pillows
International Class: 020 - Primary Class **U.S Class:** 032
Class Status: ACTIVE
Basis: 1(a)
First Use: 1925 **Use in Commerce:** 1965

For: cups
International Class: 021 - Primary Class **U.S Class:** 002, 030
Class Status: ACTIVE
Basis: 1(a)
First Use: 1965 **Use in Commerce:** 1965

For: shirts
International Class: 025 - Primary Class **U.S Class:** 039
Class Status: ACTIVE
Basis: 1(a)
First Use: 1925 **Use in Commerce:** 1965

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: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0412

Correspondent

Correspondent Name/Address: Susan Freya Olive
Olive & Olive, P.A.
500 Memorial Street
Durham, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 2008	CASE FILE IN TICRS	
Oct. 11, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 11, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	

Jul. 18, 2002 PAPER RECEIVED
Oct. 08, 1998 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15
ACK.
Jul. 21, 1998 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED
Jul. 21, 1992 REGISTERED-PRINCIPAL REGISTER
Apr. 28, 1992 PUBLISHED FOR OPPOSITION
Mar. 27, 1992 NOTICE OF PUBLICATION
Dec. 10, 1991 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 09, 1991 ASSIGNED TO EXAMINER 67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 3:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:04:21 EST

Mark: DUKE UNIVERSITY STORES

US Serial Number: 74208327 **Application Filing Date:** Sep. 30, 1991
US Registration Number: 1702350 **Registration Date:** Jul. 21, 1992
Register: Principal
Mark Type: Service Mark
Status: The registration has been renewed.
Status Date: Jun. 26, 2012
Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY STORES
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "STORES"

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

International Class: 042 - Primary Class **U.S Class:** 101
Class Status: ACTIVE
Basis: 1(a)
First Use: 1940 **Use in Commerce:** 1940

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: Duke University
Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0410

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e- emailboxtm@oliveandolive.com **Correspondent e-** Yes

mail:

mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 31, 2008	CASE FILE IN TICRS	
Jul. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Oct. 07, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 4:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:03:37 EST

Mark: DUKE UNIVERSITY



US Serial Number: 74208934

Application Filing Date: Oct. 01, 1991

US Registration Number: 1702830

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 02, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

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

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: key rings made primarily of metal and metal license plates

International Class: 006 - Primary Class

U.S Class: 013, 025

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags

International Class: 016 - Primary Class

U.S Class: 002, 037, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: trunks for traveling, travel bags, and toiletry cases sold empty

International Class: 018 - Primary Class

U.S Class: 002, 003

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: tablecloths not of paper, blankets, and cloth flags

International Class: 024 - Primary Class

U.S Class: 032, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

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: Duke University

Owner Address: 310 Blackwell Street
4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0408

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 02, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
May 02, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132
May 02, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	

Feb. 08, 2008	CASE FILE IN TICRS	
Oct. 17, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 17, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 25, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 25, 2002	PAPER RECEIVED	
Oct. 09, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 02, 2012

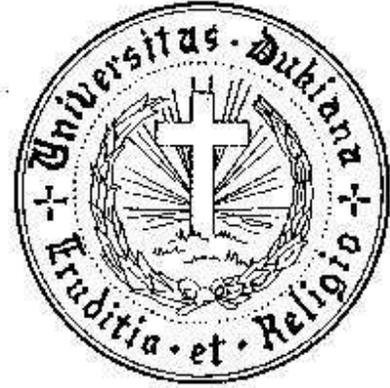
Duke University's Notice of Opposition

Exhibit 5:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:02:56 EST

Mark: UNIVERSITAS DUKIANA ERUDITIO
ET RELIGIO



US Serial Number:	74208924	Application Filing Date:	Oct. 01, 1991
US Registration Number:	1713473	Registration Date:	Sep. 08, 1992
Register:	Principal		
Mark Type:	Trademark, Service Mark		
Status:	The registration has been renewed.		
Status Date:	Mar. 15, 2012		
Publication Date:	May 12, 1992		

Mark Information

Mark Literal Elements:	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
Standard Character Claim:	No
Mark Drawing Type:	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed:	Color is not claimed as a feature of the mark.
Disclaimer:	"UNIVERSITY"
Translation:	The English translation of the words "UNIVERSITAS DUKIANA" and "ERUDITO ET RELIGIO" in the mark is "Duke University" and "education and religion" respectively.
Design Search	05.15.02 - Laurel leaves or branches (borders or frames);Wreaths 24.05.01 - Circular or elliptical seals;Seals, circular or elliptical

Code(s): 24.13.01 - Cross, Latin (shorter horizontal lines);Latin cross (shorter horizontal lines)

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: jewelry; namely, class rings

International Class: 014 - Primary Class

U.S Class: 028

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: educational services; namely, providing courses of study at the undergraduate and graduate level

International Class: 041 - Primary Class

U.S Class: 107

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

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: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU2101

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 15, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67603
Mar. 15, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Mar. 12, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2008	CASE FILE IN TICRS	
Jul. 07, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 07, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	

Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Jun. 27, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 26, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 29, 1997	POST REGISTRATION ACTION MAILED - SEC. 15	
Dec. 02, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
May 12, 1992	PUBLISHED FOR OPPOSITION	
Apr. 10, 1992	NOTICE OF PUBLICATION	
Jan. 08, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Sep. 08, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Mar. 15, 2012

Duke University's Notice of Opposition

Exhibit 6:

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

Generated on: This page was generated by TSDR on 2012-09-10 13:01:13 EST

Mark: DKE



US Serial Number: 74693793

Application Filing Date: Jun. 27, 1995

US Registration Number: 2026492

Registration Date: Dec. 31, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 26, 2007

Publication Date: Oct. 08, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.02 - Humans forming punctuation;Humans forming letters or numerals

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: clothing, namely, T-shirts

International Class: 025 - Primary Class **U.S Class:** 022, 039
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 17, 1995 **Use in Commerce:** Feb. 17, 1995

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: Duke University
Post Office Box 3024
Owner Address: Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0416

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 MEMORIAL ST
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 26, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 26, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 16, 2007	ASSIGNED TO PARALEGAL	68502
Dec. 19, 2006	TEAS SECTION 8 & 9 RECEIVED	
Sep. 14, 2006	CASE FILE IN TICRS	
Dec. 23, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 29, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 29, 2002	PAPER RECEIVED	
Dec. 31, 1996	REGISTERED-PRINCIPAL REGISTER	
Oct. 08, 1996	PUBLISHED FOR OPPOSITION	
Sep. 06, 1996	NOTICE OF PUBLICATION	
Jul. 22, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 30, 1995	NON-FINAL ACTION MAILED	
Nov. 21, 1995	ASSIGNED TO EXAMINER	68788

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 31, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 26, 2007

Duke University's Notice of Opposition

Exhibit 7

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

Generated on: This page was generated by TSDR on 2012-09-10 13:00:34 EST

Mark: DKE



US Serial Number: 75976141

Application Filing Date: Jun. 28, 1995

US Registration Number: 2082553

Registration Date: Jul. 22, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 11, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

Related Properties Information

Claimed Ownership of US Registrations: [74694684](#)

Child Of: [74694684](#)

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: balloons

International Class: 028 - Primary Class **U.S Class:** 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 12, 1996 **Use in Commerce:** Nov. 12, 1996

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: Duke University

Post Office Box 3024

Owner Address: Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0427

Correspondent

Susan Freya Olive

Correspondent Name/Address: OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 11, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jun. 11, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	68502
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Jul. 22, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	

May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Jul. 22, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 11, 2007

Duke University's Notice of Opposition

Exhibit 8

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

Generated on: This page was generated by TSDR on 2012-09-10 12:59:51 EST

Mark: D KE



US Serial Number:	75976140	Application Filing Date:	Jun. 28, 1995
US Registration Number:	2092314	Registration Date:	Aug. 26, 1997
Register:	Principal		
Mark Type:	Trademark		
Status:	The registration has been renewed.		
Status Date:	Oct. 31, 2007		
Publication Date:	Jun. 25, 1996	Notice of Allowance Date:	Sep. 17, 1996

Mark Information

Mark Literal Elements:	D KE
Standard Character Claim:	No
Mark Drawing Type:	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Design Search Code(s):	02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards 27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: [74694684](#)

Child Of: [74694684](#)

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: pennants not of paper

International Class: 024 - Primary Class **U.S Class:** 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1996 **Use in Commerce:** Nov. 22, 1996

Basis Information (Case Level)

Filed Use:	No	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	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: Duke University

Owner Address: POST OFFICE BOX 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0426

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 10, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 31, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Oct. 31, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 31, 2007	ASSIGNED TO PARALEGAL	75461
May 31, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 31, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Aug. 26, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 17, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	

Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 26, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Oct. 31, 2007

Duke University's Notice of Opposition

Exhibit 9

TSDR website printout of Reg. No. 2,122,067

D[U]KE with Stylized "U"

Generated on: This page was generated by TSDR on 2012-09-10 12:59:04 EST

Mark: DKE



US Serial Number:	74694684	Application Filing Date:	Jun. 28, 1995
US Registration Number:	2122067	Registration Date:	Dec. 16, 1997
Register:	Principal		
Mark Type:	Trademark		
Status:	The registration has been renewed.		
Status Date:	Jun. 23, 2007		
Publication Date:	Jun. 25, 1996	Notice of Allowance Date:	Sep. 17, 1996

Mark Information

Mark Literal Elements:	DKE
Standard Character Claim:	No
Mark Drawing Type:	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Design Search Code(s):	02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards 27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations:	2026492,2082553,2092314,75976140,75976141
Parent Of:	75976140,75976141

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: decals, stickers, stationery, and note pads

International Class: 016 - Primary Class **U.S Class:** 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 05, 1996 **Use in Commerce:** Nov. 05, 1996

For: drinking glasses, cups, and mugs

International Class: 021 - Primary Class **U.S Class:** 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 06, 1996 **Use in Commerce:** Nov. 06, 1996

Basis Information (Case Level)

Filed Use:	No	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	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: Duke University

Owner Address: Durham, NORTH CAROLINA 27706
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE

Docket Number: DUKU0417

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 Memorial Street
P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 23, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jun. 23, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	73376
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 26, 2007	CASE FILE IN TICRS	
Sep. 27, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 14, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 14, 2003	PAPER RECEIVED	

Dec. 16, 1997	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 12, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 16, 1997	USE AMENDMENT FILED	
May 22, 1997	EXTENSION 1 GRANTED	
Mar. 17, 1997	EXTENSION 1 FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Dec. 16, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 23, 2007

Duke University's Notice of Opposition

Exhibit 10

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

Generated on: This page was generated by TSDR on 2012-09-10 12:58:29 EST

Mark: DUKE CENTER FOR LIVING

US Serial Number: 75321843 **Application Filing Date:** Jul. 01, 1997

US Registration Number: 2203764 **Registration Date:** Nov. 17, 1998

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: May 24, 2008

Publication Date: Aug. 25, 1998

Mark Information

Mark Literal Elements: DUKE CENTER FOR LIVING

Standard Character Claim: No

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

Disclaimer: "CENTER"

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

International 041 - Primary Class

U.S Class: 100, 101, 107

Class:
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 1991 **Use in Commerce:** Aug. 1991

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

International Class: 042 - Primary Class **U.S Class:** 100, 101

Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 1991 **Use in Commerce:** Aug. 1991

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: Duke University
PO BOX 3024
Owner Address: Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0429

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
500 MEMORIAL ST.
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 24, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
May 24, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 21, 2008	ASSIGNED TO PARALEGAL	73376
May 09, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 27, 2007	CASE FILE IN TICRS	
Jun. 07, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 29, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 17, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 1998	PUBLISHED FOR OPPOSITION	
Jul. 24, 1998	NOTICE OF PUBLICATION	
Jun. 04, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 01, 1998	NON-FINAL ACTION MAILED	
Mar. 13, 1998	ASSIGNED TO EXAMINER	74301

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 17, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: May 24, 2008

Duke University's Notice of Opposition

Exhibit 11:

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

DUKE

Generated on: This page was generated by TSDR on 2012-09-10 12:57:01 EST

Mark: DUKE

DUKE

US Serial Number: 75347293

Application Filing Date: Aug. 26, 1997

US Registration Number: 2317603

Registration Date: Feb. 15, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Aug. 12, 2009

Publication Date: Nov. 23, 1999

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US Registrations: [2203764](#)

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

International Class: 041 - Primary Class **U.S Class:** 100, 101, 107
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 1935 **Use in Commerce:** Jan. 1935

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

International Class: 042 - Primary Class **U.S Class:** 100, 101
Class Status: ACTIVE
Basis: 1(a)
First Use: Jan. 1935 **Use in Commerce:** Jan. 1935

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: Duke University
4th Floor

Owner Address: 310 Blackwell Street
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE **Docket Number:** DUKU0428

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 Memorial Street, P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514 **Fax:** 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2009	CASE FILE IN TICRS	96529
Aug. 12, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Aug. 12, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 10, 2009	ASSIGNED TO PARALEGAL	77315
Aug. 06, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70853
Dec. 03, 2005	ASSIGNED TO PARALEGAL	70853
Aug. 10, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 10, 2005	TEAS SECTION 8 & 15 RECEIVED	

Feb. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
Nov. 23, 1999	PUBLISHED FOR OPPOSITION	
Oct. 22, 1999	NOTICE OF PUBLICATION	
Aug. 02, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 1999	EXAMINER'S AMENDMENT MAILED	
Jan. 21, 1999	NON-FINAL ACTION MAILED	
Nov. 16, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 11, 1998	NON-FINAL ACTION MAILED	
May 08, 1998	ASSIGNED TO EXAMINER	74301
May 07, 1998	ASSIGNED TO EXAMINER	73699

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Feb. 15, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102 **Date in Location:** Sep. 14, 2009

Duke University's Notice of Opposition

Exhibit 12

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

Generated on: This page was generated by TSDR on 2012-09-10 12:56:20 EST

Mark: DUKECARD

DUKECARD

US Serial Number: 75892149

Application Filing Date: Jan. 07, 2000

US Registration Number: 2415817

Registration Date: Dec. 26, 2000

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Nov. 03, 2010

Publication Date: Oct. 03, 2000

Mark Information

Mark Literal Elements: DUKECARD

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(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: magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events

International Class: 009 - Primary Class **U.S Class:** 021, 023, 026, 036, 038
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 1985 **Use in Commerce:** Aug. 1985

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

International Class: 036 - Primary Class **U.S Class:** 100, 101, 102
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 1985 **Use in Commerce:** Aug. 1985

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: Duke University
Owner Address: Office of University Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES
Legal Entity Type: NON-PROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0435

Correspondent

Correspondent Name/Address: Susan Freya Olive
Olive & Olive, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 03, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Nov. 03, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 01, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 06, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 06, 2007	ASSIGNED TO PARALEGAL	76533
Oct. 30, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 30, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jul. 19, 2006	CASE FILE IN TICRS	
Dec. 26, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2000	PUBLISHED FOR OPPOSITION	
Sep. 01, 2000	NOTICE OF PUBLICATION	
Jul. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	76145
Jun. 22, 2000	ASSIGNED TO EXAMINER	77770

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 26, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Nov. 03, 2010

Duke University's Notice of Opposition

Exhibit 13

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

DUKIE

Generated on: This page was generated by TSDR on 2012-09-10 12:55:41 EST

Mark: DUKIE

DUKIE

US Serial Number: 78674480

Application Filing Date: Jul. 20, 2005

US Registration Number: 3157222

Registration Date: Oct. 17, 2006

Register: Principal

Mark Type: Trademark

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

Status Date: Apr. 30, 2012

Publication Date: Jul. 25, 2006

Mark Information

Mark Literal Elements: DUKIE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1701827,2026492](#), and others

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

International Class: 025 - Primary Class **U.S Class:** 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 17, 2002 **Use in Commerce:** Jul. 17, 2002

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: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0439

Correspondent

**Correspondent
Name/Address:**

Susan Freya Olive
OLIVE & OLIVE, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2006	PUBLISHED FOR OPPOSITION	
Jul. 05, 2006	NOTICE OF PUBLICATION	
Jun. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
May 31, 2006	ASSIGNED TO LIE	77975
May 31, 2006	ASSIGNED TO LIE	74189
May 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 27, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137

Feb. 08, 2006 ASSIGNED TO EXAMINER

76137

Jul. 26, 2005 NEW APPLICATION ENTERED IN TRAM

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Apr. 30, 2012

Duke University's Notice of Opposition

Exhibit 14:

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

Generated on: This page was generated by TSDR on 2012-09-10 12:54:54 EST

Mark: DUKEENGAGE

DUKEENGAGE

US Serial Number: 77700792

Application Filing Date: Mar. 27, 2009

US Registration Number: 3780204

Registration Date: Apr. 27, 2010

Register: Principal

Mark Type: Service Mark

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

Status Date: Apr. 27, 2010

Publication Date: Feb. 09, 2010

Mark Information

Mark Literal Elements: DUKEENGAGE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [2203764,2317603,2415817](#),and others

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

International Class: 035 - Primary Class **U.S Class:** 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007 **Use in Commerce:** Feb. 01, 2007

For: charitable fundraising services

International Class: 036 - Primary Class **U.S Class:** 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007 **Use in Commerce:** Feb. 01, 2007

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

International Class: 041 - Primary Class **U.S Class:** 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007 **Use in Commerce:** Feb. 01, 2007

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

International Class: 042 - Primary Class **U.S Class:** 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

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: Duke University
310 Blackwell Street
4th floor
Owner Address: Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0457

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514 **Fax:** 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 09, 2010	PUBLISHED FOR OPPOSITION	
Jan. 07, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 07, 2010	ASSIGNED TO LIE	74221
Dec. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 17, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION WRITTEN	81097
Jun. 17, 2009	ASSIGNED TO EXAMINER	81097
Apr. 01, 2009	NOTICE OF PSEUDO MARK MAILED	
Mar. 31, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 31, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Apr. 27, 2010

Duke University's Notice of Opposition

Exhibit 15:

TSDR website printout of Reg. No. 3,878,213

DUKE

Generated on: This page was generated by TSDR on 2012-09-10 12:54:08 EST

Mark: DUKE



US Serial Number: 78944344

Application Filing Date: Aug. 03, 2006

US Registration Number: 3878213

Registration Date: Nov. 16, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 16, 2010

Publication Date: Oct. 20, 2009

Notice of Allowance Date: Apr. 20, 2010

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)

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

Design Search Code(s): 04.01.05 - Heads with horns (persons);Heads of devils or horned personages, with or without wings

Related Properties Information

Claimed Ownership of US Registrations: [1703446](#),[1737968](#),[1742734](#),and others

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: Decals, note pads, note cards, writing paper, and binders

International Class: 016 - Primary Class **U.S Class:** 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2010 **Use in Commerce:** Feb. 01, 2010

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: Duke University
310 Blackwell Street, 4th Floor

Owner Address: Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0444

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 17, 2010	CERTIFICATE OF CORRECTION ISSUED	76293
Dec. 17, 2010	ASSIGNED TO PARALEGAL	76293
Nov. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 13, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Oct. 13, 2010	ASSIGNED TO LIE	70884
Sep. 30, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 28, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 30, 2010	USE AMENDMENT FILED	76874
Sep. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Aug. 30, 2010	TEAS STATEMENT OF USE RECEIVED	
Apr. 20, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Nov. 18, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 20, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2009	PUBLISHED FOR OPPOSITION	
Sep. 16, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Sep. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	

Aug. 26, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jul. 24, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jan. 23, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jul. 23, 2007	NOTIFICATION OF LETTER OF SUSPENSION E- MAILED	6332
Jul. 23, 2007	LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	SUSPENSION LETTER WRITTEN	76635
Jun. 30, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

**Change in
Registration:** Yes

**Correction made to
Registration:** The drawing is corrected to appear as follows: Publish cut

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 17, 2011

Duke University's Notice of Opposition

Exhibit 16:

TSDR website printout of Reg. No. 3,936,096

DUKE

Generated on: This page was generated by TSDR on 2012-09-10 12:53:20 EST

Mark: DUKE

US Serial Number: 75567914

Application Filing Date: Oct. 08, 1998

US Registration Number: 3936096

Registration Date: Mar. 29, 2011

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 29, 2011

Publication Date: Jul. 07, 2009

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US Registrations: [1702830,1707827,2026492](#)

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.

clothing for men, women and children, namely, cloth and plastic bibs, booties,

For: cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands

International Class: 025 - Primary Class **U.S Class:** 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1926 **Use in Commerce:** 1926

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: Duke University
Office of Counsel
Owner Address: Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE **Docket Number:** DUKU0433SOBV

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 MEMORIAL STREET

Name/Address: POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	193267
Feb. 18, 2011	OPPOSITION TERMINATED NO. 999999	193267
Feb. 18, 2011	OPPOSITION DISMISSED NO. 999999	193267
Jan. 05, 2010	OPPOSITION INSTITUTED NO. 999999	193267
Jul. 27, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
Jun. 04, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 03, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 02, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 02, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2008	FINAL REFUSAL MAILED	
Dec. 08, 2008	FINAL REFUSAL WRITTEN	76145
Nov. 17, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
May 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 14, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Nov. 13, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 09, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Apr. 26, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Apr. 26, 2007	ASSIGNED TO LIE	68171

Oct. 10, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Apr. 05, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78145
Oct. 04, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 29, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
Sep. 20, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 12, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70138
May 29, 2003	CASE FILE IN TICRS	
Apr. 26, 2000	LETTER OF SUSPENSION MAILED	
Apr. 25, 2000	ASSIGNED TO EXAMINER	76145
Dec. 27, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 21, 1999	NON-FINAL ACTION MAILED	
Jun. 04, 1999	ASSIGNED TO EXAMINER	74301
May 14, 1999	ASSIGNED TO EXAMINER	69817
May 11, 1999	ASSIGNED TO EXAMINER	74301
May 06, 1999	ASSIGNED TO EXAMINER	73712

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Mar. 29, 2011

Duke University's Notice of Opposition

Exhibit 17:

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

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



Generated on: This page was generated by TSDR on 2012-09-10 12:52:30 EST

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



US Serial Number:	85049335	Application Filing Date:	May 27, 2010
US Registration Number:	3995015	Registration Date:	Jul. 12, 2011
Register:	Principal		
Mark Type:	Trademark, Service Mark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jul. 12, 2011		
Publication Date:	Nov. 16, 2010	Notice of Allowance Date:	Jan. 11, 2011

Mark Information

Mark Literal Elements:	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D
Standard Character Claim:	No
Mark Drawing Type:	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark:	The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT"

stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.

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

Disclaimer: "UNIVERSITY", "ATHLETICS", "EXCELLENCE", "LOYALTY", "DIVERSITY", "EDUCATION", "ACCOUNTABILITY", "SPORTSMANSHIP", "COMMITMENT", "INTEGRITY" AND "RESPECT"

Design Search Code(s): 24.07.04 - Medals
24.09.07 - Advertising, banners;Banners
26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges
26.01.17 - Circles, two concentric;Concentric circles, two;Two concentric circles

Related Properties Information

Claimed Ownership of US Registrations: [2203764](#), [2317603](#), [2415817](#), and others

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: Clothing, namely, shirts

International Class: 025 - Primary Class **U.S Class:** 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 11, 2006 **Use in Commerce:** Sep. 11, 2006

For: Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

International Class: 041 - Primary Class **U.S Class:** 100, 101, 107
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 11, 2006 **Use in Commerce:** Sep. 11, 2006

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	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: Duke University
310 Blackwell Street, 4th Floor
Office of Counsel
Owner Address: Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0455

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514 **Fax:** 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 13, 2011	REPRINTING REGISTRATION CERTIFICATE	
Sep. 13, 2011	CERTIFICATE OF CORRECTION ISSUED	70132
Aug. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Aug. 25, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
May 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
May 19, 2011	USE AMENDMENT FILED	61813
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
May 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 11, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Oct. 08, 2010	ASSIGNED TO LIE	69712
Sep. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT -WRITTEN	73363

Sep. 14, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION WRITTEN	73363
Sep. 09, 2010	ASSIGNED TO EXAMINER	73363
Jun. 02, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2010	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Correction made to Registration:

In the statement of goods , class 41Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs should be inserted. First use dates anywhere and in commerce 9-11-2006 should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Oct. 28, 2011

Duke University's Notice of Opposition

Exhibit 18:

TSDR website printout of Reg. No. 4,108,223
IRON DUKES

Generated on: This page was generated by TSDR on 2012-09-10 12:49:42 EST

Mark: IRON DUKES

IRON DUKES

US Serial Number: 85356737

Application Filing Date: Jun. 27, 2011

US Registration Number: 4108223

Registration Date: Mar. 06, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 06, 2012

Publication Date: Dec. 20, 2011

Mark Information

Mark Literal Elements: IRON DUKES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1003662](#)

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: Decals

International Class: 016 - Primary Class

U.S Class: 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Drinking vessels

International Class: 021 - Primary Class

U.S Class: 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Blankets for outdoor use

International Class: 024 - Primary Class

U.S Class: 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Shirts and hats for non-industrial uses

International Class: 025 - Primary Class

U.S Class: 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Golf balls

International Class: 028 - Primary Class

U.S Class: 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

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: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0492

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 06, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 20, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 20, 2011	PUBLISHED FOR OPPOSITION	
Nov. 30, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 16, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Nov. 09, 2011	ASSIGNED TO LIE	70633
Oct. 19, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 19, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT -WRITTEN	82436
Oct. 12, 2011	ASSIGNED TO EXAMINER	82436
Jul. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 30, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Mar. 06, 2012

Duke University's Notice of Opposition

Exhibit 19:

TSDR website printout of Reg. No. 4,172,132
DUKE with Devil Head Design

Generated on: This page was generated by TSDR on 2012-09-10 12:51:44 EST

Mark: DUKE



US Serial Number: 78944306

Application Filing Date: Aug. 03, 2006

US Registration Number: 4172132

Registration Date: Jul. 10, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 10, 2012

Publication Date: Feb. 21, 2012

Notice of Allowance Date: Apr. 17, 2012

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".

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

Design Search Code(s): 04.01.05 - Heads with horns (persons);Heads of devils or horned personages, with or without wings

Related Properties Information

Claimed Ownership of US Registrations: [1703446](#),[1737968](#),[1742734](#),and others

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: Clothing for men and women, namely, tops and sweatshirts

International Class: 025 - Primary Class **U.S Class:** 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2009 **Use in Commerce:** Oct. 2009

Basis Information (Case Level)

Filed Use:	No	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	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: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0445

Correspondent

Correspondent Name/Address:
SUSAN FREYA OLIVE
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PO BOX 2049
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UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Jun. 06, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2012	STATEMENT OF USE PROCESSING COMPLETE	76538
May 09, 2012	USE AMENDMENT FILED	76538
Jun. 01, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
May 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Apr. 17, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 21, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 21, 2012	PUBLISHED FOR OPPOSITION	
Feb. 01, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 19, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 19, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 19, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-	6328

MAILED

Jan. 19, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 19, 2012	EXAMINERS AMENDMENT -WRITTEN	76635
Dec. 27, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	74221
Jun. 24, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Dec. 23, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Dec. 03, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 03, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 03, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 29, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Sep. 29, 2010	ASSIGNED TO LIE	74221
Mar. 26, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 16, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Sep. 15, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 26, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jul. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jun. 30, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	

Aug. 08, 2006 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE
SECTION **Date in Location:** Jun. 06, 2012