

ESTTA Tracking number: **ESTTA522511**

Filing date: **02/20/2013**

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 parties oppose registration of the indicated application.

Opposers Information

Name	Toyota Motor Sales, U.S.A., Inc.
Granted to Date of previous extension	02/20/2013
Address	19001 South Western Avenue Torrance, CA 90501 UNITED STATES

Name	Toyota Jidosha Kabushiki Kaisha, t/a Toy
Granted to Date of previous extension	02/20/2013
Address	1, Toyota-cho, Toyota-shi Aichi-ken, 471-8571 JAPAN
Party who filed Extension of time to oppose	Toyota Motor Corporation Toyota Motor Corporation
Relationship to party who filed Extension of time to oppose	Toyota Jidosha Kabushiki Kaisha, t/a Toyota Motor Corporation - Toyota Jidosha Kabushiki Kaisha is an alternative name for Toyota Motor Corporation. Both names identify a single entity

Attorney information	Roberta S. Bren OBLON SPIVAK MCCLELLAND ET AL 1940 DUKE STREET ALEXANDRIA, VA 22314 UNITED STATES tmdocket@oblon.com, rbren@oblon.com, kimai@oblon.com, ndyson@oblon.com, clisenby@oblon.com
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Applicant Information

Application No	85602281	Publication date	10/23/2012
Opposition Filing Date	02/20/2013	Opposition Period Ends	02/20/2013
Applicant	Scion Technologies, LLC 6110 Commerce Court Mason, OH 45040 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2012/02/00 First Use In Commerce: 2012/02/00
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All goods and services in the class are opposed, namely: Advertising, marketing, and promoting the goods and services of others via text messaging, SMS messaging, multimedia messaging, interactive voice response technology and mobile interactive media

Grounds for Opposition

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

U.S. Registration No.	2795479	Application Date	08/02/2001
Registration Date	12/16/2003	Foreign Priority Date	NONE
Word Mark	SCION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2003/06/09 First Use In Commerce: 2003/06/09 MOTOR CARS AND STRUCTURAL PARTS THEREOF		

U.S. Registration No.	2787231	Application Date	02/11/2002
Registration Date	11/25/2003	Foreign Priority Date	NONE
Word Mark	SCION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2003/06/09 First Use In Commerce: 2003/06/09 Motor cars		

U.S. Application	85680292	Application Date	07/18/2012
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SR SCION RACING		
Design Mark			
Description of Mark	The mark consists of the stylized letters "S", "R" and the word "SCIONRACING" with "RACING" in bold letters.		
Goods/Services	Class 025. First use: First Use: 2009/01/31 First Use In Commerce: 2009/01/31 Clothing, namely, shirts; headwear, namely, hats Class 041. First use: First Use: 2009/01/31 First Use In Commerce: 2009/01/31 Entertainment services, namely, participation in automobile racing events; providing a website with news and information relating to the sport of automobile racing; entertainment services, namely, providing a website featuring photographic and video presentations featuring automobile racing		

U.S. Application No.	85789527	Application Date	11/28/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SCION PARTNERS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2010/06/30 First Use In Commerce: 2010/06/30 Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting the goods and services of others through the distribution of discount cards		

U.S. Application No.	85789483	Application Date	11/28/2012
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	SCION AUDIO VISUAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 Downloadable music and magazines via the internet and wireless devices Class 041. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 Entertainment services, namely, providing a website featuring non-downloadable musical performances, musical videos, related film clips, photographs, other multimedia materials, magazines, and blogs in the fields of art, music, films, lifestyle events, and music and dance performances, providing a website featuring blogs and non-downloadable publications in the nature of art, music, films, lifestyle events, and music and dance performances		

Attachments	76293830#TMSN.gif (1 page)(bytes) 76369572#TMSN.gif (1 page)(bytes) 85680292#TMSN.jpeg (1 page)(bytes) 85789527#TMSN.jpeg (1 page)(bytes) 85789483#TMSN.jpeg (1 page)(bytes) 85602281-Notice of Opposition.pdf (36 pages)(947247 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	/roberta s. bren/cli/
Name	Roberta S. Bren
Date	02/20/2013

The grounds of Opposition are as follows:

1. Prior to Applicant's filing date, Opposers engaged, and are now engaged, in the manufacture, distribution, sale, advertising, and promotion in interstate commerce of automobiles.

2. Prior to Applicant's claimed date of first use, Opposers used, and are now using Opposers' SCION mark(s) (hereinafter sometimes referred to as "Opposers' Mark(s)") in connection with automobiles distributed and sold by TMS in commerce.

3. Opposer TMC is the owner of, and Opposers will rely herein upon, the following federal trademark registrations under Trademark Rule 2.122(d)(1):

MARK REG. NO. / SERIAL. NO.	GOODS / SERVICES	ISSUED / FILED
SCION 2,795,479	(Int'l Class: 12) Motor cars and structural parts thereof First Use: June 9, 2003	December 16, 2003
 Reg. No. 2,787,231	(Int'l Class: 12) Motor cars First Use: June 9, 2003	November 25, 2003
 Ser. No. 85-680292 Disclaimer: "RACING"	(Int'l Class: 25) Clothing, namely, shirts; headwear, namely, hats. First Use: Jan. 31, 2009 (Int'l Class: 41) Entertainment services, namely, participation in automobile racing events; providing a website with news and information relating to the sport of automobile racing; entertainment services, namely, providing a website featuring photographic and video presentations featuring automobile racing First Use: January 31, 2009	July 18, 2012 Published: December 25, 2012
SCION PARTNERS Ser. No. 85-789527	(Int'l Class: 35) Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Promoting the goods and services of others through the distribution of discount cards. First Use: June 30, 2010	November 28, 2012

MARK REG. NO. / SERIAL. NO.	GOODS / SERVICES	ISSUED / FILED
SCION AUDIO VISUAL Ser. No. 85-789483	(Int'l Class: 9) Downloadable music and magazines via the internet and wireless devices. First Use: March 31, 2005 (Int'l Class: 41) Entertainment services, namely, providing a website featuring non-downloadable musical performances, musical videos, related film clips, photographs, other multimedia materials, magazines, and blogs in the fields of art, music, films, lifestyle events, and music and dance performances, providing a website featuring blogs and non-downloadable publications in the nature of art, music, films, lifestyle events, and music and dance performances. First Use: March 31, 2005	November 28, 2012

Printed information from the electronic database(s) of the USPTO showing the current status and title of these registrations and applications are attached as Exhibits A-E.

4. Registrations No. 2,795,479 and No. 2,787,231 are incontestable pursuant to 15 U.S.C. § 1065 and constitutes conclusive evidence of TMC's ownership of the marks therein, of the validity of the marks therein, and of TMC's exclusive right to use the marks in commerce in connection with the goods identified in the registrations.

5. In addition to the goods and/or services specified in the above-identified registrations, Opposers also has used Opposers' Marks for the goods and services identified in the pending applications identified above. Opposers will rely herein upon their common law rights in the SCION mark.

6. Opposer also uses SCION AV to promote Opposers' and third party partner's goods and services.

7. Opposers' SCION mark is widely publicized through commercials, music and other media, including on the internet.

8. Opposer TMS is a wholly-owned subsidiary of TMC and is the exclusive importer and distributor of SCION automobiles throughout the United States, excluding the State of Hawaii.

9. Opposers are related companies within the meaning of 15 U.S.C. § 1055, and all use of Opposers' Marks by TMS inures to the benefit of TMC.

10. Since its introduction to the United States, over 850,000 SCION automobiles have been sold in the United States.

11. Opposers' SCION automobiles have received accolades, awards and significant media attention.

12. Opposers have made investments in advertising and promoting the SCION automobiles, including via Twitter, online videos, and the Scion.com website.

13. Opposers have used, advertised, promoted and offered Opposers' goods and services under the SCION marks to the public with the result that Opposers' customers and the public in general have come to know and recognize Opposers' Marks and associate same with Opposers and/or goods and services sold by Opposers. Opposers have established goodwill in connection with the sales of products and/or services under its marks. Furthermore, as a result of Opposers' advertisement, promotion and sales, Opposers' Marks have become well-known.

14. Upon information and belief, on April 19, 2012, Applicant filed an application for registration of the alleged SCION TECHNOLOGIES mark for "advertising, marketing, and promoting the goods and services of others via text messaging, SMS messaging, multimedia messaging, interactive voice response technology and mobile interactive media." Said application was assigned Serial No. 85/602,281, and was published for Opposition in the Official Gazette of October 23, 2012.

15. Applicant's SCION TECHNOLOGIES mark is a simulation and colorable imitation of, and so resembles Opposers' aforesaid SCION marks as to be likely, when applied to the services of Applicant, to cause confusion or mistake or to deceive the relevant consuming public resulting in damage and detriment to Opposers and their reputation, in violation of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

16. Upon information and belief, Opposers and Applicant are both engaged in the sale and promotion of their respective goods and/or services to the same general class of consumers.

17. Opposers, upon information and belief, aver that members of the relevant consuming public are likely to be confused, mistaken, or deceived as to the origin and sponsorship of Applicant's services marketed under Applicant's alleged SCION TECHNOLOGIES mark and misled into believing that such services are produced by, emanate from, or are in some way associated with Opposers, to the damage and detriment of Opposers and their reputation.

18. Opposers, upon information and belief, aver that they will be damaged by the continued use and registration by Applicant of the alleged SCION TECHNOLOGIES mark, as set forth in Applicant's Trademark Application Serial No. 85/602,281, in that the mark is confusingly similar to Opposers' marks and common law rights and is used in connection with goods and/or services identical and/or related to the goods and/or services offered by Opposers.

WHEREFORE, Opposers, TOYOTA JIDOSHA KABUSHIKI KAISHA, T/A TOYOTA MOTOR CORPORATION and TOYOTA MOTOR SALES, U.S.A, INC., believe and aver that they are being and will continue to be damaged by registration of the SCION TECHNOLOGIES mark as aforesaid, and request that said Application Serial No. 85/602,281 be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposers.

Opposers have appointed ROBERTA S. BREN, a member of the law firm of OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, L.L.P., a member of the Bar of the Commonwealth of Virginia, to prosecute this opposition proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

ROBERTA S. BREN
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
1940 Duke Street
Alexandria, Virginia 22314

We submit the required filing fee for this Opposition at the time of filing. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-2014.

Respectfully submitted,

TOYOTA JIDOSHA KABUSHIKI
KAISHA, T/A TOYOTA MOTOR
CORPORATION and
TOYOTA MOTOR SALES, U.S.A.,
INC.

By: Roberta S. Bren
Roberta S. Bren
Kyoko Imai
OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, L.L.P.
1940 Duke Street
Alexandria, Virginia 22314
(703) 413-3000
fax (703) 413-2220
e-mail: tmdocket@oblon.com
Counsel for Opposer

Dated: February 20, 2013

RSB/KI/cli {7989864_1.DOC}

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **NOTICE OF OPPOSITION** was served on Counsel for Applicant as identified by the records of the U.S. Patent and Trademark Office, this 20th day of February, 2013, by sending same via First Class mail, postage prepaid, to:

Theodore R. Remaklus
WOOD, HERRON & EVANS, L.L.P.
441 Vine Street
2700 Carew Tower
Cincinnati, Ohio 45202-2814
tremaklus@whe-law.com



Carlette Lisenby

EXHIBIT A

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Mark: SCION

SCION

US Serial Number: 76293830 **Application Filing Date:** Aug. 02, 2001
US Registration Number: 2795479 **Registration Date:** Dec. 16, 2003
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jan. 19, 2013
Publication Date: May 07, 2002 **Notice of Allowance Date:** Jul. 30, 2002

Mark Information

Mark Literal Elements: SCION
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: MOTOR CARS AND STRUCTURAL PARTS THEREOF

International Class: 012 - Primary Class

U.S Class: 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 09, 2003

Use in Commerce: Jun. 09, 2003

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: Toyota Jidosha Kabushiki Kaisha

DBA, AKA, Formerly: TA Toyota Motor Corporation

Owner Address: 1, Toyota-cho, Toyota-shi
Aichi-ken
JAPAN

Legal Entity Type: CORPORATION

State or Country Where Organized: JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roberta S. Bren

Docket Number: 212302US35

Correspondent

Correspondent Name/Address: Roberta S. Bren
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, L.L.P
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314-3454
UNITED STATES

Phone: 703-413-3000

Fax: 703-413-2220

Correspondent e- umdocket@oblon.com

Correspondent e- Yes

mail:

mail Authorized:

Domestic Representative

**Domestic
Representative
Name:**

Roberta S. Bren

Phone:

703-413-3000

Fax:

703-413-2220

**Domestic
Representative e-
mail:**

tmocket@oblon.com

**Domestic
Representative e-
mail Authorized:**

Yes

Prosecution History

Date	Description	Proceeding Number
Jan. 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 19, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Jan. 19, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74886
Jan. 19, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Dec. 27, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 06, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75184
Jun. 05, 2009	ASSIGNED TO PARALEGAL	75184
Jun. 03, 2009	TEAS SECTION 8 & 15 RECEIVED	
Dec. 16, 2003	REGISTERED-PRINCIPAL REGISTER	
Oct. 21, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 14, 2003	ASSIGNED TO EXAMINER	76624
Oct. 12, 2003	CASE FILE IN TICRS	
Sep. 17, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 26, 2003	USE AMENDMENT FILED	
Aug. 26, 2003	PAPER RECEIVED	
Jun. 17, 2003	EXTENSION 2 GRANTED	
May 13, 2003	EXTENSION 2 FILED	
May 13, 2003	PAPER RECEIVED	

Sep. 18, 2002	EXTENSION 1 GRANTED	
Sep. 18, 2002	EXTENSION 1 FILED	
Nov. 29, 2002	PAPER RECEIVED	
Sep. 18, 2002	PAPER RECEIVED	
Aug. 21, 2002	PAPER RECEIVED	
Jul. 30, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 07, 2002	PUBLISHED FOR OPPOSITION	
Apr. 17, 2002	NOTICE OF PUBLICATION	
Jan. 09, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 30, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 19, 2001	NON-FINAL ACTION MAILED	
Sep. 17, 2001	ASSIGNED TO EXAMINER	78065

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Dec. 16, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jan. 19, 2013



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For Serial Number: 76293830

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Web interface last modified: July 10, 2012 v.2.3.2

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EXHIBIT B

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Mark: SCION



US Serial Number:	76369572	Application Filing Date:	Feb. 11, 2002
US Registration Number:	2787231	Registration Date:	Nov. 25, 2003
Register:	Principal		
Mark Type:	Trademark		
Status:	The registration has been renewed.		
Status Date:	Jan. 02, 2013		
Publication Date:	Jul. 23, 2002	Notice of Allowance Date:	Oct. 15, 2002

Mark Information

Mark Literal Elements:	SCION
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):	26.03.02 - Ovals, plain single line;Plain single line ovals 26.03.12 - Ovals with bars, bands and lines 26.03.21 - Ovals that are completely or partially shaded 26.09.02 - Plain single line squares;Squares, plain single line 26.09.21 - Squares that are completely or partially shaded 26.17.02 - Bands, wavy;Bars, wavy;Lines, wavy;Wavy line(s), band(s) or bar(s)

Goods and Services

Note:

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

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

For: Motor cars

International Class: 012 - Primary Class **U.S Class:** 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 09, 2003 **Use in Commerce:** Jun. 09, 2003

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: Toyota Jidosha Kabushiki Kaisha

DBA, AKA, Formerly: TA Toyota Motor Corporation

Owner Address: 1, Toyota-cho
Toyota-shi, Aichi-ken
JAPAN

Legal Entity Type: CORPORATION **State or Country Where Organized:** JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roberta S. Bren

Docket Number: 219565US35

Correspondent

Correspondent Name/Address: Roberta S. Bren
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, L.L.P
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314-3454
UNITED STATES

Phone: 703-413-3000

Fax: 703-413-2220

Correspondent e-mail: tmocket@oblon.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Roberta S. Bren

Phone: 703-413-3000

Fax: 703-413-2220

Domestic Representative e-mail: tmocket@oblon.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jan. 02, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 02, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jan. 02, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68335
Jan. 02, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Dec. 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 10, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Jan. 10, 2009	ASSIGNED TO PARALEGAL	77315
Dec. 24, 2008	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 24, 2008	PAPER RECEIVED	
Nov. 25, 2003	REGISTERED-PRINCIPAL REGISTER	

Sep. 29, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 29, 2003	ASSIGNED TO EXAMINER	76624
Sep. 28, 2003	CASE FILE IN TICRS	
Sep. 16, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 26, 2003	USE AMENDMENT FILED	
Aug. 26, 2003	PAPER RECEIVED	
Nov. 21, 2002	EXTENSION 1 GRANTED	
Nov. 21, 2002	EXTENSION 1 FILED	
Nov. 29, 2002	PAPER RECEIVED	
Nov. 21, 2002	PAPER RECEIVED	
Oct. 15, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 23, 2002	PUBLISHED FOR OPPOSITION	
Jul. 03, 2002	NOTICE OF PUBLICATION	
May 28, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 15, 2002	ASSIGNED TO EXAMINER	78065
May 07, 2002	ASSIGNED TO EXAMINER	76832
Mar. 19, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 12, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Nov. 25, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jan. 02, 2013



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No assignment has been recorded at the USPTO

For Serial Number: 76369572

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Web interface last modified: July 10, 2012 v.2.3.2

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EXHIBIT C

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Mark: SR SCION RACING



US Serial Number: 85680292

Application Filing Date: Jul. 18, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Dec. 25, 2012

Publication Date: Dec. 25, 2012

Mark Information

Mark Literal Elements: SR SCION RACING

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized letters "S", "R" and the word "SCIONRACING" with "RACING" in bold letters.

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

Disclaimer: "RACING"

Related Properties Information

Claimed Ownership of US Registrations: 2787231,2795479,2972026,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; headwear, namely, hats

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 31, 2009 **Use in Commerce:** Jan. 31, 2009

For: Entertainment services, namely, participation in automobile racing events; providing a website with news and information relating to the sport of automobile racing; entertainment services, namely, providing a website featuring photographic and video presentations featuring automobile racing

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 31, 2009 **Use in Commerce:** Jan. 31, 2009

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: Toyota Jidosha Kabushiki Kaisha
DBA, AKA, Formerly: TA Toyota Motor Corporation
Owner Address: 1, Toyota-cho
Toyota-shi, Aichi-ken 471-8571
JAPAN
Legal Entity Type: CORPORATION
State or Country Where Organized: JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roberta S. Bren
Docket Number: 402173US35

Correspondent

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Prosecution History

Date	Description	Proceeding Number
Dec. 25, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 25, 2012	PUBLISHED FOR OPPOSITION	

Dec. 05, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 21, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Nov. 21, 2012	ASSIGNED TO LIE	70138
Nov. 03, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 02, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 02, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 02, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 19, 2012	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Aug. 19, 2012	PRIORITY ACTION E-MAILED	6326
Aug. 19, 2012	PRIORITY ACTION WRITTEN	76137
Aug. 14, 2012	ASSIGNED TO EXAMINER	76137
Jul. 25, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney:	MEIER, SHARON A	Law Office Assigned:	LAW OFFICE 112
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File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location:	Nov. 21, 2012
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For Serial Number: 85680292

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Web interface last modified: July 10, 2012 v.2.3.2

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EXHIBIT D

Generated on: This page was generated by TSDR on 2013-02-20 11:04:45 EST

Mark: SCION PARTNERS

SCION PARTNERS

US Serial Number: 85789527

Application Filing Date: Nov. 28, 2012

Register: Principal

Mark Type: Service Mark

Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date: Dec. 06, 2012

Mark Information

Mark Literal Elements: SCION PARTNERS

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: 2787231,2795479,2972026,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.

Administration of a discount program for enabling participants to obtain

For: discounts on goods and services through use of a discount membership card;
Promoting the goods and services of others through the distribution of discount cards

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2010 **Use in Commerce:** Jun. 30, 2010

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: Toyota Jidosha Kabushiki Kaisha

DBA, AKA, Formerly: TA Toyota Motor Corporation

Owner Address: 1, Toyota-cho
Toyota-shi, Aichi-ken 471-8571
JAPAN

Legal Entity Type: CORPORATION **State or Country Where Organized:** JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roberta S. Bren **Docket Number:** 408325US35

Correspondent

Correspondent ROBERTA S. BREN
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
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Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Roberta S. Bren

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Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jan. 08, 2013	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	69712
Jan. 03, 2013	ASSIGNED TO LIE	69712
Dec. 27, 2012	TEAS VOLUNTARY AMENDMENT RECEIVED	
Dec. 06, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 01, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105 **Date in Location:** Jan. 08, 2013



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For Serial Number: 85789527

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Web interface last modified: July 10, 2012 v.2.3.2

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EXHIBIT E

Generated on: This page was generated by TSDR on 2013-02-20 11:05:20 EST

Mark: SCION AUDIO VISUAL

SCION AUDIO VISUAL

US Serial Number: 85789483

Application Filing Date: Nov. 28, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date: Dec. 06, 2012

Mark Information

Mark Literal Elements: SCION AUDIO VISUAL

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: 2787231,2795479,2972026,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: Downloadable music and magazines via the internet and wireless devices

International Class: 009 - Primary Class **U.S Class:** 021, 023, 026, 036, 038
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 31, 2005 **Use in Commerce:** Mar. 31, 2005

For: Entertainment services, namely, providing a website featuring non-downloadable musical performances, musical videos, related film clips, photographs, other multimedia materials, magazines, and blogs in the fields of art, music, films, lifestyle events, and music and dance performances, providing a website featuring blogs and non-downloadable publications in the nature of art, music, films, lifestyle events, and music and dance performances

International Class: 041 - Primary Class **U.S Class:** 100, 101, 107
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 31, 2005 **Use in Commerce:** Mar. 31, 2005

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: Toyota Jidosha Kabushiki Kaisha
DBA, AKA, Formerly: TA Toyota Motor Corporation
1, Toyota-cho
Owner Address: Toyota-shi, Aichi-ken 471-8571
JAPAN

Legal Entity

State or Country

Type: CORPORATION

Where Organized: JAPAN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Roberta S. Bren

Docket Number: 408322US35

Correspondent

Correspondent Name/Address: ROBERTA S. BREN
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Dec. 06, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 01, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105 **Date in Location:** Jan. 08, 2013



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For Serial Number: 85789483

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Web interface last modified: July 10, 2012 v.2.3.2

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