

ESTTA Tracking number: **ESTTA526821**

Filing date: **03/14/2013**

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 party opposes registration of the indicated application.

**Opposer Information**

Name	Enbridge, Inc.
Granted to Date of previous extension	03/17/2013
Address	3000 Fifth Avenue Place 425 1st Street, S.W. Calgary, Alberta, T2P- 3L8 CANADA
Attorney information	R.J. Heher, Esq. Fenwick & West LLP 801 California Street Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com

**Applicant Information**

Application No	85526489	Publication date	09/18/2012
Opposition Filing Date	03/14/2013	Opposition Period Ends	03/17/2013
Applicant	Kaarya, LLC 1010 Crenshaw Blvd. Ste. 220 Torrance, CA 90501 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 036. First Use: 2012/01/14 First Use In Commerce: 2012/01/14 All goods and services in the class are opposed, namely: Financial services related to automobile services, namely, electronic processing of ACH payments, credit card transactions, debit card transactions, electronic check transactions, purchase discounts, and purchase refunds between dealerships or other repair facilities and customers using mobile payment systems and Internet payment systems; financial services related to automobile services, namely, electronic processing of transactions between dealerships or other repair facilities and customers by wireless and wired on-site card swipe services, namely, credit card and debit card transaction processing services
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**Grounds for Opposition**

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)

**Mark Cited by Opposer as Basis for Opposition**

U.S. Registration No.	2987646	Application Date	10/13/1998
Registration Date	08/23/2005	Foreign Priority Date	08/28/1998
Word Mark	ENBRIDGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 004. First use:  [ (Based on 44(e)) Compressed natural gas; and fuels, namely, oil, natural gas, natural gas liquids, coal and sulfur ]</p> <p>Class 006. First use:  [ (Based on 44(e)) Aluminum doors and windows, aluminum siding, wires, metal storage tanks for fluids ]</p> <p>Class 007. First use:  [ (Based on 44(e)) ELECTRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, TRASHMASHERS, VACUUM CLEANERS, HOME AND COMMERCIAL APPLIANCES, namely, DISHWASHERS; EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, ELECTRIC GENERATORS, MICRO TURBINE ELECTRIC GENERATORS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO ELECTRIC GENERATORS AND MICRO TURBINE ELECTRIC GENERATORS ]</p> <p>Class 009. First use: First Use: 1998/11/19 First Use In Commerce: 1998/11/19  [ (Based on 44(e)) Smoke and fire detectors, household security systems comprising control panels, connections, anti intrusion alarms, intruder sensors, carbon dioxide (CO2) sensors, heat sensors, water sensors, smoke sensors, glass breakage sensors, and fire extinguishers; computer hardware; equipment and accessories for conveying liquid hydrocarbons and natural gas, namely, valves, pipelines, regulators, compressors, meters and gauges; home and business security products, namely, control panels, carbon dioxide (CO2) sensors, heat sensors, smoke sensors, glass breakage sensors; solid oxide fuel cells and fuel cells; and equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, treatment, management, conservation, research and development and consumption of energy and water resources, namely, solid oxide fuel cells, fuel cells and pipes, pipelines, stations, compressors, lines, fittings, filters, valves, regulators, meters, gauges, tanks, caverns, motors, pumps and facilities, all relating to solid oxide fuel cells and fuel cells; (Based on Use in Commerce and Based on 44(e)) ] Computer software [ and systems comprising central processing units, communication links, sensors, supervisory control, pressure and flow measurement gauges and instruments ] for the management and maintenance of pipelines and training manuals and instruction materials on the subject of pipeline operations, management, maintenance, efficiency, design and safety recorded on [ videotape, ] computer disk or downloadable from the Internet</p> <p>Class 011. First use:  (Based on 44(e)) Natural gas and commercial, industrial and residential gas appliances, namely, furnaces, [ stoves, ovens, ] burners, [ dryers, barbeques, fireplace inserts comprising ] burners, [ artificial logs and embers, decorative and</p>		

protective facing, boilers, carbon dioxide steam generators, clothes dryers, electric coffee makers for domestic and commercial use, and deep fat fryers, electric food and dish warmers, electric fireplace and ] space heaters, water heaters [, electric hot plates and griddles, humidifiers, incinerators, ranges, smoke houses, electric toasters and gas lights; accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, combination controls for gas appliances, connectors, drip tubes, draft hoods, petroleum gas hose, couplings, pressure regulators, quick-disconnect devices, thermostats and valves; air filtration controls, electric refrigerators, electric freezers, electric dryers, air cleaners, dehumidifiers; microwave ovens, electronic ranges and cook tops, electric ovens, refrigerators, outdoor gas barbecues, pool and hot tub heaters, furnaces, space heaters, air cleaners, washers and dryers, heating units, water heater rental units, hot water heaters, furnaces and air conditioning units; and equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, treatment, management, conservation, research and development and consumption of energy and water resources, namely, hot water heaters, furnaces, air conditioning units and pipes, pipelines, stations, compressors, lines, fittings, filters, valves, regulators, meters, gauges, tanks, caverns, motors, pumps and facilities, all relating to hot water heaters, furnaces and air conditioning units ]

Class 016. First use: First Use: 1998/11/19 First Use In Commerce: 1998/11/19 (Based on Use in Commerce and Based on 44(e)) Printed training manuals and instruction materials on the subject of pipeline operations, management, maintenance, efficiency, design, technology and safety

Class 017. First use:

[ (Based on 44(e)) Building insulation ]

Class 019. First use:

[ (Based on 44(e)) Vinyl siding, soffit and fascia and eavestrough; equipment and accessories for conveying liquid hydrocarbon natural gas, namely, PVC, plastic wrapped steel pipes and fittings, namely, joints, valves, filters, and connectors ]

Class 035. First use:

[ (Based on 44(e)) Franchising services in the nature of providing technical assistance in the establishment and operation of retail stores, home service and maintenance businesses, natural gas appliance and equipment maintenance, customer service, namely, orders, records, financing, warranties on products sold and serviced; and retail store services in the field of home appliances, home renovation; ] business management and consultation in the energy [ and water source ] field; [ third-party billing in the energy and water source field; ] retail store and distributorships featuring gas fired appliances and equipment, namely, air conditioners, boilers, [ burners, carbon dioxide generators, electric generators, steam generators, solid oxide fuel cell electric generators, fuel cell electric generators, clothes dryers, coffee makers, deep fat fryers, dish washers, food and dish warmers, ] furnaces, [ fireplaces, fireplace heaters, ] space heaters, water heaters [, swimming pool heaters, hot plates and griddles, humidifiers, incinerators, ovens, ranges, smoke houses, toasters, barbecues and lights; and retail store and distributorships featuring accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, cooking tools, combination controls for gas appliances, connectors for gas supply appliances, drip tubes for water heaters, draft hoods, petroleum gas hose, couplings and assemblies, pressure regulators, quick-disconnect devices, thermostats and valves; business consultation in the field of ecommerce and customer relationship management services ]

Class 036. First use: First Use: 1998/10/13 First Use In Commerce: 2001/05/11

[ (Based on 44(e)) Financial services, namely, financing purchase and rental contracts for merchandise and equipment; financing of natural gas vehicle

equipment and accessories; in-plant financing; and financial services in relation to all of the aforesaid services, namely, credit application and extension of credit for purchase or rental contracts; consumer and commercial lending services; ] providing extended warranties for home and commercial appliances and related maintenance services, [ home and business security products, home and commercial renovations and equipment, supplies, labor and materials for use in the production, generation, co-generation, distribution, transportation, transmission, storage, management, conservation, research and development and consumption of water resources and energy resources, including natural gas and natural gas liquids, refined products, electricity, oil and propane; (Based on Use in Commerce and Based on 44(e)) ] brokerage of commodities and online commodity trading services for others

Class 037. First use: First Use: 1998/10/13 First Use In Commerce: 1998/10/13 [ (Based on 44(e)) Installing insulation, aluminum doors and windows, aluminum or vinyl siding, soffit and fascia and eavestrough; installing external and internal air filtration controls for buildings; home renovations; general contracting services for construction and building renovation; electrical contracting services; construction, repair and maintenance of residential and commercial buildings; commercial building renovation and repair services; water and oil well drilling; house painting services; janitorial services; installation, maintenance, and repair of equipment for conveying natural gas; ] installation, maintenance, and repair of pipes, valves, meters and other equipment for supplying natural [ and liquefied petroleum ] gas to residential users; [ rental of equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, management, conservation, research and development and consumption of water resources and energy resources, including natural gas and natural gas liquids, refined products, electricity, oil and propane; ] installation, maintenance, and repair of gas fired appliances and equipment, namely, air conditioners, boilers, [ burners, carbon dioxide generators, clothes dryers, coffee makers, deep fat fryers, dish washers, food and dish warmers, ] furnaces, fireplaces, fireplace heaters, space heaters, water heaters, [ swimming pool heaters, hot plates and griddles, humidifiers, incinerators, ovens, ranges, smoke houses, toasters, barbecues and lights; ] installation, maintenance, and repair of accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, combination controls for gas appliances, connectors for gas appliances, drip tubes for water heaters, [ draft hoods, petroleum gas hose, ] couplings and assemblies, pressure regulators, quick-disconnect devices, thermostats, and valves; [ installation, maintenance, and repair of household appliances, namely, electric dishwashers, electric clothes washers, electric refrigerators, electric freezers, electric dryers, barbecues, barbecue accessories, trashmashers, microwave ovens, air cleaners, dehumidifiers, vacuum cleaners, central vacuum cleaners, humidifiers, smoke and fire detectors, household security systems and fire extinguishers; installation, repair and maintenance of home security systems, namely, control panels, carbon dioxide (CO<sub>2</sub>) sensors, heat sensors, smoke sensors, glass breakage sensors and connections; ] evaluation and recommendation regarding [ duct cleaning, air conditioning maintenance, fireplace maintenance,] home heating protection maintenance; performance and maintenance contracting in the nature of duct cleaning, air conditioning maintenance, [ fireplace maintenance, home heating and water heating maintenance; ] and remedial maintenance services to increase efficiency and performance of air conditioning units, fireplace units, home heating units [ and air and heating ducts; (Based on Use in Commerce and Based on 44(e)) ] Construction and installation of pipelines; installation, maintenance, and repair of equipment for conveying natural gas; installation, maintenance, and repair of pipes, valves, meters and other equipment for supplying natural and liquefied petroleum gas to commercial and industrial users and pipeline maintenance services

Class 038. First use:

[ (Based on 44(e)) Telecommunications and multimedia services in all forms of

	<p>distribution, namely, telephone communications services; providing multiple user access to a global computer network ]</p> <p>Class 039. First use: First Use: 1998/10/13 First Use In Commerce: 2001/05/11 (Based on Use in Commerce and Based on 44(e)) Operating pipes, valves, meters and other equipment for supplying liquid hydrocarbons, natural and liquefied petroleum gas to residential, commercial and industrial users; transporting natural and liquefied petroleum gas and liquid hydrocarbons to commercial and industrial users; transportation and storage of energy [ and water resources; ] operation of pipelines, namely, transporting crude oil and natural gas to consumers; operation of truck and marine terminals, and gas and liquid hydrocarbon terminals; [ public utility services; (Based on 44(e)) Water and electric utility services; distribution of water to commercial and residential consumers ]</p> <p>Class 040. First use: First Use: 1998/10/13 First Use In Commerce: 2001/05/11 (Based on Use in Commerce and Based on 44(e)) Energy [ and water resource ] treatment</p> <p>Class 041. First use: First Use: 1998/10/14 First Use In Commerce: 1998/10/14 (Based on Use in Commerce and Based on 44(e)) Training in the management and maintenance of pipelines; training and education services namely, seminars and training sessions in the field of pipeline operations, maintenance, efficiency, management and safety; technical training and assistance to optimize use of available technologies in the field of energy efficiency and utilization</p> <p>Class 042. First use: First Use: 1998/11/27 First Use In Commerce: 1998/12/09 [ (Based on Use in Commerce and Based on 44(e)) ] Providing energy management, measurement and consulting services; consulting services in the field of pipeline operations, maintenance, efficiency and safety [ and consulting services in the field of computer systems and software for the operation, maintenance, design and technology of pipelines; (Based on 44(e)) Home and business security service, namely, monitoring securities systems, service guard services, home and commercial building and energy audit and inspection services; energy monitoring and analysis; technical utilization assistance in the field of evaluation services to determine efficiency of energy use; remote monitoring of environmental systems, namely, heating and cooling systems, intruder and fire alarms systems; oil and gas mining exploration; consultation and research in the field of energy; mechanical engineering services; computer services, namely, custom design of computer software and systems for the management and maintenance of pipelines; designing homes; landscape gardening; product research and development in the energy and water resource field; ] rental of home and commercial appliances [ and home and business security products, ], namely, [ dishwashers, microwave ovens, electric ranges and cook tops, electric ovens, refrigerators, outdoor gas barbecues, pool and hot tub heaters, ] furnaces, space heaters, [ vacuum and air cleaners, washers and dryers, ] air conditioners, boilers, [ carbon dioxide, steam and electric generators, electric coffee makers, deep fat fryers, electric food and dish warmers, ] electric fireplace and space heaters [ , water heaters, electric hot plates and griddles, humidifiers, incinerators, smoke houses, electric toasters and gas lights as well as smoke and fire detectors, household security systems comprising control panels, connections, anti-intrusion alarms, intruder sensors, carbon dioxide (CO2) sensors, heat sensors, water sensors, smoke sensors, glass breakage sensors, computer software, fire extinguishers, computer hardware, computer network links, supervisory control data acquisition systems ]</p>
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Attachments	EBRIDGE_Notice_of_Opposition.pdf ( 19 pages )(491666 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	/R.J. Heher/
Name	R.J. Heher, Esq.
Date	03/14/2013



wireless and wired on-site card swipe services, namely, credit card and debit card transaction processing services.”

2. Applicant filed its Section 1(a) application for EBRIDGE on January 26, 2012 claiming first use and first use in commerce on January 14, 2012.

3. Opposer owns, and asserts as a basis of this Opposition its rights arising from the U.S. Trademark Registration for its ENBRIDGE mark as follows:

<u>Trademark</u>	<u>Reg. No.</u>	<u>Class/Goods and Services</u>
ENBRIDGE	2987646	[ (Based on 44(e)) Financial services, namely, financing purchase and rental contracts for merchandise and equipment; financing of natural gas vehicle equipment and accessories; in-plant financing; and financial services in relation to all of the aforesaid services, namely, credit application and extension of credit for purchase or rental contracts; consumer and commercial lending services; ] providing extended warranties for home and commercial appliances and related maintenance services, [ home and business security products, home and commercial renovations and equipment, supplies, labor and materials for use in the production, generation, co-generation, distribution, transportation, transmission, storage, management, conservation, research and development and consumption of water resources and energy resources, including natural gas and natural gas liquids, refined products, electricity, oil and propane; (Based on Use in Commerce and Based on 44(e)) ] brokerage of commodities and online commodity trading services for others

Opposer hereby gives notice that it will rely on said registration in this proceeding. Attached to this Notice of Opposition is a current printout of information from the electronic database TARR records of the U. S. Patent and Trademark Office, and a copy of the Certificate of Registration, showing the current status and title of the aforementioned trademark registration (see Exhibit 1 attached).

The application for the registration listed above was filed on October 13, 1998 and registration issued on the Principal Register on August 23, 2005 prior to the date Applicant filed its Section 1(a) application for the EBRIDGE mark on January 26, 2012. In addition,

Opposer's ENBRIDGE trademark referenced above has been in valid and continuous use since October 13, 1998 and has not been abandoned or lapsed. Opposer's registration of ENBRIDGE is valid and subsisting and is *prima facie* evidence of Opposer's exclusive right to use the ENBRIDGE mark in commerce on the services specified therein.

4. Opposer also asserts as a basis for its opposition to the registration and use of Applicant's EBRIDGE mark, all those common law rights accrued in and arising from Opposer's use of the ENBRIDGE mark in the United States and abroad.

5. In view of the similarity of the respective marks, the fact that they are visually and phonetically very similar – differing only by the single letter “N”, the highly related nature of the financial services of the respective parties and the overlap in services in the fields of credit, consumer purchases and financial services, it is alleged that Applicant's EBRIDGE mark so resembles Opposer's ENBRIDGE mark as to be likely to cause confusion or mistake or to deceive, to dilute the value and source identifying power of Opposer's ENBRIDGE identifier, and to disparage and falsely suggest a connection with Opposer, thereby causing loss, damage, and injury to Opposer and the purchasing public.

6. Opposer, Enbridge, Inc., is a provider of a variety of consumer and business services throughout the United States and worldwide, including an extensive internet presence through a wide array of online services directed to consumers and businesses. It has 15 years of experience under the ENBRIDGE mark supporting organizations with services in the financial services field. Since at least as early as October 13, 1998, Opposer has offered financial services, among others, of financing purchase and rental contracts, credit application and extension of credit for purchase or rental contracts and consumer and commercial lending services in connection with the ENBRIDGE mark. Said service mark use of ENBRIDGE by Opposer has been valid and continuous since the date of first use and has not been abandoned. As a consequence of Opposer's extensive sales, advertising, promotion and marketing activity, Opposer's ENBRIDGE mark has become well known in reference to Opposer's services. In view of the very similar nature of the marks and the highly related nature of the financial

services of the respective parties, it is alleged that Applicant's mark so resembles Opposer's mark, previously used and registered in the United States, and not abandoned, as to be likely to cause confusion or to cause mistake or to deceive, and to dilute and tarnish the value and source identifying power of Opposer's trademark, and to falsely suggest a connection with Opposer, thereby causing loss, damage and injury to Opposer and the purchasing public.

WHEREFORE, Opposer prays that this Notice of Opposition be sustained, that Applicant's Service Mark Application Serial No. 85526489 be rejected, and that Applicant be denied registration of EBRIDGE as a mark for the services specified in that application.

DATED: March 14, 2013

Respectfully submitted,

/R.J. Heher/

R.J. Heher, Esq.  
Attorney for Opposer  
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EXHIBIT 1

**Int. Cls.: 4, 6, 7, 9, 11, 16, 17, 19, 35, 36, 37, 38, 39, 40, 41, and 42**

**Prior U.S. Cls.: 1, 2, 5, 6, 12, 13, 14, 15, 19, 21, 22, 23,  
25, 26, 29, 31, 33, 34, 35, 36, 37, 38, 50, 100, 101, 102,  
103, 104, 105, 106, and 107**

**Reg. No. 2,987,646**

**United States Patent and Trademark Office**

Registered Aug. 23, 2005

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ENBRIDGE**

ENBRIDGE, INC. (CANADA CORPORATION)  
2900 CANADA TRUST TOWER  
421-7TH AVENUE S.W.  
CALGARY ALBERTA, CANADA T2P- 4K9

FOR: (BASED ON 44(E)) COMPRESSED NATURAL GAS; AND FUELS, NAMELY, OIL, NATURAL GAS, NATURAL GAS LIQUIDS, COAL AND SULFUR, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FOR: (BASED ON 44(E)) ALUMINUM DOORS AND WINDOWS, ALUMINUM SIDING, WIRES, METAL STORAGE TANKS FOR FLUIDS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: (BASED ON 44(E)) ELECTRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, TRASHMASHERS, VACUUM CLEANERS, HOME AND COMMERCIAL APPLIANCES, NAMELY DISHWASHERS; EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, ELECTRIC GENERATORS, MICRO TURBINE ELECTRIC GENERATORS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO ELECTRIC GENERATORS AND MICRO TURBINE ELECTRIC GENERATORS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: (BASED ON 44(E)) SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS COMPRISING CONTROL PANELS, CONNECTIONS, ANTI INTRUSION ALARMS, INTRUDER SENSORS, CARBON DIOXIDE (CO2) SENSORS,

HEAT SENSORS, WATER SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS, AND FIRE EXTINGUISHERS; COMPUTER HARDWARE; EQUIPMENT AND ACCESSORIES FOR CONVEYING LIQUID HYDROCARBONS AND NATURAL GAS, NAMELY, VALVES, PIPELINES, REGULATORS, COMPRESSORS, METERS AND GAUGES; HOME AND BUSINESS SECURITY PRODUCTS, NAMELY, CONTROL PANELS, CARBON DIOXIDE (CO2) SENSORS, HEAT SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS; SOLID OXIDE FUEL CELLS AND FUEL CELLS; AND EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, SOLID OXIDE FUEL CELLS, FUEL CELLS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO SOLID OXIDE FUEL CELLS AND FUEL CELLS; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) COMPUTER SOFTWARE AND SYSTEMS COMPRISING CENTRAL PROCESSING UNITS, COMMUNICATION LINKS, SENSORS, SUPERVISORY CONTROL, PRESSURE AND FLOW MEASUREMENT GAUGES AND INSTRUMENTS FOR THE MANAGEMENT AND MAINTENANCE OF PIPELINES AND TRAINING MANUALS AND INSTRUCTION MATERIALS ON THE SUBJECT OF PIPELINE OPERATIONS, MANAGEMENT, MAINTENANCE, EFFICIENCY, DESIGN AND SAFETY RECORDED ON VIDEOTAPE, COMPUTER DISK OR DOWNLOADABLE FROM THE INTERNET, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-19-1998; IN COMMERCE 11-19-1998.

FOR: (BASED ON 44(E)) NATURAL GAS AND COMMERCIAL, INDUSTRIAL AND RESIDENTIAL GAS APPLIANCES NAMELY FURNACES, STOVES, OVENS, BURNERS, DRYERS, BARBEQUES, FIREPLACE INSERTS COMPRISING BURNERS, ARTIFICIAL LOGS AND EMBERS, DECORATIVE AND PROTECTIVE FACING, BOILERS, CARBON DIOXIDE STEAM GENERATORS, CLOTHES DRYERS, ELECTRIC COFFEE MAKERS FOR DOMESTIC AND COMMERCIAL USE, AND DEEP FAT FRYERS, ELECTRIC FOOD AND DISH WARMERS, ELECTRIC FIREPLACE AND SPACE HEATERS, WATER HEATERS, ELECTRIC HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, RANGES, SMOKE HOUSES, ELECTRIC TOASTERS AND GAS LIGHTS; ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS, DRIP TUBES, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS AND VALVES; AIR FILTRATION CONTROLS, ELECTRIC REFRIGERATORS, ELECTRIC FREEZERS, ELECTRIC DRYERS, AIR CLEANERS, DEHUMIDIFIERS; MICROWAVE OVENS, ELECTRONIC RANGES AND COOK TOPS, ELECTRIC OVENS, REFRIGERATORS, OUTDOOR GAS BARBECUES, POOL AND HOT TUB HEATERS, FURNACES, SPACE HEATERS, AIR CLEANERS, WASHERS AND DRYERS, HEATING UNITS, WATER HEATER RENTAL UNITS, HOT WATER HEATERS, FURNACES AND AIR CONDITIONING UNITS; AND EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, HOT WATER HEATERS, FURNACES, AIR CONDITIONING UNITS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVENS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO HOT WATER HEATERS, FURNACES AND AIR CONDITIONING UNITS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) PRINTED TRAINING MANUALS AND INSTRUCTION MATERIALS ON THE SUBJECT OF PIPELINE OPERATIONS, MANAGEMENT, MAINTENANCE, EFFICIENCY, DESIGN, TECHNOLOGY AND SAFETY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-19-1998; IN COMMERCE 11-19-1998.

FOR: (BASED ON 44(E)) BUILDING INSULATION, IN CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).

FOR: (BASED ON 44(E)) VINYL SIDING, SOFFIT AND FASCIA AND EAVESTROUGH; EQUIPMENT AND ACCESSORIES FOR CONVEYING LIQUID HYDROCARBON NATURAL GAS, NAMELY, PVC,

PLASTIC WRAPPED STEEL PIPES AND FITTINGS NAMELY JOINTS, VALVES, FILTERS, AND CONNECTORS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FOR: (BASED ON 44(E)) FRANCHISING SERVICES IN THE NATURE OF PROVIDING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND OPERATION OF RETAIL STORES, HOME SERVICE AND MAINTENANCE BUSINESSES, NATURAL GAS APPLIANCE AND EQUIPMENT MAINTENANCE, CUSTOMER SERVICE NAMELY ORDERS, RECORDS, FINANCING, WARRANTIES ON PRODUCTS SOLD AND SERVICED; AND RETAIL STORE SERVICES IN THE FIELD OF HOME APPLIANCES, HOME RENOVATION; BUSINESS MANAGEMENT AND CONSULTATION IN THE ENERGY AND WATER SOURCE FIELD; THIRD-PARTY BILLING IN THE ENERGY AND WATER SOURCE FIELD; RETAIL STORE AND DISTRIBUTORSHIPS FEATURING GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AIR CONDITIONERS, BOILERS, BURNERS, CARBON DIOXIDE GENERATORS, ELECTRIC GENERATORS, STEAM GENERATORS, SOLID OXIDE FUEL CELL ELECTRIC GENERATORS, FUEL CELL ELECTRIC GENERATORS, CLOTHES DRYERS, COFFEE MAKERS, DEEP FAT FRYERS, DISH WASHERS, FOOD AND DISH WARMERS, FURNACES, FIREPLACES, FIREPLACE HEATERS, SPACE HEATERS, WATER HEATERS, SWIMMING POOL HEATERS, HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, OVENS, RANGES, SMOKE HOUSES, TOASTERS, BARBECUES AND LIGHTS; AND RETAIL STORE AND DISTRIBUTORSHIPS FEATURING ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COOKING TOOLS, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS FOR GAS SUPPLY APPLIANCES, DRIP TUBES FOR WATER HEATERS, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS AND ASSEMBLIES, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS AND VALVES; BUSINESS CONSULTATION IN THE FIELD OF ECOMMERCE AND CUSTOMER RELATIONSHIP MANAGEMENT SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: (BASED ON 44(E)) FINANCIAL SERVICES NAMELY FINANCING PURCHASE AND RENTAL CONTRACTS FOR MERCHANDISE AND EQUIPMENT; FINANCING OF NATURAL GAS VEHICLE EQUIPMENT AND ACCESSORIES; IN-PLANT FINANCING; AND FINANCIAL SERVICES IN RELATION TO ALL OF THE AFORESAID SERVICES, NAMELY, CREDIT APPLICATION AND EXTENSION OF CREDIT FOR PURCHASE OR RENTAL CONTRACTS; CONSUMER AND COMMERCIAL LENDING SERVICES; PROVIDING EXTENDED WARRANTIES FOR HOME AND COMMERCIAL APPLIANCES AND RELATED MAINTENANCE SERVICES, HOME AND BUSINESS SECURITY PRODUCTS, HOME AND COMMERCIAL RENOVATIONS AND EQUIPMENT, SUPPLIES, LABOR AND MATERIALS FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION,

STORAGE, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF WATER RESOURCES AND ENERGY RESOURCES, INCLUDING NATURAL GAS AND NATURAL GAS LIQUIDS, REFINED PRODUCTS, ELECTRICITY, OIL AND PROPANE; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) BROKERAGE OF COMMODITIES AND ONLINE COMMODITY TRADING SERVICES FOR OTHERS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON 44(E)) INSTALLING INSULATION, ALUMINUM DOORS AND WINDOWS, ALUMINUM OR VINYL SIDING, SOFFIT AND FASCIA AND EAVESTROUGH; INSTALLING EXTERNAL AND INTERNAL AIR FILTRATION CONTROLS FOR BUILDINGS; HOME RENOVATIONS; GENERAL CONTRACTING SERVICES FOR CONSTRUCTION AND BUILDING RENOVATION; ELECTRICAL CONTRACTING SERVICES; CONSTRUCTION, REPAIR AND MAINTENANCE OF RESIDENTIAL AND COMMERCIAL BUILDINGS; COMMERCIAL BUILDING RENOVATION AND REPAIR SERVICES; WATER AND OIL WELL DRILLING; HOUSE PAINTING SERVICES; JANITORIAL SERVICES; INSTALLATION, MAINTENANCE, AND REPAIR OF EQUIPMENT FOR CONVEYING NATURAL GAS; INSTALLATION, MAINTENANCE, AND REPAIR OF PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING NATURAL AND LIQUEFIED PETROLEUM GAS TO RESIDENTIAL USERS; RENTAL OF EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF WATER RESOURCES AND ENERGY RESOURCES, INCLUDING NATURAL GAS AND NATURAL GAS LIQUIDS, REFINED PRODUCTS, ELECTRICITY, OIL AND PROPANE; INSTALLATION, MAINTENANCE, AND REPAIR OF GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AIR CONDITIONERS, BOILERS, BURNERS, CARBON DIOXIDE GENERATORS, CLOTHES DRYERS, COFFEE MAKERS, DEEP FAT FRYERS, DISH WASHERS, FOOD AND DISH WARMERS, FURNACES, FIREPLACES, FIREPLACE HEATERS, SPACE HEATERS, WATER HEATERS, SWIMMING POOL HEATERS, HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, OVENS, RANGES, SMOKE HOUSES, TOASTERS, BARBECUES AND LIGHTS; INSTALLATION, MAINTENANCE, AND REPAIR OF ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS FOR GAS APPLIANCES, DRIP TUBES FOR WATER HEATERS, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS AND ASSEMBLIES, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS, AND VALVES; INSTALLATION, MAINTENANCE, AND REPAIR OF HOUSEHOLD APPLIANCES, NAMELY, ELEC-

TRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, ELECTRIC REFRIGERATORS, ELECTRIC FREEZERS, ELECTRIC DRYERS, BARBECUES, BARBECUE ACCESSORIES, TRASHMASHERS, MICROWAVE OVENS, AIR CLEANERS, DEHUMIDIFIERS, VACUUM CLEANERS, CENTRAL VACUUM CLEANERS, HUMIDIFIERS, SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS AND FIRE EXTINGUISHERS; INSTALLATION, REPAIR AND MAINTENANCE OF HOME SECURITY SYSTEMS, NAMELY, CONTROL PANELS, CARBON DIOXIDE (CO<sub>2</sub>) SENSORS, HEAT SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS AND CONNECTIONS; EVALUATION AND RECOMMENDATION REGARDING DUCT CLEANING, AIR CONDITIONING MAINTENANCE, FIREPLACE MAINTENANCE, HOME HEATING PROTECTION MAINTENANCE; PERFORMANCE AND MAINTENANCE CONTRACTING IN THE NATURE OF DUCT CLEANING, AIR CONDITIONING MAINTENANCE, FIREPLACE MAINTENANCE, HOME HEATING AND WATER HEATING MAINTENANCE; AND REMEDIAL MAINTENANCE SERVICES TO INCREASE EFFICIENCY AND PERFORMANCE OF AIR CONDITIONING UNITS, FIREPLACE UNITS, HOME HEATING UNITS AND AIR AND HEATING DUCTS; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) CONSTRUCTION AND INSTALLATION OF PIPELINES; INSTALLATION, MAINTENANCE, AND REPAIR OF EQUIPMENT FOR CONVEYING NATURAL GAS; INSTALLATION, MAINTENANCE, AND REPAIR OF PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING NATURAL AND LIQUEFIED PETROLEUM GAS TO COMMERCIAL AND INDUSTRIAL USERS AND PIPELINE MAINTENANCE SERVICES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 10-13-1998; IN COMMERCE 10-13-1998.

FOR: (BASED ON 44(E)) TELECOMMUNICATIONS AND MULTIMEDIA SERVICES IN ALL FORMS OF DISTRIBUTION, NAMELY, TELEPHONE COMMUNICATIONS SERVICES; PROVIDING MULTIPLE USER ACCESS TO A GLOBAL COMPUTER NETWORK, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) OPERATING PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING LIQUID HYDROCARBONS, NATURAL AND LIQUEFIED PETROLEUM GAS TO RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS; TRANSPORTING NATURAL AND LIQUEFIED PETROLEUM GAS AND LIQUID HYDROCARBONS TO COMMERCIAL AND INDUSTRIAL USERS; TRANSPORTATION AND STORAGE OF ENERGY AND WATER RESOURCES; OPERATION OF PIPELINES, NAMELY, TRANSPORTING CRUDE OIL AND NATURAL GAS TO CONSUMERS; OPERATION OF TRUCK AND MARINE TERMINALS, AND GAS AND LIQUID HYDROCARBON TERMINALS; PUBLIC UTILITY SERVICES; (BASED ON 44(E)) WATER AND ELECTRIC UTILITY SERVICES; DIS-

TRIBUTION OF WATER TO COMMERCIAL AND RESIDENTIAL CONSUMERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) ENERGY AND WATER RESOURCE TREATMENT, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) TRAINING IN THE MANAGEMENT AND MAINTENANCE OF PIPELINES; TRAINING AND EDUCATION SERVICES NAMELY, SEMINARS AND TRAINING SESSIONS IN THE FIELD OF PIPELINE OPERATIONS, MAINTENANCE, EFFICIENCY, MANAGEMENT AND SAFETY; TECHNICAL TRAINING AND ASSISTANCE TO OPTIMIZE USE OF AVAILABLE TECHNOLOGIES IN THE FIELD OF ENERGY EFFICIENCY AND UTILIZATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 10-14-1998; IN COMMERCE 10-14-1998.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) PROVIDING ENERGY MANAGEMENT, MEASUREMENT AND CONSULTING SERVICES; CONSULTING SERVICES IN THE FIELD OF PIPELINE OPERATIONS, MAINTENANCE, EFFICIENCY AND SAFETY AND CONSULTING SERVICES IN THE FIELD OF COMPUTER SYSTEMS AND SOFTWARE FOR THE OPERATION, MAINTENANCE, DESIGN AND TECHNOLOGY OF PIPELINES; (BASED ON 44(E)) HOME AND BUSINESS SECURITY SERVICE, NAMELY, MONITORING SECURITIES SYSTEMS, SERVICE GUARD SERVICES, HOME AND COMMERCIAL BUILDING AND ENERGY AUDIT AND INSPECTION SERVICES; ENERGY MONITORING AND ANALYSIS; TECHNICAL UTILIZATION ASSISTANCE IN THE FIELD OF EVALUATION SERVICES TO DETERMINE EFFICIENCY OF ENERGY USE; REMOTE MONITORING OF ENVIRONMENTAL SYSTEMS, NAMELY, HEATING AND COOLING SYSTEMS, INTRUDER AND FIRE ALARMS SYSTEMS; OIL

AND GAS MINING EXPLORATION; CONSULTATION AND RESEARCH IN THE FIELD OF ENERGY; MECHANICAL ENGINEERING SERVICES; COMPUTER SERVICES, NAMELY, CUSTOM DESIGN OF COMPUTER SOFTWARE AND SYSTEMS FOR THE MANAGEMENT AND MAINTENANCE OF PIPELINES; DESIGNING HOMES; LANDSCAPE GARDENING; PRODUCT RESEARCH AND DEVELOPMENT IN THE ENERGY AND WATER RESOURCE FIELD; RENTAL OF HOME AND COMMERCIAL APPLIANCES AND HOME AND BUSINESS SECURITY PRODUCTS, NAMELY DISHWASHERS, MICROWAVE OVENS, ELECTRIC RANGES AND COOK TOPS, ELECTRIC OVENS, REFRIGERATORS, OUTDOOR GAS BARBECUES, POOL AND HOT TUB HEATERS, FURNACES, SPACE HEATERS, VACUUM AND AIR CLEANERS, WASHERS AND DRYERS, AIR CONDITIONERS, BOILERS, CARBON DIOXIDE, STEAM AND ELECTRIC GENERATORS, ELECTRIC COFFEE MAKERS, DEEP FAT FRYERS, ELECTRIC FOOD AND DISH WARMERS, ELECTRIC FIREPLACE AND SPACE HEATERS, WATER HEATERS, ELECTRIC HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, SMOKE HOUSES, ELECTRIC TOASTERS AND GAS LIGHTS AS WELL AS SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS COMPRISING CONTROL PANELS, CONNECTIONS, ANTI-INTRUSION ALARMS, INTRUDER SENSORS, CARBON DIOXIDE (CO2) SENSORS, HEAT SENSORS, WATER SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS, COMPUTER SOFTWARE, FIRE EXTINGUISHERS, COMPUTER HARDWARE, COMPUTER NETWORK LINKS, SUPERVISORY CONTROL DATA ACQUISITION SYSTEMS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-27-1998; IN COMMERCE 12-9-1998.

PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 888693, FILED 8-28-1998, REG. NO. TMA547390, EXPIRES 6-28-2016.

SN 75-571,222, FILED 10-13-1998.

JENNIFER WILLISTON, EXAMINING ATTORNEY

Attention API Users! The urls for accessing status xml and downloads are changing. The protocol will change from http to https and the hostname will change from tdr to tsdr. An example of the new url is https://tsdrapi.uspto.gov/ts/cd/casestatus/sn12345678/info.xml. Also, the download urls are changing. There will be one url for PDF downloads and one for ZIP downloads. An example PDF download url is https://tsdrapi.uspto.gov/ts/cd/casedocs/sn12345678/mega-bundle-download?case=true&docs=1,2&assignments=1,2&prosecutionHistory=1,2. An example url for ZIP download is https://tsdrsec.uspto.gov/ts/cd/casedocs/sn12345678/zip-bundle-download?case=false&docs=1,2&assignments=1,2&prosecutionHistory=1,2.

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**Mark:** ENBRIDGE

**US Serial Number:** 75571222

**Application Filing Date:** Oct. 13, 1998

**US Registration Number:** 2987646

**Registration Date:** Aug. 23, 2005

**Register:** Principal

**Mark Type:** Trademark, Service Mark

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

**Status Date:** Sep. 27, 2011

**Publication Date:** Dec. 30, 2003

**Notice of Allowance Date:** Mar. 23, 2004

## Mark Information

**Mark Literal Elements:** ENBRIDGE

**Standard Character Claim:** No

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

## Foreign Information

**Priority Claimed:** Yes

**Foreign Application Number:** 888693

**Foreign Application Filing Date:** Aug. 28, 1998

**Foreign Registration Number:** TMA547390

**Foreign Registration Date:** Jun. 28, 2001

**Foreign Application/Registration Country:** CANADA

**Foreign Expiration Date:** Jun. 28, 2016

## 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
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** [ (Based on 44(e)) Compressed natural gas; and fuels, namely, oil, natural gas, natural gas liquids, coal and sulfur ]

**International Class:** 004 - Primary Class

**U.S Class:** 001, 006, 015

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** [ (Based on 44(e)) Aluminum doors and windows, aluminum siding, wires, metal storage tanks for fluids ]

**International Class:** 006 - Primary Class

**U.S Class:** 002, 012, 013, 014, 023, 025, 050

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** [ (Based on 44(e)) ELECTRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, TRASHMASHERS, VACUUM CLEANERS, HOME AND COMMERCIAL APPLIANCES, namely, DISHWASHERS; EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, ELECTRIC GENERATORS, MICRO TURBINE ELECTRIC GENERATORS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO ELECTRIC GENERATORS AND MICRO TURBINE ELECTRIC GENERATORS ]

**International Class:** 007 - Primary Class

**U.S Class:** 013, 019, 021, 023, 031, 034, 035

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** [ (Based on 44(e)) Smoke and fire detectors, household security systems comprising control panels, connections, anti intrusion alarms, intruder sensors, carbon dioxide (CO2) sensors, heat sensors, water sensors, smoke sensors, glass breakage sensors, and fire extinguishers; computer hardware; equipment and accessories for conveying liquid hydrocarbons and natural gas, namely, valves, pipelines, regulators, compressors, meters and gauges; home and business security products, namely, control panels, carbon dioxide (CO2) sensors, heat sensors, smoke sensors, glass breakage sensors; solid oxide fuel cells and fuel cells; and equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, treatment, management, conservation, research and development and consumption of energy and water resources, namely, solid oxide fuel cells, fuel cells and pipes, pipelines, stations, compressors, lines, fittings, filters, valves, regulators, meters, gauges, tanks, caverns, motors, pumps and facilities, all relating to solid oxide fuel cells and fuel cells; (Based on Use in Commerce and Based on 44(e)) ] Computer software [ and systems comprising central processing units, communication links, sensors, supervisory control, pressure and flow measurement gauges and instruments ] for the management and maintenance of pipelines and training manuals and instruction materials on the subject of pipeline operations, management, maintenance, efficiency, design and safety recorded on [ videotape, ] computer disk or downloadable from the Internet

**International Class:** 009 - Primary Class

**U.S Class:** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Nov. 19, 1998

**Use in Commerce:** Nov. 19, 1998

**For:** (Based on 44(e)) Natural gas and commercial, industrial and residential gas appliances, namely, furnaces, [ stoves, ovens, ] burners, [ dryers, barbeques, fireplace inserts comprising ] burners, [ artificial logs and embers, decorative and protective facing, boilers, carbon dioxide steam generators, clothes dryers, electric coffee makers for domestic and commercial use, and deep fat fryers, electric food and dish warmers, electric fireplace and ] space heaters, water heaters [, electric hot plates and griddles, humidifiers, incinerators, ranges, smoke houses, electric toasters and gas lights; accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, combination controls for gas appliances, connectors, drip tubes, draft hoods, petroleum gas hose, couplings, pressure regulators, quick-disconnect devices, thermostats and valves; air filtration controls, electric refrigerators, electric freezers, electric dryers, air cleaners, dehumidifiers; microwave ovens, electronic ranges and cook tops, electric ovens, refrigerators, outdoor gas barbecues, pool and hot tub heaters, furnaces, space heaters, air cleaners, washers and dryers, heating units, water heater rental units, hot water heaters, furnaces and air conditioning units; and equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, treatment, management, conservation, research and development and consumption of energy and water resources, namely, hot water heaters, furnaces, air conditioning units and pipes, pipelines, stations, compressors, lines, fittings, filters, valves, regulators, meters, gauges, tanks, caverns, motors, pumps and facilities, all relating to hot water heaters, furnaces and air conditioning units ]

**International Class:** 011 - Primary Class

**U.S Class:** 013, 021, 023, 031, 034

**Class Status:** ACTIVE

**Basis:** 44(e)

**For:** (Based on Use in Commerce and Based on 44(e)) Printed training manuals and instruction materials on the subject of pipeline operations, management, maintenance, efficiency, design, technology and safety

**International Class:** 016 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Nov. 19, 1998

**Use in Commerce:** Nov. 19, 1998

**For:** [ (Based on 44(e)) Building insulation ]

**International Class:** 017 - Primary Class

**U.S Class:** 001, 005, 012, 013, 035, 050

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** [ (Based on 44(e)) Vinyl siding, soffit and fascia and eavestrough; equipment and accessories for conveying liquid hydrocarbon natural gas, namely, PVC, plastic wrapped steel pipes and fittings, namely, joints, valves, filters, and connectors ]

**International Class:** 019 - Primary Class

**U.S Class:** 001, 012, 033, 050

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** [ (Based on 44(e)) Franchising services in the nature of providing technical assistance in the establishment

and operation of retail stores, home service and maintenance businesses, natural gas appliance and equipment maintenance, customer service, namely, orders, records, financing, warranties on products sold and serviced; and retail store services in the field of home appliances, home renovation; ] business management and consultation in the energy [ and water source ] field; [ third-party billing in the energy and water source field; ] retail store and distributorships featuring gas fired appliances and equipment, namely, air conditioners, boilers, [ burners, carbon dioxide generators, electric generators, steam generators, solid oxide fuel cell electric generators, fuel cell electric generators, clothes dryers, coffee makers, deep fat fryers, dish washers, food and dish warmers, ] furnaces, [ fireplaces, fireplace heaters, ] space heaters, water heaters [ , swimming pool heaters, hot plates and griddles, humidifiers, incinerators, ovens, ranges, smoke houses, toasters, barbecues and lights; and retail store and distributorships featuring accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, cooking tools, combination controls for gas appliances, connectors for gas supply appliances, drip tubes for water heaters, draft hoods, petroleum gas hose, couplings and assemblies, pressure regulators, quick-disconnect devices, thermostats and valves; business consultation in the field of ecommerce and customer relationship management services ]

**International Class:** 035 - Primary Class

**U.S Class:** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 44(e)

**For:** [ (Based on 44(e)) Financial services, namely, financing purchase and rental contracts for merchandise and equipment; financing of natural gas vehicle equipment and accessories; in-plant financing; and financial services in relation to all of the aforesaid services, namely, credit application and extension of credit for purchase or rental contracts; consumer and commercial lending services; ] providing extended warranties for home and commercial appliances and related maintenance services, [ home and business security products, home and commercial renovations and equipment, supplies, labor and materials for use in the production, generation, co-generation, distribution, transportation, transmission, storage, management, conservation, research and development and consumption of water resources and energy resources, including natural gas and natural gas liquids, refined products, electricity, oil and propane; (Based on Use in Commerce and Based on 44(e)) ] brokerage of commodities and online commodity trading services for others

**International Class:** 036 - Primary Class

**U.S Class:** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Oct. 13, 1998

**Use in Commerce:** May 11, 2001

**For:** [ (Based on 44(e)) Installing insulation, aluminum doors and windows, aluminum or vinyl siding, soffit and fascia and eavestrough; installing external and internal air filtration controls for buildings; home renovations; general contracting services for construction and building renovation; electrical contracting services; construction, repair and maintenance of residential and commercial buildings; commercial building renovation and repair services; water and oil well drilling; house painting services; janitorial services; installation, maintenance, and repair of equipment for conveying natural gas; ] installation, maintenance, and repair of pipes, valves, meters and other equipment for supplying natural [ and liquefied petroleum ] gas to residential users; [ rental of equipment and supplies for use in the production, generation, co-generation, distribution, transportation, transmission, storage, management, conservation, research and development and consumption of water resources and energy resources, including natural gas and natural gas liquids, refined products, electricity, oil and propane; ] installation, maintenance, and repair of gas fired appliances and equipment, namely, air conditioners, boilers, [ burners, carbon dioxide generators, clothes dryers, coffee makers, deep fat fryers, dish washers, food and dish warmers, ] furnaces, fireplaces, fireplace heaters, space heaters, water heaters, [ swimming pool heaters, hot plates and griddles, humidifiers, incinerators,

ovens, ranges, smoke houses, toasters, barbecues and lights; ] installation, maintenance, and repair of accessories for gas fired appliances and equipment, namely, automatic burner ignition and safety shut-off devices, combination controls for gas appliances, connectors for gas appliances, drip tubes for water heaters, [ draft hoods, petroleum gas hose, ] couplings and assemblies, pressure regulators, quick-disconnect devices, thermostats, and valves; [ installation, maintenance, and repair of household appliances, namely, electric dishwashers, electric clothes washers, electric refrigerators, electric freezers, electric dryers, barbecues, barbecue accessories, trashmashers, microwave ovens, air cleaners, dehumidifiers, vacuum cleaners, central vacuum cleaners, humidifiers, smoke and fire detectors, household security systems and fire extinguishers; installation, repair and maintenance of home security systems, namely, control panels, carbon dioxide (CO<sub>2</sub>) sensors, heat sensors, smoke sensors, glass breakage sensors and connections; ] evaluation and recommendation regarding [ duct cleaning, air conditioning maintenance, fireplace maintenance,] home heating protection maintenance; performance and maintenance contracting in the nature of duct cleaning, air conditioning maintenance, [ fireplace maintenance, home heating and water heating maintenance; ] and remedial maintenance services to increase efficiency and performance of air conditioning units, fireplace units, home heating units [ and air and heating ducts; (Based on Use in Commerce and Based on 44(e)) ] Construction and installation of pipelines; installation, maintenance, and repair of equipment for conveying natural gas; installation, maintenance, and repair of pipes, valves, meters and other equipment for supplying natural and liquefied petroleum gas to commercial and industrial users and pipeline maintenance services

**International Class:** 037 - Primary Class

**U.S Class:** 100, 103, 106

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Oct. 13, 1998

**Use in Commerce:** Oct. 13, 1998

**For:** [ (Based on 44(e)) Telecommunications and multimedia services in all forms of distribution, namely, telephone communications services; providing multiple user access to a global computer network ]

**International Class:** 038 - Primary Class

**U.S Class:** 100, 101, 104

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 44(e)

**For:** (Based on Use in Commerce and Based on 44(e)) Operating pipes, valves, meters and other equipment for supplying liquid hydrocarbons, natural and liquefied petroleum gas to residential, commercial and industrial users; transporting natural and liquefied petroleum gas and liquid hydrocarbons to commercial and industrial users; transportation and storage of energy [ and water resources; ] operation of pipelines, namely, transporting crude oil and natural gas to consumers; operation of truck and marine terminals, and gas and liquid hydrocarbon terminals; [ public utility services; (Based on 44(e)) Water and electric utility services; distribution of water to commercial and residential consumers ]

**International Class:** 039 - Primary Class

**U.S Class:** 100, 105

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Oct. 13, 1998

**Use in Commerce:** May 11, 2001

**For:** (Based on Use in Commerce and Based on 44(e)) Energy [ and water resource ] treatment

**International Class:** 040 - Primary Class

**U.S Class:** 100, 103, 106

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Oct. 13, 1998**Use in Commerce:** May 11, 2001

**For:** (Based on Use in Commerce and Based on 44(e)) Training in the management and maintenance of pipelines; training and education services namely, seminars and training sessions in the field of pipeline operations, maintenance, efficiency, management and safety; technical training and assistance to optimize use of available technologies in the field of energy efficiency and utilization

**International Class:** 041 - Primary Class**U.S Class:** 100, 101, 107**Class Status:** ACTIVE**Basis:** 1(a) 44(e)**First Use:** Oct. 14, 1998**Use in Commerce:** Oct. 14, 1998

**For:** [ (Based on Use in Commerce and Based on 44(e)) ] Providing energy management, measurement and consulting services; consulting services in the field of pipeline operations, maintenance, efficiency and safety [ and consulting services in the field of computer systems and software for the operation, maintenance, design and technology of pipelines; (Based on 44(e)) Home and business security service, namely, monitoring securities systems, service guard services, home and commercial building and energy audit and inspection services; energy monitoring and analysis; technical utilization assistance in the field of evaluation services to determine efficiency of energy use; remote monitoring of environmental systems, namely, heating and cooling systems, intruder and fire alarms systems; oil and gas mining exploration; consultation and research in the field of energy; mechanical engineering services; computer services, namely, custom design of computer software and systems for the management and maintenance of pipelines; designing homes; landscape gardening; product research and development in the energy and water resource field; ] rental of home and commercial appliances [ and home and business security products, ], namely, [ dishwashers, microwave ovens, electric ranges and cook tops, electric ovens, refrigerators, outdoor gas barbecues, pool and hot tub heaters, ] furnaces, space heaters, [ vacuum and air cleaners, washers and dryers, ] air conditioners, boilers, [ carbon dioxide, steam and electric generators, electric coffee makers, deep fat fryers, electric food and dish warmers, ] electric fireplace and space heaters [ , water heaters, electric hot plates and griddles, humidifiers, incinerators, smoke houses, electric toasters and gas lights as well as smoke and fire detectors, household security systems comprising control panels, connections, anti-intrusion alarms, intruder sensors, carbon dioxide (CO2) sensors, heat sensors, water sensors, smoke sensors, glass breakage sensors, computer software, fire extinguishers, computer hardware, computer network links, supervisory control data acquisition systems ]

**International Class:** 042 - Primary Class**U.S Class:** 100, 101**Class Status:** ACTIVE**Basis:** 1(a) 44(e)**First Use:** Nov. 27, 1998**Use in Commerce:** Dec. 09, 1998

### Basis Information (Case Level)

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

## Current Owner(s) Information

**Owner Name:** ENBRIDGE, INC.

**Owner Address:** 3000 Fifth Avenue Place  
425 1st Street, S.W.  
CALGARY ALBERTA T2P 3L8  
CANADA

**Legal Entity Type:** CORPORATION

**State or Country** CANADA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** R.J. Heher

### Correspondent

**Correspondent** RJ HEHER ESQ  
**Name/Address:** FENWICK & WEST LLP  
SILICON VLY CTR  
801 CALIFORNIA ST  
MOUNTAIN VIEW, CALIFORNIA 94041  
UNITED STATES

**Phone:** (650) 988-8500

**Fax:** (650) 938-5200

**Correspondent e-mail:** [trademark@fenwick.com](mailto:trademark@fenwick.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative

**Domestic** R.J. Heher  
**Representative Name:**

**Phone:** (650) 988-8500

**Fax:** (650) 938-5200

**Domestic** [trademark@fenwick.com](mailto:trademark@fenwick.com)  
**Representative e-mail:**

**Domestic** Yes  
**Representative e-mail**  
**Authorized:**

## Prosecution History

Date	Description	Proceeding Number
Sep. 27, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 27, 2011	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Aug. 23, 2011	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	77315
Sep. 23, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Aug. 23, 2011	TEAS SECTION 8 & 15 RECEIVED	
Aug. 23, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 14, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	59272

Jul. 08, 2005	ASSIGNED TO LIE	59272
Jul. 01, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 28, 2005	ASSIGNED TO EXAMINER	80802
Jun. 26, 2005	EXAMINERS AMENDMENT E-MAILED	
Jun. 26, 2005	SU-EXAMINER'S AMENDMENT WRITTEN	76936
Jun. 13, 2005	AMENDMENT FROM APPLICANT ENTERED	59272
May 20, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	59272
May 20, 2005	STATEMENT OF USE PROCESSING COMPLETE	65362
May 20, 2005	EXTENSION 2 GRANTED	65362
Mar. 01, 2005	EXTENSION 2 FILED	65362
Mar. 01, 2005	USE AMENDMENT FILED	65362
May 19, 2005	FAX RECEIVED	
Mar. 01, 2005	PAPER RECEIVED	
Aug. 20, 2004	EXTENSION 1 GRANTED	
Jul. 28, 2004	EXTENSION 1 FILED	
Aug. 02, 2004	PAPER RECEIVED	
Apr. 15, 2004	FAX RECEIVED	
Mar. 23, 2004	FAX RECEIVED	
Mar. 23, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 30, 2003	PUBLISHED FOR OPPOSITION	
Dec. 10, 2003	NOTICE OF PUBLICATION	
Oct. 20, 2003	EMAIL RECEIVED	
Oct. 17, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2003	NON-FINAL ACTION E-MAILED	
Aug. 28, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 17, 2003	REINSTATED	70138
Aug. 27, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 19, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
May 31, 2003	CASE FILE IN TICRS	
May 21, 2003	FAX RECEIVED	
Dec. 30, 2002	FINAL REFUSAL MAILED	
Nov. 15, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 26, 2002	INQUIRY AS TO SUSPENSION MAILED	
Dec. 31, 2001	LETTER OF SUSPENSION MAILED	
Aug. 31, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 02, 2001	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	
Mar. 26, 2001	NON-FINAL ACTION MAILED	
Oct. 17, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Jun. 14, 2000	ASSIGNED TO EXAMINER	76936
Apr. 17, 2000	LETTER OF SUSPENSION MAILED	
Nov. 24, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 25, 1999	NON-FINAL ACTION MAILED	
May 24, 1999	ASSIGNED TO EXAMINER	73727

### Maintenance Filings or Post Registration Information

**Affidavit of Continued** Section 8 - Accepted in Part

**Use:**

**Affidavit of** Section 15 - Accepted

**Incontestability:**

**Change in Registration:** Yes

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** Not Found

**Date in Location:** Sep. 27, 2011

**Assignment Abstract Of Title Information - Click to Load**

**Proceedings - Click to Load**

CERTIFICATE OF SERVICE

I declare that:

I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, California 94041. On the date indicated below, I served the within NOTICE OF OPPOSITION, on the interested parties in said cause, by placing a true copy thereof as indicated below, addressed as follows:

Kaarya, LLC  
1010 Crenshaw Blvd, Suite 220  
Torrance, CA 90501-2057

- BY US MAIL:** by placing the document(s) listed above in a sealed envelope for collection and mailing following our ordinary business practices. I am readily familiar with our ordinary business practices for collecting and processing mail for the United States Postal Service, and mail that I place for collection and processing is regularly deposited with the United States Postal Service that same day with postage prepaid.
- BY OVERNIGHT COURIER:** by placing the document(s) listed above in a sealed envelope with a prepaid shipping label for express delivery and causing such envelope to be transmitted to an overnight delivery service for delivery by the next business day in the ordinary course of business.
- BY FACSIMILE:** by causing to be transmitted via facsimile the document(s) listed above to the addressee(s) at the facsimile number(s) set forth above.
- BY E-MAIL:** by causing to be transmitted via e-mail the document(s) listed above to the addressee(s) at the e-mail address(es) listed above.
- BY PERSONAL DELIVERY:** by causing to be personally delivered the document(s) listed above to the addressee(s) at the address(es) set forth above.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 14<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Nanette Barranti