

ESTTA Tracking number: **ESTTA562603**

Filing date: **10/02/2013**

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	Innovation Works, Inc.		
Entity	Corporation	Citizenship	PA
Address	2000 Technology Drive Suite 250 Pittsburgh, PA 15219-3109 UNITED STATES		

Attorney information	Richard W. James Law Office of Richard W. James 25 Churchill Road Pittsburgh, PA 15235 UNITED STATES rich@jamespatent.com Phone:4129138305
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### Applicant Information

Application No	85889347	Publication date	09/03/2013
Opposition Filing Date	10/02/2013	Opposition Period Ends	10/03/2013
Applicant	Innovation Works (Beijing) Investment Management Ltd. Room 1001-003, Building No. 1 No. 3 Haidian Street, Haidian District Beijing, CHINA		

### Goods/Services Affected by Opposition

Class 036. All goods and services in the class are opposed, namely: Financial consulting services in the fields of mobile internet services, consumer internet services, e-commerce services, and cloud computing services; financial investment and management services, namely, investment advice, investment management, investment consultation, and venture capital funds management and funding to emerging and start-up companies in the fields of mobile internet services, consumer internet services, e-commerce services, and cloud computing services; fundraising services, namely, raising funds for others for investment in early-stage internet and technology companies; venture capital investment in early-stage internet and technology companies in the field of information technology industry, including mobile internet services, consumer internet services, e-commerce services, and cloud computing services
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### Grounds for Opposition

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

U.S. Registration No.	3556510	Application Date	04/07/2008
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Registration Date	01/06/2009	Foreign Priority Date	NONE
Word Mark	INNOVATION WORKS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1999/09/30 First Use In Commerce: 1999/11/00 Business development services, namely, business consulting, business planning, business networking services, formulating business strategies for start-up and emerging companies, assisting in recruiting and management guidance on personnel placement</p> <p>Class 036. First use: First Use: 1999/09/30 First Use In Commerce: 1999/11/00 Financial services, namely, granting and administering funds for research and development leading to new products and processes, education, technology transfer and entrepreneurial and technical assistance</p> <p>Class 041. First use: First Use: 1999/09/30 First Use In Commerce: 1999/11/00 Educational services, namely, conducting and sponsoring training seminars in the areas of business development and planning</p>		

U.S. Application No.	86068258	Application Date	09/18/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	IW		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2011/10/11 First Use In Commerce: 2011/10/11 Business development services, namely, business consulting, business planning, business networking services, formulating business strategies for start-up and emerging companies, assisting in recruiting and management guidance on personnel placement</p> <p>Class 036. First use: First Use: 2011/10/11 First Use In Commerce: 2011/10/11 Financial services, namely, granting and administering funds for research and development leading to new products and processes, education, technology transfer and entrepreneurial and technical assistance; providing funding to start-up and emerging companies</p> <p>Class 041. First use: First Use: 2013/09/07 First Use In Commerce: 2013/09/07 Educational services, namely, conducting and sponsoring training in the areas of business development and planning</p>		

Related Proceedings	Opposition no. 91212771 for Application No. 85889365
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Attachments	<p>Trademark Opposition - IW North America.pdf(113618 bytes )</p> <p>exhibit A.pdf(37538 bytes )</p> <p>exhibit B.pdf(2139133 bytes )</p> <p>exhibit C.pdf(61944 bytes )</p> <p>exhibit D.pdf(2166316 bytes )</p> <p>exhibit E.pdf(117355 bytes )</p> <p>exhibit F.pdf(67585 bytes )</p> <p>exhibit G.pdf(202099 bytes )</p>
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	exhibit H.pdf(4916254 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 USPS Express Mail Post Office to Addressee on this date.

Signature	/Richard W. James/
Name	Richard W. James
Date	10/02/2013



management, investment consultation, and venture capital funds management and funding to emerging and start-up companies in the fields of mobile internet services, consumer internet services, e-commerce services, and cloud computing services; fundraising services, namely, raising funds for others for investment in early-stage internet and technology companies; venture capital investment in early-stage internet and technology companies in the field of information technology industry, including mobile internet services, consumer internet services, e-commerce services, and cloud computing services in class 36.

Filed: March 28, 2013

Current Filing Basis: 1(B) intent-to-use

As grounds therefore, it is alleged that:

1. Opposer, Innovation Works, has used the INNOVATION WORKS service mark since at least 1999 and has used that mark in connection with:

Business development services, namely, business consulting, business planning, business networking services, formulating business strategies for start-up and emerging companies, assisting in recruiting and management guidance on personnel placement in International Class 31;

Financial services, namely, granting and administering funds for research and development leading to new products and processes, education, technology transfer and entrepreneurial and technical assistance in International Class 36; and

Educational services, namely, conducting and sponsoring training seminars in the areas of business development and planning in International Class 41.

2. Opposer, Innovation Works, owns U.S. Registration No. 3,556,510 for the INNOVATION WORKS service mark used in connection with the services and classes described in the paragraph above. See Exhibit A.

3. Opposer, Innovation Works, also currently provides services in connection with the mark IW, the abbreviation for its INNOVATION WORKS service mark, as may be seen in Innovation Works' application no. 86/068258 for registration of a currently used mark. See Exhibit B.

4. According to PWC MoneyTree Investment Reports, Opposer, Innovation Works, has been the 9th most active seed and early stage investor in the United States from 1999 to today. During this period, Innovation Works has made 242 investments in 150 companies.

5. According to Applicant's website en.chuangxin.com, Applicant is "Investing in China's top entrepreneurs," and apparently Applicant intends to provide similar services in the United States in connection with the mark IW NORTH AMERICA.

6. The services Applicant proposes to use under the IW NORTH AMERICA mark are all related to those provided by Opposer, Innovation Works, in the United States of America, a North American country, under Opposer's registered mark, INNOVATION WORKS, and Opposer's mark, IW, for which it has applied for registration.

7. For example, Applicant's proposed financial investment and management services to emerging and start-up companies overlap with regard to services and target consumers with Opposer's granting and administering funds for research and development leading to new products and processes, which Opposer provides in connection with both its INNOVATION WORKS and abbreviated IW marks.

8. Applicant's proposed venture capital investment in early stage companies services also overlap with Opposer's granting and administering funds, which Opposer provides to early stage companies in connection with its INNOVATION WORKS and abbreviated IW marks.

9. Applicant's proposed financial consulting services and fundraising services overlap closely with Opposer's granting and administering funds, which include fund raising services, and Opposer's business development and educational services, which include financial development and education services.

10. Because the services Applicant proposes to provide in connection with an IW NORTH AMERICA mark overlap with or are closely related to the services provided by Opposer in connection with its IW mark in the United States of America, a North American country, consumers are likely to be confused as to the source of all of the services proposed to be provided by Applicant in connection with an IW NORTH AMERICA mark.

11. Innovation Works provides a great deal of its financial, business development, and educational services to computer, software, and internet companies in connection with its INNOVATION WORKS and IW marks. It now appears Applicant is entering the same marketplace that Opponent Innovation Works has been in for many years and wants exclusive rights to use the same mark Innovation Works has used since 1999 and the abbreviation for that mark, which Innovation Works has also used extensively.

12. Applicant's services provided in connection with an IW NORTH AMERICA mark are all likely to be seen in the marketplace as associated with INNOVATION WORKS because Opposed Applicant is a single entity that calls itself Innovation Works, whose corporate name begins with Innovation Works, and that intends to provide computer related services in connection with the mark INNOVATION WORKS (see Exhibit C) and financial services, mostly for computer related companies, in connection with the abbreviation for INNOVATION WORKS, IW, and IW NORTH AMERICA, the same abbreviation with a geographic identifier that encompasses the territory in which Opponent provides its services.

13. Because the services Applicant proposes to provide in connection with an IW NORTH AMERICA mark are likely to be associated with INNOVATION WORKS by consumers of those services, and because those services are all closely related to the services provided by Opposer in connection with its registered INNOVATION WORKS service mark since 1999, the source of services Applicant is to provide under its IW NORTH AMERICA mark is likely to be confused with the source of services provided by Opposer, Innovation Works.

14. INNOVATION WORKS NORTH AMERICA was determined to be a pseudonym in Applicant's application for registration of the IW NORTH AMERICA mark. It does not appear, however, that INNOVATION WORKS was searched in the IW NORTH AMERICA application. Applicant's INNOVATION WORKS application was rejected by the United States Patent and Trademark Office as likely to be confused with Opposer's INNOVATION WORKS registered mark. Applicant responded by removing a substantial portion of its listing in Applicant's INNOVATION WORKS application, but has retained listings similar to those removed from its INNOVATION WORKS listings in its IW NORTH AMERICA application. See Exhibit C, Publication of Applicant's INNOVATION WORKS application for registration. Opposer, Innovation Works, submits that Applicant's IW NORTH AMERICA application, like Applicant's INNOVATION

WORKS application, should have been rejected by the United States Patent and Trademark Office.

15. There are already a number of incidences of actual confusion between Opposer, Innovation Works, and Applicant created by Applicant's use of the Innovation Works marks. For example, the following cases of confusion have occurred:

(a) TechCrunch use of Opposer, Innovation Works, design trademark and registered trademark along with separate inclusion of a link to Opposer's website in an article about Kai-Fu Lee, who is listed as founder of Innovation Works but is founder of Applicant. See Attachment F. Noteworthy in this article are (i) the inclusion of Opposer's, Innovation Works' wave design with the words, Innovation Works, in a font used by Opposer, almost certainly copied from Opposer's website InnovationWorks.org, (ii) link to Opposer's website, InnovationWorks.org, at the end of the article, where it reads "check out Innovation Works at home here," and (iii) the second and third comments posted to the article as examples of readers recognizing that the author confused Opposer, Innovation Works, with Applicant, which is Kai-Fu Lee's organization. See Exhibit D.

(b) Invitation from Nicolas Sarkozy, President of France, sent to Kai-Fu Lee at Opposer, Innovation Works, address. See Exhibit E.

(c) Invitation sent from the Vice Mayor of the City of Tianjin, China to Kai-Fu Lee at Opposer, Innovation Works, address. See Exhibit F.

(d) Package sent by The Asia Foundation to Kai-Fu Lee at Opposer, Innovation Works, address. See Exhibit G.

16. If Applicant adopts the abbreviation and geographic identifier IW NORTH AMERICA, that abbreviation already being used by Opposer and others within the identified geographic area to refer to the source of services provided by Opposer, for Applicant's services and uses the mark INNOVATION WORKS for other of Applicant's services, as Opposed Applicant proposes to do, additional confusion in the marketplace is likely.

17. As soon as Opposer, Innovation Works, became aware of the Applicant's potential use of INNOVATION WORKS, Opposer expressed its concern to Kai-Fu Lee, founder and apparent principal of Applicant. Mr. Lee informed Opposer that Applicant had no intention of using the INNOVATION WORKS mark. See Exhibit H, correspondence between Opposer, Innovation Works, and Applicant. However, Applicant has filed for and prosecuted an Application for that mark and this application for the abbreviation of INNOVATION WORKS with a geographic identifier, and those marks are currently published for opposition.

18. In view of Opposer's prior use of INNOVATION WORKS and prior use of its abbreviation, IW, in North America, Applicant is not entitled to registration of the mark IW NORTH AMERICA. Applicant's registration should be refused under Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d) as being likely to cause confusion with a known mark.

19. Applicant's application for registration should be denied as Applicant is not, and was not at the time of the filing of its application for registration, the rightful owner of the mark at issue.

WHEREFORE, Opposer requests that Application Serial No. 85/889347 be denied, and that this Opposition be sustained in favor of Opposer, Innovation Works. The opposition fee is submitted herewith.

Respectfully submitted,

/Richard W. James/

Richard W. James

Pa. Bar No. 80,426

USPTO Reg. No. 43,690

25 Churchill Road

Churchill PA, 15235

Dated: October 1, 2013

# EXHIBIT A

**Int. Cls.: 35, 36 and 41**

**Prior U.S. Cls.: 100, 101, 102 and 107**

**Reg. No. 3,556,510**

**United States Patent and Trademark Office**

Registered Jan. 6, 2009

**SERVICE MARK  
PRINCIPAL REGISTER**

**INNOVATION WORKS**

INNOVATION WORKS, INC. (PENNSYLVANIA CORPORATION)  
2000 TECHNOLOGY DRIVE  
PITTSBURGH, PA 15219

FOR: BUSINESS DEVELOPMENT SERVICES, NAMELY, BUSINESS CONSULTING, BUSINESS PLANNING, BUSINESS NETWORKING SERVICES, FORMULATING BUSINESS STRATEGIES FOR START-UP AND EMERGING COMPANIES, ASSISTING IN RECRUITING AND MANAGEMENT GUIDANCE ON PERSONNEL PLACEMENT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-30-1999; IN COMMERCE 11-0-1999.

FOR: FINANCIAL SERVICES, NAMELY, GRANTING AND ADMINISTERING FUNDS FOR RESEARCH AND DEVELOPMENT LEADING TO NEW PRODUCTS AND PROCESSES, EDUCATION, TECHNOLOGY TRANSFER AND ENTREPRE-

NEURIAL AND TECHNICAL ASSISTANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-30-1999; IN COMMERCE 11-0-1999.

FOR: EDUCATIONAL SERVICES, NAMELY, CONDUCTING AND SPONSORING TRAINING SEMINARS IN THE AREAS OF BUSINESS DEVELOPMENT AND PLANNING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-30-1999; IN COMMERCE 11-0-1999.

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

SER. NO. 77-441,761, FILED 4-7-2008.

PAUL E. FAHRENKOPF, EXAMINING ATTORNEY

# EXHIBIT B

# Trademark/Service Mark Application, Principal Register

Serial Number: 86068258

Filing Date: 09/18/2013

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86068258
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">IW</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	IW
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Innovation Works, Inc.
<b>INTERNAL ADDRESS</b>	Suite 250
<b>*STREET</b>	2000 Technology Drive
<b>*CITY</b>	Pittsburgh
<b>*STATE (Required for U.S. applicants)</b>	Pennsylvania
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	15219-3109

<b>PHONE</b>	412.681.1520
<b>FAX</b>	412.681.2625
<b>WEBSITE ADDRESS</b>	<a href="https://www.innovationworks.org/">https://www.innovationworks.org/</a>
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	Pennsylvania
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>* IDENTIFICATION</b>	Business development services, namely, business consulting, business planning, business networking services, formulating business strategies for start-up and emerging companies, assisting in recruiting and management guidance on personnel placement.
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 10/11/2011
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 10/11/2011
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-727726135-154405705_ .IW_onesheeterv2.pdf</a>
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	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\682\86068258\xml1\APP0004.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	advertising material
<b>INTERNATIONAL CLASS</b>	036
<b>* IDENTIFICATION</b>	Financial services, namely, granting and administering funds for research and development leading to new products and processes, education, technology transfer and entrepreneurial and technical assistance; providing funding to start-up and emerging companies.
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 10/11/2011

<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 10/11/2011
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-727726135-154405705_.IW_onesheeterv2.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\682\86068258\xml1\APP0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\682\86068258\xml1\APP0004.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	advertising material
<b>INTERNATIONAL CLASS</b>	041
<b>* IDENTIFICATION</b>	Educational services, namely, conducting and sponsoring training in the areas of business development and planning.
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 09/07/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 09/07/2013
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-2-727726135-154405705_.IW_onesheeterv2.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\682\86068258\xml1\APP0005.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\682\86068258\xml1\APP0006.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	advertising material
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>PRIOR REGISTRATION(S)</b>	The applicant claims ownership of U.S. Registration Number(s) 3556510.
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Richard W. James
<b>ATTORNEY DOCKET NUMBER</b>	017458.0005
<b>FIRM NAME</b>	Law Office of Richard W. James
<b>STREET</b>	25 Churchill Road

<b>CITY</b>	Pittsburgh
<b>STATE</b>	Pennsylvania
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	15235
<b>PHONE</b>	4129138305
<b>EMAIL ADDRESS</b>	rich@jamespatent.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Richard W. James
<b>FIRM NAME</b>	Law Office of Richard W. James
<b>STREET</b>	25 Churchill Road
<b>CITY</b>	Pittsburgh
<b>STATE</b>	Pennsylvania
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	15235
<b>PHONE</b>	4129138305
<b>EMAIL ADDRESS</b>	rich@jamespatent.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	3
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	975
<b>*TOTAL FEE PAID</b>	975
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Richard W. James/
<b>SIGNATORY'S NAME</b>	Richard W. James
<b>SIGNATORY'S POSITION</b>	Attorney of record, Pennsylvania bar member

<b>DATE SIGNED</b>	09/18/2013
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## Trademark/Service Mark Application, Principal Register

**Serial Number: 86068258**

**Filing Date: 09/18/2013**

### To the Commissioner for Trademarks:

**MARK:** IW (Standard Characters, see [mark](#))

The literal element of the mark consists of IW.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Innovation Works, Inc., a corporation of Pennsylvania, having an address of  
Suite 250,  
2000 Technology Drive  
Pittsburgh, Pennsylvania 15219-3109  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 035: Business development services, namely, business consulting, business planning, business networking services, formulating business strategies for start-up and emerging companies, assisting in recruiting and management guidance on personnel placement.

In International Class 035, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 10/11/2011, and first used in commerce at least as early as 10/11/2011, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) advertising material.

**Original PDF file:**

[SPE0-727726135-154405705\\_.IW\\_onesheeterv2.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

International Class 036: Financial services, namely, granting and administering funds for research and development leading to new products and processes, education, technology transfer and entrepreneurial and technical assistance; providing funding to start-up and emerging companies.

In International Class 036, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 10/11/2011, and first used in commerce at least as early as 10/11/2011, and is now in use in such commerce. The applicant is submitting one(or more)

specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) advertising material.

**Original PDF file:**

[SPE0-727726135-154405705 . IW\\_onesheeterv2.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

International Class 041: Educational services, namely, conducting and sponsoring training in the areas of business development and planning.

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 09/07/2013, and first used in commerce at least as early as 09/07/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) advertising material.

**Original PDF file:**

[SPE0-2-727726135-154405705 . IW\\_onesheeterv2.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The applicant claims ownership of U.S. Registration Number(s) 3556510.

For informational purposes only, applicant's website address is: <https://www.innovationworks.org/>

The applicant's current Attorney Information:

Richard W. James of Law Office of Richard W. James  
25 Churchill Road  
Pittsburgh, Pennsylvania 15235  
United States

The attorney docket/reference number is 017458.0005.

The applicant's current Correspondence Information:

Richard W. James  
Law Office of Richard W. James  
25 Churchill Road  
Pittsburgh, Pennsylvania 15235  
4129138305(phone)  
rich@jamespatent.com (authorized)

A fee payment in the amount of \$975 has been submitted with the application, representing payment for 3 class(es).

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

### **Declaration Signature**

Signature: /Richard W. James/ Date: 09/18/2013

Signatory's Name: Richard W. James

Signatory's Position: Attorney of record, Pennsylvania bar member

RAM Sale Number: 86068258

RAM Accounting Date: 09/19/2013

Serial Number: 86068258

Internet Transmission Date: Wed Sep 18 16:02:19 EDT 2013

TEAS Stamp: USPTO/BAS-72.77.26.135-20130918160219087

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DA-3083-20130918154405705306

IW



Innovation Works provides financial assistance, strategic business support and educational services to early-stage startup companies in southwestern PA. We are part of the nation's longest running venture development network and serve as an international best practice model for technology-based economic development. Over the past three decades, we have helped develop some of the largest technology employers in the region.

In the last 12 years...

**3,971**

Attributed jobs created and/or retained due to our assistance

**\$14billion**

Follow-on funding raised by IW Seed Fund companies

**75%**

Companies launched with our assistance that are still in business

#### **IW Services:**

##### **Commercializing Basic Research**

Innovation Works develops technologies coming out of universities and federal laboratories into early-stage companies. Through the IW University Innovation Grant program, we help answer fundamental questions regarding commercial potential. And as one of six winners nationally of the U.S. EDA's i6 Challenge, we've teamed up with Carnegie Mellon University to create an Agile Innovation System that accelerates the commercialization of technologies being developed within the region's universities and small businesses. We are also a commercialization partner with the National Energy Technology Laboratory.

##### **IW Seed Fund**

We invest vital funding into seed-stage companies. Due to our efforts, the southwestern Pennsylvania region has become the second-fastest-growing venture capital market nationally over the past 10 years, and the IW Seed Fund has become the 3rd most-active seed fund in the United States. 73% of all venture capital deals in the region in the last three years went to companies that had received our seed funding. And more than 75% of our portfolio companies are in business after 10 years, when roughly one third of all U.S. startups close by year two.

### AlphaLab

The AlphaLab accelerator develops concept-stage software, web, mobile and agile hardware startups through 20-week sessions in which up to six companies receive \$25,000 in seed investment, office space, education seminars, hands-on mentoring and connections to the entrepreneurial and investor community. The program culminates in AlphaLab Demo Day, a chance for companies to pitch their products to angel investors, VCs and media from around the country.

### IW Energy Program

The IW Energy Program catalyzes the growth of the regional energy sector by commercializing university and federal research technologies, providing seed funding to early-stage companies and providing grants to develop new products and processes at existing companies. We are a co-founder of the Energy Alliance of Greater Pittsburgh, a collaborative network of world-class research institutions, nonprofits, Fortune 500 energy companies and innovative startups.

### Entrepreneurial Support

We pair our companies with Executives-in-Residence (EIRs) to provide mentoring and guidance. These EIRs—seasoned industry and business professionals—serve as an extension of a startup's management team, preparing a company for growth-related challenges.

### IW Strategic Human Resources Support

We directly source executive talent as well as provide resources and coaching to help companies drive higher performance from their current employees. We also provide funding to employ undergraduate and graduate-level interns at early stage technology companies and small, established manufacturing companies.

### IW Innovation Adoption Program

We help regional manufacturing companies develop cutting-edge technologies that accelerate their progress and enable them to gain a competitive advantage in local and global markets by linking them with the region's Centers of Excellence.

I wouldn't have started my company without Innovation Works. It's not just the funding, it's the expertise and the access they provide to legal and financial advisors, experienced entrepreneurs and venture capital. They opened up a whole entrepreneurial community for my company."

**Don Charlton,**  
*Founder, The Resumator*



## 2012 Impact Highlights

# 183

Companies assisted with  
IW Business Assistance and/or  
IW Financial Assistance

# \$1.5B

Annual revenues at companies  
we've assisted

# 583

Jobs attributed to our assistance



2000 Technology Drive  
Suite 250  
Pittsburgh, PA 15219-3109

P: 412.681.1520  
F: 412.681.2625  
[www.innovationworks.org](http://www.innovationworks.org)



Innovation Works is Southwestern Pennsylvania's Ben Franklin Technology Partner, an initiative of the PA Department of Community and Economic Development, and is overseen by the Ben Franklin Technology Development Authority.



Innovation Works provides financial assistance, strategic business support and educational services to early-stage startup companies in southwestern PA. We are part of the nation's longest running venture development network and serve as an international best practice model for technology-based economic development. Over the past three decades, we have helped develop some of the largest technology employers in the region.

In the last 12 years...

**3,971**

Attributed jobs created and/or retained due to our assistance

**\$14billion**

Follow-on funding raised by IW Seed Fund companies

**75%**

Companies launched with our assistance that are still in business

#### **IW Services:**

##### **Commercializing Basic Research**

Innovation Works develops technologies coming out of universities and federal laboratories into early-stage companies. Through the IW University Innovation Grant program, we help answer fundamental questions regarding commercial potential. And as one of six winners nationally of the U.S. EDA's i6 Challenge, we've teamed up with Carnegie Mellon University to create an Agile Innovation System that accelerates the commercialization of technologies being developed within the region's universities and small businesses. We are also a commercialization partner with the National Energy Technology Laboratory.

##### **IW Seed Fund**

We invest vital funding into seed-stage companies. Due to our efforts, the southwestern Pennsylvania region has become the second-fastest-growing venture capital market nationally over the past 10 years, and the IW Seed Fund has become the 3rd most-active seed fund in the United States. 73% of all venture capital deals in the region in the last three years went to companies that had received our seed funding. And more than 75% of our portfolio companies are in business after 10 years, when roughly one third of all U.S. startups close by year two.

### AlphaLab

The AlphaLab accelerator develops concept-stage software, web, mobile and agile hardware startups through 20-week sessions in which up to six companies receive \$25,000 in seed investment, office space, education seminars, hands-on mentoring and connections to the entrepreneurial and investor community. The program culminates in AlphaLab Demo Day, a chance for companies to pitch their products to angel investors, VCs and media from around the country.

### IW Energy Program

The IW Energy Program catalyzes the growth of the regional energy sector by commercializing university and federal research technologies, providing seed funding to early-stage companies and providing grants to develop new products and processes at existing companies. We are a co-founder of the Energy Alliance of Greater Pittsburgh, a collaborative network of world-class research institutions, nonprofits, Fortune 500 energy companies and innovative startups.

### Entrepreneurial Support

We pair our companies with Executives-in-Residence (EIRs) to provide mentoring and guidance. These EIRs—seasoned industry and business professionals—serve as an extension of a startup's management team, preparing a company for growth-related challenges.

### IW Strategic Human Resources Support

We directly source executive talent as well as provide resources and coaching to help companies drive higher performance from their current employees. We also provide funding to employ undergraduate and graduate-level interns at early stage technology companies and small, established manufacturing companies.

### IW Innovation Adoption Program

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**Don Charlton,**  
*Founder, The Resumator*



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P: 412.681.1520  
F: 412.681.2625  
[www.innovationworks.org](http://www.innovationworks.org)



Innovation Works is Southwestern Pennsylvania's Ben Franklin Technology Partner, an initiative of the PA Department of Community and Economic Development, and is overseen by the Ben Franklin Technology Development Authority.

# EXHIBIT C

**CLASS 42—(Continued).**

SN 85-735,514. VIRGIN HEALTHMILES, INC., FRAMINGHAM, MA. FILED 9-21-2012.

**ENGAGEMENT CLOUD**

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

FOR PLATFORM AS A SERVICE (PAAS) FEATURING COMPUTER SOFTWARE PLATFORMS FOR USE BY AN ORGANIZATION OR COMPANY TO DELIVER TO ITS MEMBERS OR EMPLOYEES INFORMATION ABOUT THE ORGANIZATION OR COMPANY AND ITS PROGRAMS WHICH ARE DESIGNED TO COMMUNICATE, INCENTIVIZE AND MOTIVATE THOSE MEMBERS OR EMPLOYEES BY MEANS OF INFORMATION, INTERACTION, REWARDS AND RECOGNITION TO PARTICIPATE IN THE PROGRAMS IN ORDER TO ENABLE THE ORGANIZATION OR COMPANY TO MODIFY BEHAVIOR, MANAGE PERFORMANCE, AND DEVELOP ITS PROFESSIONAL TALENT (U.S. CLS. 100 AND 101).

KATHERINE CHANG, EXAMINING ATTORNEY

**CLASS 42—(Continued).**

SN 85-737,112. VISION2SYSTEMS LLC, SUNNYVALE, TX. FILED 9-24-2012.

**VISION2SYSTEMS**

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

FOR PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE FOR OR USE IN DATABASE MANAGEMENT, FOR USE AS A SPREADSHEET, FOR WORD PROCESSING, AND CONNECTING CHURCHES, NON-PROFITS, AND CORPORATE SOCIAL RESPONSIBILITY PROGRAMS (U.S. CLS. 100 AND 101).

EMILY CHUO, EXAMINING ATTORNEY

SN 85-737,349. INNOVATION WORKS (BEIJING) INVESTMENT MANAGEMENT LTD., BEIJING, CHINA, FILED 9-25-2012.

**INNOVATION WORKS**

SN 85-737,069. VISION2SYSTEMS LLC, SUNNYVALE, TX. FILED 9-24-2012.

**VISION2**

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

FOR PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE FOR OR USE IN DATABASE MANAGEMENT, FOR USE AS A SPREADSHEET, FOR WORD PROCESSING, AND CONNECTING CHURCHES, NON-PROFITS, AND CORPORATE SOCIAL RESPONSIBILITY PROGRAMS (U.S. CLS. 100 AND 101).

EMILY CHUO, EXAMINING ATTORNEY

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

FOR INDUSTRIAL DESIGN; COMPUTER PROGRAMMING; COMPUTER SOFTWARE DESIGN; CONSULTANCY IN THE DESIGN AND DEVELOPMENT OF COMPUTER HARDWARE; MAINTENANCE OF COMPUTER SOFTWARE; COMPUTER SYSTEM ANALYSIS; COMPUTER SYSTEM DESIGN; INSTALLATION OF COMPUTER SOFTWARE; COMPUTER SOFTWARE CONSULTANCY; MONITORING OF COMPUTER SYSTEMS BY REMOTE ACCESS TO ENSURE PROPER FUNCTIONING (U.S. CLS. 100 AND 101).

ELISSA GARBER KON, EXAMINING ATTORNEY

# EXHIBIT D

# Impressive List Of U.S. Investors Drops \$180 Million Into Chinese Startup Incubator

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RIP EMPSON

posted 12 hours ago

16Comments



Innovation Works

**Kai-Fu Lee** has a fairly unique perspective on the tech industry, having spent years in high roles at Apple, Microsoft, and Google. Lee spent six years as VP of Apple's Interactive Media Group, before moving on to be chosen as the guy to forge first Microsoft's and then Google's inroads into China. Then, in mid-2009, Lee left Google (where the former professor and computer scientist had been involved with Google.cn and beyond for over four years) amidst the growing criticism in Western

media of China's Internet policy, specifically in regards to the Golden Shield, or the **Great Firewall of China**, as it is fondly known.

Lee bowed out of Google seemingly at just the right time to turn his focus from the behemoths to the little guys, founding **Innovation Works**, an early-stage incubator for Chinese startups. Since 2009 the incubator has been solely focused on investing in and coaching young entrepreneurs in the Chinese market, and today the incubator announced that it has raised \$180 million to create the so-called "Innovation Works Development Fund" (IWDF). The fund is the first dollar-based fund raised by the company to be focused on Chinese Internet startups.

According to the **Innovation Works' announcement**, corporations, family funds, and institutions participated in the fund, including investors like WI Harper, Silicon Valley Bank, Sequoia Capital, IDG-Accel, Foundation Capital, Foxconn, SAP, Bertelsmann, Motorola, Autodesk, and pension funds from the U.S. and Canada.

Ron Conway and Yuri Milner were also part of the list of investors, as well as executives and former executives from top Internet companies like Google, YouTube, Facebook, Amazon, and Yahoo. While American tech companies have largely struggled to expand into the Chinese market, it's nice to at least see American money working its way into China to support startups and the local entrepreneurial ecosystem. Hopefully, it will encourage Chinese founders to build businesses unique to the region and not Facebook/Twitter ports.

The incubator had previously raised \$115 million and, to date, Innovation Works has invested in approximately 34 startups, nine of which have successfully obtained sizable Series A financing from third-party VCs, according to Lee. Innovation Works, like its American brethren TechStars and Y Combinator looks to help early-stage startup teams grow quickly with the help of mentoring services and an infusion of cash. Lee manages the fund alongside WI Harper Group.

For more, [check out Innovation Works at home here.](#)

## CRUNCHBASE

**Person:**  
KAI-FU LEE  
**Website:**  
<http://www.kaifulee.com>  
**Companies**  
Microsoft, Cosmo Software, Apple, SGI

## KAI-FU LEE

Dr. Kai-Fu Lee is the Founder of Innovation Works. He served as Vice President, Engineering of Google Inc., and President of its Chinese Operations since July 2005. He...



[LEARN MORE](#)

Tags: [Innovation Works](#), [Kai-fu Lee](#)

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PROGRESS IS EVERYONE'S BUSINESS  
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### EVENTS

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October 31st - November 1st, 2011

Beijing, China

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16 comments

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**Stop the wars**

so this guy worked on apple newton and quicktime, two apple busts and he has no other major successes to his name... and notice how there is not a single mention of any successful company they've incubated, its doubtful they have anywhere close to \$180 million, but if anyone is foolish enough to invest in this they will lose their money...

5 · Like · Reply · Subscribe · 11 hours ago



**Hong Wu**

Well, Innovation Works has incubated:

- a Tumblr clone called DianDian (and DianDian also copied Piictu app interface)
- a Quora clone called ZhiHu
- a Flurry clone called Umeng

...See More

10 · Like · Reply · 11 hours ago



**Brad Feld** · Managing director at Foundry Group

The URL for Innovation Works is incorrect. The correct one is <http://en.chuangxin.com/>.

5 · Like · Reply · Subscribe · 11 hours ago



**Breck Fresen** · Pittsburgh, Pennsylvania

The Innovation Works logo and website you link to is for a Pittsburgh-based seed stage investment fund called Innovation Works that invests in companies in western Pennsylvania. It's been around since 1999. They've had a huge impact on the region and are deserving of a TC blog post all their own! But I assure you they don't invest in China.

3 · Like · Reply · Subscribe · 11 hours ago



**Boz Bundalo** · Top Commenter · Founder, Chief Creative Officer at Digital Almanacs

What a great idea.. US economy is imploding.. jobs are dying and what do US investors do? Invest in China.. fantastic idea.

3 · Like · Reply · Subscribe · 11 hours ago



**Boz Bundalo** · Top Commenter · Founder, Chief Creative Officer at Digital Almanacs

There's your trickle down effect right there.

Like · Reply · 11 hours ago



**Hong Wu**

pension funds from the U.S.??? who's in charge of that? this is STUPID!

1 · Like · Reply · 9 hours ago

**Edwin** (signed in using Hotmail)

and who's funding our debt?

Like · Reply · 8 hours ago



**Tae Shin** · Beijing, China

Innovation Works is really an incubator to "clone" and "localize" applications. Although they aren't "innovative" as their counterparts in the West, they have found a way to put millions of USD into their pockets. kudos!

1 · Like · Reply · Subscribe · 7 hours ago



**Tae Shin** · Beijing, China

And another thing, why does his name (Kai-fu Lee) appear every time Innovation Works is mentioned? It's always, "Kai fu Lee's Innovation Works" or something along those lines.

Like · Reply · 7 hours ago



**Cucas Peter** · Works at CUCAS-Study in China

因为是李开复创办的创新工场

Like · Reply · 7 hours ago



**Felix Chan** · Eureka Senior High

Why do they need \$180 million? YC only needs \$10 million...

1 · Like · Reply · Subscribe · 7 hours ago



**John Pattison** · Mokena, Illinois

I hope the writer at least walked away with a bag of Yen...

1 · Like · Reply · Subscribe · 10 hours ago



**Matt Lawson** · Top Commenter

I asked for some RMB :-)

Like · Reply · 5 hours ago



**Matt Lawson** · Top Commenter

We are San Francisco based with our development offices in Shenzhen, Guangdong and Sanya, Hainan. We spent 2 years to create the current beta release. Company is profitable from first week. We created a online software development platform that allows the customer to create any software broken down to a per-task basis. The software is powered by a patent-pending work-flow process called "Ticket Steps", which reduces the development cost on most projects by 50%. We need help with all the legal and corporate stuff. The

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- Gillmor Gang: Live from Dreamforce 1:30pm PT
- WITN: The New Wrinkle on the Valuation Trap (TCTV)
- (Founder Stories) Mike Lazerow On Google+ "I Know No One Who Is Using It"
- TC Cribs: A Magical Journey Through Box.net (In The Cloud)
- (Founder Stories) Mike Lazerow: Facebook's Brilliance? "Knowing Who They Were Very Early On"

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- Pogoplug Debuts New Hardware For Streaming To Mobile Devices
- Toshiba Announces The First Ultrabook, The Portégé Z830
- Toshiba Unveils The Thinnest Honeycomb Tablet Yet, The 7.7mm-thick AT200
- Toshiba's FlashAir SDHC Cards Pack Wireless LAN
- PSA: Netflix Price Hike Rolls Out Today

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- Jetpack Joyride launch trailer blasts off
- Report: LA Noire dev Team Bondi enters administration
- Live from Samsung IFA 2011 press event
- Samsung Galaxy Note announced: 5.3-inch display, built-in-stylus, custom 'S Pen' apps

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# EXHIBIT E

**Deborah Walker**

---

**From:** Deborah Walker  
**Sent:** Monday, April 25, 2011 1:06 PM  
**To:** 'benjamin@chuangxin.com'  
**Subject:** FW: e-G8 invitation  
**Attachments:** DOC042511.pdf

Mr. Qiu,

Attached please find an invitation that we believe is intended for the president of your organization. We have responded to the email address provided to inform the event organizers of the error but thought we should pass the invitation on directly as well.

Regards,

Deborah L. Walker  
Legal Counsel  
Innovation Works, Inc.  
2000 Technology Drive, Suite 250  
Pittsburgh, PA 15219-3109

Office: 412-894-9513  
Fax: 412-681-2625

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LE PRÉSIDENT DE LA RÉPUBLIQUE

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Monsieur Kai-Fu LEE  
Président d'Innovation Works  
2000 Technology Drive  
Suite 250  
PITTSBURGH 15219-3109  
PENNSYLVANIA  
États-Unis d'Amérique

1521933114 00E8



# LE PRÉSIDENT DE LA RÉPUBLIQUE

Paris, le 12 avril 2011

Monsieur le Président,

En tant que président en exercice du G8, j'ai souhaité mettre la question d'Internet à l'ordre du jour du sommet des chefs d'État et de gouvernement qui se tiendra à Deauville les 26 et 27 mai 2011. En effet, il nous paraît à tous essentiel que nos États réfléchissent au développement d'Internet et à ses effets économiques, politiques et culturels dans nos pays comme dans le monde entier.

Cette implication des chefs d'État et de gouvernement est le signal que le moment est venu de nouer un véritable dialogue avec les grands acteurs mondiaux du secteur des technologies de l'information et de la communication, tout particulièrement pour renforcer la contribution majeure qu'apporte Internet à la croissance économique.

C'est dans cet esprit que j'ai décidé d'organiser le « Forum e-G8 » à Paris les 24 et 25 mai prochains. Pendant ces deux jours, les hommes et les femmes représentant les entreprises et les organisations les plus emblématiques d'Internet travailleront ensemble avant que les fruits de leurs réflexions ne soient partagés avec les chefs d'État et de gouvernement réunis à Deauville.

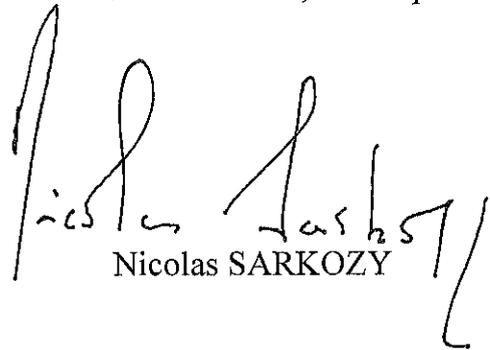
.../...

Monsieur Kai-Fu LEE  
Président d'Innovation Works  
2000 Technology Drive  
Suite 250  
PITTSBURGH 15219-3109  
PENNSYLVANIE  
ÉTATS-UNIS D'AMÉRIQUE

Tout en valorisant ce que le réseau produit de meilleur en termes de services et d'usages, les grands acteurs du secteur pourront aussi s'exprimer sur les défis et les opportunités qu'ils estiment pertinents pour l'avenir d'Internet en donnant leur vision sur un grand nombre d'enjeux incluant par exemple la question des droits de l'homme, la propriété intellectuelle, ou encore l'investissement technologique.

Étant donné la place centrale qu'occupe l'entreprise que vous dirigez, je serais honoré de pouvoir compter sur votre présence lors de cette conférence inédite.

Je vous prie de croire, Monsieur le Président, en l'expression de ma haute considération.



Nicolas SARKOZY

## e-G8 Forum

The e-G8 Forum will take place on May 24 and 25, 2011, in Paris, in the gardens of the Louvre. *Participation in the e-G8 is strictly by personal invitation only – invitations cannot be transferred.*

Tuesday May 24, 2011

- 11:00: Opening speech by Nicolas SARKOZY, President of the French Republic and acting President of the G8 summit.
- 12:00-13:15 : Lunch
- 13:30-15:00 : Plenary session
- 15:15-16:45 : Working groups
- 17:15-18:45 : Working groups
- 19:00-21h00 : Cocktail buffet

Wednesday May 25, 2011

- 8:45-10:15 : Plenary session
- 10:45-12:00 : Working groups
- 12:00-13:15 : Lunch
- 13:30-14:30 : Working groups
- 14:45-15h45 : Working groups
- 16:15-17:30 : Closing session, plenary

Please confirm that you will be attending. You may email any questions, or requests for practical information, to [eg8forum@publicislive.com](mailto:eg8forum@publicislive.com)

## Courtesy translation

Dear Mr. LEE,

In my current capacity as President of the G8, I would like to place the issue of the Internet on the agenda of the Summit of Heads of State and Government that will be held in Deauville on 26-27 May 2011. We are all in agreement that it is essential for our States to consider the development of the Internet and its economic, political and cultural effects in our own countries and throughout the world.

This commitment from the Heads of State and Government shows that the time has come to engage in genuine dialogue with the main world players in the information and communication technologies sector, particularly in order to strengthen the Internet's major contribution to economic growth.

It is for this reason that I have decided to organise the "e-G8 Forum" in Paris on 24-25 May. Over these two days, the CEOs and the leaders of the Internet's most leading companies and organisations will work together before sharing their proposals with the Heads of State and Government in Deauville.

Participants in the e-G8 Forum will be able to exchange ideas about cutting-edge products and services. They will also be able to discuss the challenges and opportunities which they believe relevant to the future of the Internet, offering their opinions on a wide range of issues, including for example human rights, intellectual property and technological investment.

Given the major role you and the company you lead play in the field of information technology, I would be honoured if you could attend this unprecedented conference.

Sincerely,

Nicolas SARKOZY

# EXHIBIT F

March 15, 2010

Dr. Lee Kai-Fu  
Chairman, Founder  
Innovation Works, Inc.  
2000 Technology Drive  
Suite 250  
Pittsburgh, PA 15219



Dear Dr. Kai-Fu:

On behalf of the Government of the City of Tianjin, China, I am writing to invite you to attend a briefing I will be hosting next Friday, March 19<sup>th</sup> in New York City regarding a major initiative of the Chinese government to build the world's newest - and largest - hub of international finance in Tianjin. The Yujiapu financial district is a central part of China's strategic objective to transform China from a manufacturing and export oriented economy to one focused on the services sector. Importantly, this initiative will provide a range of significant opportunities for companies and financial firms in New York and around the world.

Attached you will find an invitation to the briefing, which will take place from 4pm to 6pm on Friday, March 19<sup>th</sup>, at the Grand and South Salons on the 36<sup>th</sup> floor of the Mandarin Oriental Hotel in Manhattan. You or a designated colleague can RSVP by email at [TianjinRSVP@webershandwick.com](mailto:TianjinRSVP@webershandwick.com) or by telephone at either (212) 445-8296 or (212) 445-8275.

At the event, my team and I will provide an overview of Tianjin's growing importance as a financial hub in China. We will also discuss some of the advantages and incentives of investing in Tianjin. The Yujiapu development will transform China's investment and capital-raising landscape, and our wish is to attracting leading companies from global financial sectors to the region.

A representative of Weber Shandwick will be reaching out to you to confirm your participation. I sincerely hope that you or one of your colleagues can be in attendance. This event promises to be a unique opportunity to meet decision makers and help take your China business strategy to a new level.

Sincerely,

Cui Jindu  
Vice Mayor of Tianjin

—于家堡金融区纽约路演推介会

Yujiapu Financial District Road Show, New York Promotional Event



—于家堡金融区纽约路演推介会  
Yujiaji Financial District Road Show, New York Promotional Event

*His Excellency*

THE VICE MAYOR OF TIANJIN

*cordially requests the pleasure of your company*

*at a Cocktail Reception*

FRIDAY, 19TH MARCH, 2010

*at the*

MANDARIN ORIENTAL HOTEL, NEW YORK

4:00PM  
GRAND & SOUTH SALONS

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RSVP  
(212) 445-8275 OR (212) 445-8296  
TIANJINRSVP@WEBERSHANDWICK.COM

3/16/2010

Spoke with sender (Nicholas Goodman)

who advised us to keep/destroy package

& that he would take care of getting

the invitation to the proper address.

Jehovah

# EXHIBIT G

package declared 5/17

FedEx  
TRK# 8742 4684 2385  
0215

SB BTPA

# FedEx

For FedEx Express® Ship

Emp# 716903 13MAY11 SF

24  
100

## FedEx US Airbill

FedEx Tracking Number

8742 4684 2385

1 From This portion can be removed for Recipient's records.  
FedEx Tracking Number

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Date 5/17/11

Phone 415 983-4440

Sender's Name

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Company

ASIA FOUNDATION

Address

465 CALIFORNIA ST FL 9

State

CA

ZIP

94104-1892

City

SAN FRANCISCO

2 Your Internal Billing Reference

89

3 To

Recipient's Name

Mr. K. L. Lee

Company

Innovative Work

Address

200 Technology Drive, #260

City

Redwood City

State

CA

ZIP

94063-3107

HOLD Weekday  
FedEx location address  
REQUIRED. NOT available for  
FedEx First Overnight.

HOLD Saturday  
FedEx location address  
REQUIRED. Available ONLY for  
FedEx Priority Overnight and  
FedEx 2Day to select locations.

4a Express Package Service

Next business morning. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 2Day  
Second business day. Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

4b Express Freight Service

FedEx 1Day Freight  
Next business day. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx 2Day Freight  
Second business day. Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

5 Packaging

FedEx Envelope\*

FedEx Pak\*  
Includes FedEx Small Pak  
and FedEx Large Pak.

6 Special Handling and Delivery

SATURDAY Delivery  
NOT available for FedEx Standard Overnight, FedEx 2Day, FedEx Priority Overnight, FedEx Priority Overnight and FedEx 2Day.

No Signature Required  
Package may be left without obtaining a signature for delivery.

Does this shipment contain:  
One box must be checked.

No  Yes  
As per attached Shipper's Declaration.

Dangerous goods (including dry ice) cannot be shipped or placed in a FedEx Express Drop Box.

7 Payment Bill to:

Sender  
 Recipient

Total Packages Total Weight

\*Our liability is limited to \$100 unless you declare a value.

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Ins' airt he



8742 4684 2385

0429436371

# EXHIBIT H

November 17, 2010

  
Innovation Works

**VIA: Federal Express**

Kai-Fu Lee  
Tower C Qsinghua Science Park  
Haidian District  
Beijing, China  
Postcode: 100084

**RE: Use of Innovation Works' Registered Service Mark**

Mr. Lee:

I am the President and CEO of Innovation Works, Inc. We at Innovation Works applaud the early-stage internet and investment incubator you have launched in China and wish to support you in your endeavors. We want to remind you, however, that we own United States Registration No. 3,556,510 (the "Registration") for the service mark INNOVATION WORKS (the "Registered Mark") in connection with business development services, financial services, and educational services. Therefore, we invite you to contact us to discuss the extent to which you are using the Innovation Works mark in the US and the extent to which you wish to use that mark in the US in the future. Please contact me by email or otherwise as indicated above to schedule a time when we can discuss the extent of any overlap in your use of our registered mark and how we may license the Innovation Works mark to you in return for a fee or other consideration.

As you may recall from your days at Carnegie Mellon in Pittsburgh, Innovation Works provides investment, business expertise and incubation services to technology start-up companies. Innovation Works was named the most active investor in the US in June of 2009 by Venture Capital Journal and has been included in the PWC Money Tree top 10 most active investors in the US for the last three years. Innovation Works has been awarded top honors for its programs supporting innovation and entrepreneurship by the U.S. Economic Development Administration, the State Science and Technology Institute and the International Economic Development Administration, to name a few. Innovation Works' mission is to fund and support Pennsylvania technology companies and Innovation Works accomplishes that, in part, by participating in conferences across the US and through its close relationships with investors, including venture capital groups. These outreach efforts have helped Innovation Works' seed-fund portfolio attract approximately \$1 billion in follow-on investment from venture capitalists, angels and other strategic investors over the last decade. Innovation Works has been providing those services for over 20 years and has been using the service mark "Innovation Works" since early 1999. Innovation Works also operates a website at [www.innovationworks.org](http://www.innovationworks.org).

Innovation Works  
2000 Technology Drive, Suite 250  
Pittsburgh, Pennsylvania 15219-3109

tel: 412.681.1520  
fax: 412.681.2625

[www.innovationworks.org](http://www.innovationworks.org)

November 17, 2010

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Innovation Works wishes you well in your endeavors to support entrepreneurs and looks forward to a discussion with you to forge a relationship and a plan whereby we can both meet our business objectives without causing confusion in the marketplace.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Lunak".

Richard Lunak

President and CEO – Innovation Works

cc: Richard W. James, Member – Spilman Thomas & Battle



18/F, Block B, Disanji Tower  
No. 66 North 4th Ring Road West  
Haidian District, Beijing  
100080

November 23, 2010

**VIA: China Post**

Richard Lunak  
2000 Technology Drive, Suite 250  
Pittsburgh, Pennsylvania, U.S.A.  
Postcode: 15219-3109

Dear Mr. Lunak,

I am the general counsel for Innovation Works Limited. Thanks for your letter dated November 17. We appreciate and take note of the background information which you have provided about your company.

As you have noticed, we incubate and invest in early-stage IT/Internet companies in China which focus on the Chinese market. We do not have any plan to use the INNOVATION WORKS mark in the U.S., and do not intend to cause any confusion in the marketplace. In fact, "Innovation Works" is a plain and literal translation of our company name and trademark in Chinese ("创新工场", or "Chuangxin Gongchang" in Roman Pinyin). Please also kindly note that our website is now [www.chuangxin.com](http://www.chuangxin.com) (previously [www.innovation-works.com](http://www.innovation-works.com)). We respect your company's track record in seed investments and entrepreneurship coaching, and we will consider the potential to forge a business relationship.

We meant to email you as you requested but could not find your email address in the letter. Please feel free to email me at [benjamin@chuangxin.com](mailto:benjamin@chuangxin.com) if you have any questions.

Sincerely,

Benjamin Qiu  
General Counsel of Innovation Works Limited



SPILMAN THOMAS & BATTLE, PLLC

ATTORNEYS AT LAW

Richard W. James  
Direct: 412.325.3309  
rjames@spilmanlaw.com

December 1, 2011

**VIA FEDEX**

Mr. Benjamin Qui  
18/F, Block B, Dinsanji Tower  
No. 66 North 4<sup>th</sup> Ring Road West  
Haidian District  
Beijing, China  
Postcode: 100080

**RE: Use of Innovation Works' Registered Service Mark**

Dear Mr. Qui:

We represent Innovation Works, Inc. (hereinafter "Innovation Works") in connection with trademark matters. Innovation Works owns United States Registration No. 3,556,510 for the service mark INNOVATION WORKS (hereinafter the "Registered Mark") in connection with business development services, financial services, and educational services.

Innovation Works appreciates your letter of November 23, 2010, in which you informed Mr. Lunak, President and CEO of Innovation Works, that you changed your web site to one that does not include the INNOVATION WORKS mark, and in which you assured Mr. Lunak that you have no plan to use the INNOVATION WORKS mark in the U.S.

There have been numerous occasions of actual confusion between your company and Innovation Works in the U.S. marketplace, however, including:

1. Innovation Works' receipt of a Federal Express package on March 15, 2010, addressed to Dr. Kai Fu Lee at Innovation Works from Nicholas Goodwin of Weber Standwick inviting Dr. Lee to attend a meeting in New York City regarding an initiative to build a hub of international finance in Tianjin, China;
2. Innovation Works' receipt of an invitation, presumably intended for Dr. Kai Fu Lee, to attend the e-G8 forum, from Nicolas Sarkozy, President of France, to the President of Innovation Works, on April 25, 2011;

One Oxford Centre | Suite 3440 | 301 Grant Street | Pittsburgh, Pennsylvania 15219  
www.spilmanlaw.com | 412.325.3301 | 412.325.3324 fax

West Virginia

North Carolina

Pennsylvania

Virginia



Mr. Benjamin Qui  
December 1, 2011  
Page 2

3. Innovation Works' receipt of a Federal Express package intended for Dr. Kai Fu Lee, on May 17, 2011, from Give2Asia; and
4. The inclusion of a link to the Innovation Works' web site in an article on the popular online blog, Tech Crunch, about Dr. Kai Fu Lee and his company, which was referred to in the article as Innovation Works.

Accordingly, we must request that you stop using INNOVATION WORKS in connection with any business development, financial, or educational services in the U.S. to prevent further confusion.

As you are probably aware, Innovation Works has worked to assure that each misdirected communication it received was redirected to Dr. Kai Fu Lee. Innovation Works, furthermore, continues to wish you and Dr. Kai Fu Lee well in your endeavors to support entrepreneurs.

Please do not hesitate to contact me if I can be of assistance.

Best Regards,

Richard W. James

RWJ/rmm

cc: Richard Lunak, President and CEO – Innovation Works



SPILMAN THOMAS & BATTLE, PLLC

ATTORNEYS AT LAW

Richard W. James  
Direct: 412.325.3309  
rjames@spilmanlaw.com

January 23, 2013

**VIA FEDEX**

Mr. Benjamin Qui  
18/F, Block B, Dinsanji Tower  
No. 66 North 4<sup>th</sup> Ring Road West  
Haidian District  
Beijing, China  
Postcode: 100080

**RE: Use of Innovation Works' Registered Service Mark**

Dear Mr. Qui:

As you may recall, we represent Innovation Works, Inc. (hereinafter "Innovation Works") in connection with trademark matters and Innovation Works owns United States Registration No. 3,556,510 for the service mark INNOVATION WORKS (hereinafter the "Registered Mark") in connection with business development services, financial services, and educational services.

Innovation Works appreciates your assurance in your letter of November 23, 2010 that you "do not have any plan to use the INNOVATION WORKS mark in the U.S." Innovation Works is aware, however, of certain of your uses of INNOVATION WORKS that appear to be directed, at least in part, at the U.S., including the attachment. Even certain of your Chinese language documents (see additional attachment) include our client's Registered Mark "INNOVATION WORKS" and the abbreviation "IW."

In light of ongoing confusion in the U.S. and continued appearance of your mark in the U.S., Innovation Works must demand that you cease using their registered trademark. Innovation Works further requests that when you use your Chinese language mark in a document in any language that may be available in the U.S., that you include the following disclaimer or a similar disclaimer that includes the information in the following disclaimer:

One Oxford Centre | Suite 3440 | 301 Grant Street | Pittsburgh, Pennsylvania 15219  
www.spilmanlaw.com | 412.325.3301 | 412.325.3324 fax

West Virginia

North Carolina

Pennsylvania

Virginia

Mr. Benjamin Qui  
January 23, 2013  
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We are not associated with Innovation Works, which provides business development, financial and educational services in the U.S. and may be found at [innovationworks.org](http://innovationworks.org).

Innovation Works continues to appreciate the good work you are doing, does not want to hinder that in any way, and hopes that you will recognize that the confusion that now exists in the marketplace is not good for either you or them and needs to be eliminated.

Please do not hesitate to contact us if we can be of further assistance in this regard.

Innovation Works was named the most active investor in the US in June of 2009 by Venture Capital Journal and has been included in the PWC Money Tree top 10 most active investors in the US for the last three years. Innovation Works' mission is to fund and support Pennsylvania companies and accomplishes that, in part, by participating in conferences across the US and through its close relationships with investors, including venture capital groups. Innovation Works has been providing those services for over 20 years and has been using the service mark "Innovation Works" since early 1999. Innovation Works also operates a website at [www.innovationworks.org](http://www.innovationworks.org).

It has come to our attention that you have established an entity called "Innovation Works" in China to provide support and early stage funding for Internet software entrepreneurs in China. Innovation Works applauds you in that effort and wishes to support you if it may. We must remind you, however, that it would be confusing if your entity were to use our client's Innovation Works trademark in the U.S. Therefore, we ask that you take steps to avoid confusion with our client since you may well be in touch with the same people as Innovation Works for the same purposes.

Innovation Works wishes you well in your endeavors to support entrepreneurs and would welcome communications with you if you wish to discuss this or any other matters.

Sincerely,



Richard W. James

RWJ

Enclosures

cc: Richard Lunak, President and CEO – Innovation Works



创新工场  
INNOVATION  
WORKS

投资中国顶尖的创业人才

李开复：创业初期要专注做一个产品 2012.11.17

李开复：移动存五大趋势 C2C抄袭模式已死 2013.1.15

应用汇CEO罗川：渠道如何更好的为游戏服务 2013.1.11

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 Innovation Works Move to Ding Hao Tower, Area expanded to 7000 Square Meter  
 Tina Tao, COO of IW: Shanghai Branch Will Be Formally Founded In the Second Half of This Year  
 Kai-Fu Lee – China Is Poised for an I.T. Golden Age  
 Hua Wang, Managing Partner of IW: the Number of Mobile Internet Users Will Reach a Flashpoint

06.04.2012  
 04.20.2012  
 04.07.2012  
 12.05.2011  
 11.10.2011

Tencent Open-Platform Cooperates with Xing Cloud, Allowing Application One-Click Publishing to the World  
 HTML5 Games Developer Leiyou Raises Funding From Innovation Works, WI Harper Group  
 Buding Won the Champion of "The Dark Horse Starup Competition"  
 Buding Coupon Won an Award in the Mobile Development Conference With Other Four Applications  
 Innovation Works' Portfolio Anquanbao Won The Runner-Up of TechCrunch Disrupt "Starup Battlefield"

05.09.2012  
 12.20.2011  
 12.05.2011  
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