

ESTTA Tracking number: **ESTTA616838**

Filing date: **07/21/2014**

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	Aegis Sciences Corporation
Granted to Date of previous extension	07/20/2014
Address	515 Great Circle Road Nashville, TN 37228 UNITED STATES

Attorney information	Edward Playfair Adams and Reese LLP 424 Church Street Suite 2700 Nashville, TN 37219 UNITED STATES trademarks@arlaw.com, edward.playfair@arlaw.com Phone:6152591450
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Applicant Information

Application No	86065624	Publication date	01/21/2014
Opposition Filing Date	07/21/2014	Opposition Period Ends	07/20/2014
Applicant	Alere Switzerland GmbH Bahnhofstrasse 28 Zug, CH-6300 SWITZERLAND		

Goods/Services Affected by Opposition

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Software as a service (SAAS) services featuring software for managing, integrating and facilitating connectivity to medical and patient care data

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.	2544255	Application Date	06/13/2000
Registration Date	03/05/2002	Foreign Priority Date	NONE
Word Mark	AEGIS		

Design Mark	AEGIS		
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1990/07/01 First Use In Commerce: 1990/07/01 Drug testing for substance abuse		

U.S. Registration No.	4086011	Application Date	04/15/2010
Registration Date	01/17/2012	Foreign Priority Date	NONE
Word Mark	AEGIS		
Design Mark	AEGIS		
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1990/07/01 First Use In Commerce: 1990/07/01 Testing substances for the purpose of identifying drugs, steroids, medications and alcohol, and consulting related thereto; testing of dietary, food and nutritional products, and consulting related thereto; toxicology services and consulting related thereto; scientific research and analysis in the field of pharmacology; pharmacology consulting services; forensic science services, namely, research in the nature of analysis, detection and isolation of drugs, steroids, medications and alcohol in forensic samples; forensic science consulting services; consulting services in the field of crime laboratory research; scientific consulting services in the field of foods Class 044. First use: First Use: 1990/07/01 First Use In Commerce: 1990/07/01		

	<p>Consulting services in the fields of health, nutrition, medical examination and pain management; providing health and medical information in the fields of drugs, steroids, and dietary, food and nutritional products; consulting services in the field of sports doping and substance abuse prevention and testing programs; administration of substance abuse testing programs for sports organizations, educational establishments and businesses; medical substance use and abuse testing; screening and identification services for the use of drugs, steroids, medications and alcohol, and consulting related thereto; medical compliance testing services, namely, testing of use of drugs and medications to ensure compliance, and consulting related thereto; drugs, steroids, medications and alcohol screening for sports doping and substance abuse prevention purposes, and consulting related thereto</p> <p>Class 045. First use: First Use: 1990/07/01 First Use In Commerce: 1990/07/01</p> <p>Providing information in the field of compliance with state and federal sports anti-doping laws and regulations; providing information in the field of compliance with sports governing bodies' and sports teams' anti-doping rules; expert witness services in legal matters in the fields of sports doping and substance use and abuse; consulting services in the field of crime scene investigation; drugs, steroids, medications and alcohol screening for security and employment purposes, and consulting related thereto</p>
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U.S. Registration No.	3610392	Application Date	11/14/2005
Registration Date	04/21/2009	Foreign Priority Date	NONE
Word Mark	AEGIS PAINCOMP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2005/12/00 First Use In Commerce: 2005/12/00 Testing services for evaluating patient compliance with prescribed medications		

U.S. Registration No.	4404849	Application Date	11/09/2011
Registration Date	09/17/2013	Foreign Priority Date	NONE
Word Mark	AEGIS SHIELD		
Design Mark			

Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2012/05/16 First Use In Commerce: 2012/05/16 Downloadable software in the nature of a mobile application for processing health and medical data in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; downloadable software in the nature of a mobile application for data processing in the field of compliance with state and federal sports anti-doping laws and regulations; downloadable software in the nature of a mobile application for data processing in the field of compliance with sports governing bodies' and sports teams' anti-doping rules</p> <p>Class 044. First use: First Use: 2012/04/00 First Use In Commerce: 2012/04/00 Providing health and medical information in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; consulting services in the field of drug, substance and steroid use in sports; consulting services in the field of prevention and testing for sports doping and substance abuse</p> <p>Class 045. First use: First Use: 2012/04/00 First Use In Commerce: 2012/04/00 Providing information in the field of compliance with state and federal sports anti-doping laws and regulations; providing information in the field of compliance with sports governing bodies' and sports teams' anti-doping rules</p>

U.S. Registration No.	4467764	Application Date	01/30/2013
Registration Date	01/14/2014	Foreign Priority Date	NONE

Word Mark	AEGIS NATAL CARE
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Description of Mark	The mark consists of the word "AEGIS" in stylized sans-serif capitals, with the horizontal line in the letter "A" in "AEGIS" extending and making an arc up and over letters "E" and "G", and the lowerlegs of the "A" extending below the remainder of "AEGIS," with "NATAL CARE" in sans-serif capitals occupying the space below "AEGIS" framed to the left by the protrusion of the legs of the "A".
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Goods/Services	Class 044. First use: First Use: 2012/12/21 First Use In Commerce: 2012/12/21 Testing services for evaluating pregnant or potentially pregnant patients for use of prescribed and illicit drugs
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Related Proceedings	Opposition to AEGISPOC, app. serial no. 86065612
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Attachments	<p>76070034#TMSN.png(bytes) 85015093#TMSN.png(bytes) 78752944#TMSN.png(bytes) 85979774#TMSN.png(bytes) 85837055#TMSN.png(bytes)</p>
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	Opposition to AegisPOC, app. no. 86065624.pdf(2016191 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	/Edward Playfair/
Name	Edward Playfair
Date	07/21/2014

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

In the matter of: Trademark Application Serial No. 86/065,624

Filed on: September 16, 2013

For the mark: **AegisPOC**

Date of Publication in the Official Gazette: January 21, 2014

AEGIS SCIENCES CORPORATION)	
(Opposer))	
)	
v.)	Opposition No. _____
)	
ALERE SWITZERLAND GMBH)	
(Applicant))	

NOTICE OF OPPOSITION

Opposer, Aegis Sciences Corporation, believes that it will be damaged by registration of the mark shown in Application Serial No. 86/065,624, and hereby opposes the same under Section 13 of the Trademark Act of July 5, 1946, 15 U.S.C. § 1063. The required fee accompanies the electronic filing of this Notice of Opposition. As grounds for its opposition, Opposer alleges as follows:

1. Opposer is Aegis Sciences Corporation, a corporation organized and existing under the laws of the State of Tennessee, with an address of 515 Great Circle Road, Nashville, Tennessee 37228.

2. On information and belief, Applicant is Alere Switzerland GmbH, a Swiss corporation with an address of Bahnhofstrasse 28, Zug, Switzerland CH-6300.

3. On September 16, 2013, Applicant filed Application Serial No. 86/065,624 to register the mark **AegisPOC** on the Principal Register, for goods and

services identified as “Software as a service (SAAS) services featuring software for managing, integrating, and facilitating connectivity to medical and patient care data.” The Application was filed on a Section 1(b) intent-to-use filing basis.

4. Opposer has been engaged in the business of providing drug testing and screening services, including managing and processing medical, health and patient data, and consulting in relation thereto, among other related services, in commerce under the trademark AEGIS since at least as early as 1990.

5. Opposer has been engaged in the business of providing testing services for evaluating patient compliance with prescribed medications in commerce under the trademarks AEGIS PAINCOMP and  since at least as early as 2005.

6. Opposer has been engaged in the business of providing downloadable software in the nature of a mobile application for processing health and medical data, and providing health and medical information, among other related services, in commerce under the trademark AEGIS SHIELD since at least as early as May 2012.

7. Opposer is the owner of many trademark registrations issued by the United States Patent and Trademark Office, including by way of example the following:

Mark: AEGIS

Registration Number: 2,544,255

Filing Date: June 13, 2000

First Use in Commerce Date: July 1, 1990

Registration Date: March 5, 2002

Register: Principal

Products covered: “Drug testing for substance abuse”

Registration No. 2,544,255 is valid and subsisting and has become incontestable. A copy of the record of this registration taken from the TSDR electronic database of the Patent and Trademark Office and showing the current status and title of the registration is attached hereto as **Exhibit 1**.

Mark: AEGIS

Registration Number: 4,086,011

Filing Date: April 15, 2010

First Use in Commerce Date: July 1, 1990

Registration Date: January 17, 2012

Register: Principal

Products covered: "Testing substances for the purpose of identifying drugs, steroids, medications and alcohol, and consulting related thereto; testing of dietary, food and nutritional products, and consulting related thereto; toxicology services and consulting related thereto; scientific research and analysis in the field of pharmacology; pharmacology consulting services; forensic science services, namely, research in the nature of analysis, detection and isolation of drugs, steroids, medications and alcohol in forensic samples; forensic science consulting services; consulting services in the field of crime laboratory research; scientific consulting services in the field of foods"; "Consulting services in the fields of health, nutrition, medical examination and pain management; providing health and medical information in the fields of drugs, steroids, and dietary, food and nutritional products; consulting services in the field of sports doping and substance abuse prevention and testing programs; administration of substance abuse testing programs for sports organizations, educational establishments and

businesses; medical substance use and abuse testing; screening and identification services for the use of drugs, steroids, medications and alcohol, and consulting related thereto; medical compliance testing services, namely, testing of use of drugs and medications to ensure compliance, and consulting related thereto; drugs, steroids, medications and alcohol screening for sports doping and substance abuse prevention purposes, and consulting related thereto”; and “Providing information in the field of compliance with state and federal sports anti-doping laws and regulations; providing information in the field of compliance with sports governing bodies' and sports teams' anti-doping rules; expert witness services in legal matters in the fields of sports doping and substance use and abuse; consulting services in the field of crime scene investigation; drugs, steroids, medications and alcohol screening for security and employment purposes, and consulting related thereto”

A copy of the record of this registration taken from the TSDR electronic database of the Patent and Trademark Office and showing the current status and title of the registration is attached hereto as **Exhibit 2**.

Mark: AEGIS PAINCOMP (design)



Registration Number: 3,610,392

Filing Date: November 14, 2005

First Use in Commerce Date: December 2005

Registration Date: April 21, 2009

Register: Principal

Products covered: “Testing services for evaluating patient compliance with prescribed medications”

Registration No. 3,610,392 is valid and subsisting and has become incontestable. A copy of the record of this registration taken from the TSDR electronic database of the Patent and Trademark Office and showing the current status and title of the registration is attached hereto as **Exhibit 3**.

Mark: AEGIS SHIELD

Registration Number: 4,404,849

Filing Date: November 9, 2011

First Use in Commerce Date: May 16, 2012

Registration Date: September 17, 2013

Register: Principal

Products covered: “Downloadable software in the nature of a mobile application for processing health and medical data in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; downloadable software in the nature of a mobile application for data processing in the field of compliance with state and federal sports anti-doping laws and regulations; downloadable software in the nature of a mobile application for data processing in the field of compliance with sports governing bodies' and sports teams' anti-doping rules”; “Providing health and medical information in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; consulting services in the field of drug, substance and steroid use in sports; consulting services in the field of prevention and testing for sports doping and substance abuse”; “Providing information in the field of compliance with state and federal sports anti-doping laws and regulations; providing

information in the field of compliance with sports governing bodies' and sports teams' anti-doping rules.”

A copy of the record of this registration taken from the TSDR electronic database of the Patent and Trademark Office and showing the current status and title of the registration is attached hereto as **Exhibit 4**.



Mark: AEGIS NATAL CARE (design)

Registration Number: 4,467,764

Filing Date: January 30, 2013

First Use in Commerce Date: December 21, 2012

Registration Date: January 14, 2014

Register: Principal

Products covered: “Testing services for evaluating pregnant or potentially pregnant patients for use of prescribed and illicit drugs”

A copy of the record of this registration taken from the TSDR electronic database of the Patent and Trademark Office and showing the current status and title of the registration is attached hereto as **Exhibit 5**. Collectively, the marks represented by Opposer’s Registration Nos. 2,544,255; 4,086,011; 3,610,392; 4,467,764; and 4,404,849 shall be referred to herein as the “AEGIS Marks.”

FIRST CLAIM FOR RELIEF
(Likelihood of Confusion With Registered Trademarks)

8. Opposer repeats and realleges the allegations in preceding paragraphs 1–7 as if fully set forth herein.

9. Applicant's filing date of September 16, 2013 postdates the priority date of Opposer's Registration Nos. 2,544,255 and 4,086,011, which is July 1, 1990. Further, Applicant's filing date postdates the priority date of Opposer's Registration No. 3,610,392, which is November 14, 2005. Applicant's filing date also postdates the priority date of Opposer's Registration No. 4,404,849, which is November 9, 2011. Finally, Applicant's filing date postdates the priority date of Opposer's Registration No. 4,467,764, which is December 21, 2012. At the time Applicant filed Application Serial No. 86/065,624, Applicant had actual or constructive knowledge of Opposer's rights in its registered marks listed in paragraph 5 above.

10. The mark shown in Application Serial No. 86/065,624 so resembles Opposer's registered AEGIS Marks as to be likely, when used on or in connection with the products and services identified in Application Serial No. 86/065,624, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under §§ 2(d) and 13 of the United States Trademark Act, 15 U.S.C. §§ 1052(d) and 1063.

11. Opposer will be damaged by registration of the mark shown in Application Serial No. 86/065,624, because registration will give Applicant *prima facie* evidence of its ownership of, and its exclusive right to use in commerce, a mark which is confusingly similar to Opposer's registered AEGIS Marks, which is and will be in derogation of Opposer's right to continue to use its marks.

SECOND CLAIM FOR RELIEF
(Likelihood of Confusion With Previously Used Trademark)

12. Opposer repeats and realleges the allegations in preceding paragraphs 1-7 as if fully set forth herein.

13. Applicant's filing date of September 16, 2013 postdates the date of first use in commerce of Opposer, which is at least as early as July 1, 1990.

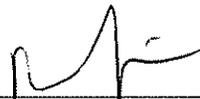
14. The mark shown in Application Serial No. 86/065,624 so resembles the AEGIS Marks (with the exception of AEGIS NATAL CARE (design)) previously used by Opposer, and not abandoned, as to be likely, when used on or in connection with the products and services identified in Application Serial No. 86/065,624, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under §§ 2(d) and 13 of the United States Trademark Act, 15 U.S.C. §§ 1052(d) and 1063.

15. Opposer will be damaged by registration of the mark shown in Application Serial No. 86/065,624, because registration will give Applicant *prima facie* evidence of its ownership of, and its exclusive right to use in commerce, a mark which is confusingly similar to Opposer's AEGIS Marks (with the exception of AEGIS NATAL CARE (design)), which is and will be in derogation of Opposer's right to continue to use such AEGIS Marks.

WHEREFORE, Opposer prays that Application Serial No. 86/065,624 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Respectfully submitted,

ADAMS AND REESE LLP



Edward Playfair
Melissa S. Rizzo

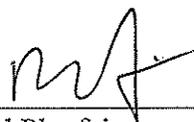
ADAMS AND REESE LLP
Attorneys for Opposer

Date: July 21, 2014

424 Church Street
Suite 2800
Nashville, Tennessee 37219
Phone: (615) 259-1450
Facsimile: (615) 259-1470
trademarks@arlaw.com
edward.playfair@arlaw.com
melissa.rizzo@arlaw.com

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on the Applicant, by mailing said copy on July 22, 2014, via certified First Class Mail, postage prepaid, to its Attorney of Record:

Jenevieve Maerker
Foley Hoag LLP
155 Seaport Blvd.
Boston, Massachusetts 02210



Edward Playfair

EXHIBIT 1

Generated on: This page was generated by TSDR on 2014-07-20 12:05:25 EDT

Mark: AEGIS

AEGIS

US Serial Number: 76070034 Application Filing Date: Jun. 13, 2000
US Registration Number: 2544255 Registration Date: Mar. 05, 2002
Register: Principal
Mark Type: Service Mark
Status: The registration has been renewed.
Status Date: Mar. 05, 2012
Publication Date: Mar. 27, 2001

Mark Information

Mark Literal Elements: AEGIS
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

International Registration Number: 1092619
International Application(s) /Registration(s) Based on this Property: A0025141/1092619

Goods and Services

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

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

For: Drug testing for substance abuse

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1990

Use in Commerce: Jul. 01, 1990

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: AEGIS SCIENCES CORPORATION
Owner Address: 515 Great Circle Road
Nashville, TENNESSEE 37228
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: TENNESSEE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Edward Playfair
Attorney Primary Email Address: trademarks@arlaw.com

Docket Number: 602956-00000
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Edward Playfair
ADAMS AND REESE LLP
424 Church Street
Suite 2800
NASHVILLE, TENNESSEE 37219
UNITED STATES

Phone: (615) 259-1450

Fax: (615) 259-1470

Correspondent e-mail: trademarks@arlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 03, 2013	NOTICE OF SUIT	
Mar. 05, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 05, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Mar. 05, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Feb. 15, 2012	TEAS SECTION 8 & 9 RECEIVED	
Aug. 27, 2010	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 27, 2010	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 16, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Feb. 06, 2008	ASSIGNED TO PARALEGAL	70131
Feb. 04, 2008	TEAS SECTION 8 & 15 RECEIVED	
Mar. 28, 2007	CASE FILE IN TICRS	
Mar. 05, 2002	REGISTERED-PRINCIPAL REGISTER	
Apr. 25, 2001	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 27, 2001	PUBLISHED FOR OPPOSITION	
Mar. 14, 2001	NOTICE OF PUBLICATION	
Dec. 27, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2000	ASSIGNED TO EXAMINER	76502

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 05, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 05, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 7

Registrant: Aegis Analytical Laboratories, Inc.

Assignment 1 of 7

Conveyance: MERGER

Reel/Frame: 3196/0928

Pages: 5

Date Recorded: Nov. 18, 2005

Supporting Documents: assignment-tm-3196-0928.pdf

Assignor

Name: AEGIS ANALYTICAL LABORATORIES, INC.

Execution Date: Dec. 13, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: AEGIS SCIENCES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 345 HILL AVENUE
NASHVILLE, TENNESSEE 37210

Correspondent

Correspondent Name: MICOL CECCHI

Correspondent Address: 424 CHURCH STREET
SUITE 2800
NASHVILLE, TN 37219

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: MERGER EFFECTIVE 12312006

Reel/Frame: 4150/0896

Pages: 9

Date Recorded: Feb. 17, 2010

Supporting Documents: assignment-tm-4150-0896.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Dec. 07, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: NEW ASC, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: EDWARD PLAYFAIR, ADAMS AND REESE LLP

Correspondent Address: 424 CHURCH STREET
SUITE 2800
NASHVILLE, TN 37219

Domestic Representative - Not Found

Assignment 3 of 7

Conveyance: CHANGE OF NAME

Reel/Frame: 4150/0905

Pages: 3

Date Recorded: Feb. 17, 2010

Supporting Documents: assignment-tm-4150-0905.pdf

Assignor

Name: NEW ASC, INC.

Execution Date: Dec. 07, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: AEGIS SCIENCES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: EDWARD PLAYFAIR, ADAMS AND REESE LLP

Correspondent Address: 424 CHURCH STREET

SUITE 2800
NASHVILLE, TN 37219

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: 4301/0685

Pages: 11

Date Recorded: Oct. 21, 2010

Supporting Documents: assignment-tm-4301-0685.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Oct. 21, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MADISON CAPITAL FUNDING LLC, AS AGENT

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 30 SOUTH WACKER, SUITE 3700
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: KRISTIN BROZOVIC C/O KATTEN MUCHIN

Correspondent Address: 525 W MONROE STREET
CHICAGO, IL 60661

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 5227/0783

Pages: 6

Date Recorded: Feb. 28, 2014

Supporting Documents: assignment-tm-5227-0783.pdf

Assignor

Name: MADISON CAPITAL FUNDING LLC

Execution Date: Feb. 24, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: AEGIS SCIENCES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: KIRKLAND & ELLIS LLP

Correspondent Address: ATTN HAYLEY SMITH, SR. LEGAL ASSISTANT
601 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: FIRST LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0044

Pages: 9

Date Recorded: Mar. 04, 2014

Supporting Documents: assignment-tm-5230-0044.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT
Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: SECOND LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0634

Pages: 9

Date Recorded: Mar. 05, 2014

Supporting Documents: [assignment-tm-5230-0634.pdf](#)

Assignor

Name: [AEGIS SCIENCES CORPORATION](#)

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: [MORGAN STANLEY SENIOR FUNDING, INC., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT
Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91195796](#)

Filing Date: Jul 26, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON
KUTAK ROCK LLP
THE OMAHA BUILDING, 1650 FARNAM STREET
OMAHA NE , 68102-2104
UNITED STATES

Correspondent e-mail: patrick.stephenson@kutakrock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS THERAPIES	Abandoned - No Statement Of Use Filed	77814766	

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
ADAMS and REESE LLP
424 CHURCH STREET, SUITE 2800
NASHVILLE TN , 37219
UNITED STATES

Correspondent e-mail: trademarks@ariaw.com , edward.playfair@ariaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	76070034	2544255
AEGIS	Registered	77394899	3498957
AEGIS PAINCOMP	Registered	78752944	3610392
AEGIS	Registered	85015093	4086011

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 26, 2010	Sep 04, 2010
3	PENDING, INSTITUTED	Jul 26, 2010	
4	ANSWER	Sep 03, 2010	
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010	
6	SUSPENDED	Sep 24, 2010	
7	CONSOLIDATED - CHILD OF 91195701	Sep 30, 2010	
8	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011	
9	TERMINATED	May 05, 2011	

Type of Proceeding: Opposition

Proceeding Number: 91195701

Filing Date: Jul 19, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON
KUTAK ROCK LLP
THE OMAHA BUILDING, 1650 FARNAM STREET
OMAHA NE , 68102-2104
UNITED STATES

Correspondent e-mail: Patrick.Stephenson@KutakRock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS	Registered	<u>77814768</u>	<u>4191000</u>

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
ADAMS AND REESE LLP
424 CHURCH STREET, SUITE 2800
NASHVILLE TN , 37219
UNITED STATES

Correspondent e-mail: trademarks@arlaw.com , edward.playfair@arlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	<u>76070034</u>	<u>2544255</u>
AEGIS	Registered	<u>77394899</u>	<u>3498957</u>
AEGIS PAINCOMP	Registered	<u>78752944</u>	<u>3610392</u>
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 19, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 19, 2010	Aug 28, 2010
3	PENDING, INSTITUTED	Jul 19, 2010	
4	ANSWER	Aug 30, 2010	
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010	
6	SUSPENDED	Sep 24, 2010	
7	CONSOLIDATED - PARENT OF 91195796	Sep 30, 2010	
8	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 05, 2010	
9	EXTENSION OF TIME GRANTED	Oct 16, 2010	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 23, 2010	

11	SUSPENDED	Dec 23, 2010	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 23, 2010	
13	SUSPENDED	Jan 18, 2011	
14	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 28, 2011	
15	SUSPENDED	Feb 07, 2011	
16	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Mar 02, 2011	
17	SUSPENDED	Mar 09, 2011	
18	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 01, 2011	
19	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 07, 2011	
20	D'S REQUEST TO AMEND APPLICATIONS	Apr 26, 2011	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2011	May 28, 2011
22	WITHDRAWAL OF OPPOSITION	May 04, 2011	
23	WITHDRAWAL OF OPPOSITION	May 04, 2011	
24	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011	
25	TERMINATED	May 05, 2011	

Type of Proceeding: Opposition

Proceeding Number: 91173761

Filing Date: Oct 27, 2006

Status: Terminated

Status Date: Sep 30, 2008

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Agis Industries (1983) Ltd.

Correspondent Address: THOMAS W. BROOKE
HOLLAND & KNIGHT LLP
2099 PENNSYLVANIA AVENUE N.W. , STE 100
WASHINGTON DC , 20006
UNITED STATES

Correspondent e-mail: anthony.masiello@hklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGIS	Abandoned - No Statement Of Use Filed	<u>76556911</u>	

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: Reber M. Boulton
Adams and Reese LLP
424 Church Street, Suite 2800
Nashville TN , 37219
UNITED STATES

Correspondent e-mail: HAVERLY.RAUEN@arlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AGIS	Renewed	<u>76070034</u>	<u>2544255</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 27, 2006	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 03, 2006	Dec 13, 2006
3	PENDING, INSTITUTED	Nov 03, 2006	
4	NOTICE OF DEFAULT	Dec 28, 2006	
5	P'S MOTION TO SUSPEND	Jan 11, 2007	
6	SUSPENDED	Feb 05, 2007	
7	NOTICE OF DEFAULT	Sep 25, 2007	
8	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 05, 2007	
9	NOTICE OF DEFAULT SET ASIDE; PROCEEDINGS SUSPENDED	Oct 24, 2007	
	STIPULATION FOR AN EXTENSION OF TIME		

10	STIPULATION FOR AN EXTENSION OF TIME	Mar 04, 2008
11	EXTENSION OF TIME GRANTED	Mar 11, 2008
12	STIPULATION FOR AN EXTENSION OF TIME	Apr 04, 2008
13	EXTENSION OF TIME GRANTED	Apr 07, 2008
14	STIPULATION FOR AN EXTENSION OF TIME	May 02, 2008
15	EXTENSION OF TIME GRANTED	May 02, 2008
16	STIPULATION FOR AN EXTENSION OF TIME	May 05, 2008
17	EXTENSION OF TIME GRANTED	May 12, 2008
18	STIPULATION FOR AN EXTENSION OF TIME	Jun 04, 2008
19	EXTENSION OF TIME GRANTED	Jun 04, 2008
20	STIPULATION FOR AN EXTENSION OF TIME	Jun 04, 2008
21	EXTENSION OF TIME GRANTED	Jun 16, 2008
22	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 07, 2008
23	SUSPENDED	Jul 07, 2008
24	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 28, 2008
25	SUSPENDED	Jul 28, 2008
26	MOTION TO AMEND APPLICATION	Aug 01, 2008
27	AMDT APPROVED; PL ALLOWED 30 DAYS W/D	Aug 13, 2008
28	WITHDRAWAL OF OPPOSITION	Sep 11, 2008
29	BD'S DECISION: DISMISSED W/O PREJUDICE	Sep 30, 2008
30	TERMINATED	Sep 30, 2008

EXHIBIT 2

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1990

Use in Commerce: Jul. 01, 1990

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Aegis Sciences Corporation
Owner Address: 515 Great Circle Road
Nashville, TENNESSEE 37228
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: TENNESSEE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Edward Playfair
Docket Number: 602956-00000
Attorney Primary Email Address: edward.playfair@arlaw.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Edward Playfair
Adams and Reese LLP
424 Church Street
Suite 2800
Nashville, TENNESSEE 37219
UNITED STATES
Phone: (615) 259-1450
Fax: (615) 259-1470
Correspondent e-mail: trademarks@arlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 03, 2013	NOTICE OF SUIT	
Jan. 17, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 09, 2011	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Aug. 24, 2011	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 26, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 26, 2011	PUBLISHED FOR OPPOSITION	
Jun. 20, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Jun. 20, 2011	ASSIGNED TO LIE	73296
Jun. 06, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 03, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 03, 2011	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
May 18, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
May 18, 2011	LETTER OF SUSPENSION E-MAILED	6332
May 18, 2011	SUSPENSION LETTER WRITTEN	76615

Apr. 27, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 27, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 27, 2011	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Feb. 23, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 23, 2011	LETTER OF SUSPENSION E-MAILED	6332
Feb. 23, 2011	SUSPENSION LETTER WRITTEN	76615
Jan. 28, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 27, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 27, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 27, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 28, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 28, 2010	NON-FINAL ACTION E-MAILED	6325
Jul. 28, 2010	NON-FINAL ACTION WRITTEN	76615
Jul. 22, 2010	ASSIGNED TO EXAMINER	76615
Apr. 20, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 19, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 17, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: Aegis Sciences Corporation

Assignment 1 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: 4301/0685

Pages: 11

Date Recorded: Oct. 21, 2010

Supporting Documents: [assignment-tm-4301-0685.pdf](#)

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Oct. 21, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MADISON CAPITAL FUNDING LLC, AS AGENT

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 30 SOUTH WACKER, SUITE 3700
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: KRISTIN BROZOVIC C/O KATTEN MUCHIN

Correspondent Address: 525 W MONROE STREET
CHICAGO, IL 60661

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 5227/0783

Pages: 6

Date Recorded: Feb. 28, 2014

Supporting Documents: [assignment-tm-5227-0783.pdf](#)

Assignor

Name: MADISON CAPITAL FUNDING LLC

Execution Date: Feb. 24, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: AEGIS SCIENCES CORPORATION
Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: KIRKLAND & ELLIS LLP
Correspondent Address: ATTN HAYLEY SMITH, SR. LEGAL ASSISTANT
601 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: FIRST LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0044

Pages: 9

Date Recorded: Mar. 04, 2014

Supporting Documents: assignment-tm-5230-0044.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION
Legal Entity Type: CORPORATION

Execution Date: Feb. 24, 2014

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT
Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT
Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: SECOND LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0634

Pages: 9

Date Recorded: Mar. 05, 2014

Supporting Documents: assignment-tm-5230-0634.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION
Legal Entity Type: CORPORATION

Execution Date: Feb. 24, 2014

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT
Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT
Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Extension of Time

Proceeding Number: 85015093

Filing Date: Aug 24, 2011

Status: Terminated

Status Date: Dec 09, 2011

Interlocutory Attorney:

Defendant

Name: Aegis Sciences Corporation

Correspondent Address: Edward Playfair
Adams and Reese LLP
Suite 2800 424 Church Street
Nashville TN , 37219
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Potential Opposer(s)

Name: Aegis Food Testing Laboratories, Inc.

Correspondent Address: Michael T. Griggs
Boyle Fredrickson SC
840 N. Plankinton Ave.
Milwaukee WI , 53203
UNITED STATES

Correspondent e-mail: mtg@boylefred.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Aug 24, 2011	
2	EXTENSION OF TIME GRANTED	Aug 24, 2011	

Type of Proceeding: Opposition

Proceeding Number: 91195796

Filing Date: Jul 26, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON
KUTAK ROCK LLP
THE OMAHA BUILDING, 1650 FARNAM STREET
OMAHA NE , 68102-2104
UNITED STATES

Correspondent e-mail: patrick.stephenson@kutakrock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS THERAPIES	Abandoned - No Statement Of Use Filed	<u>77814766</u>	

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
ADAMS and REESE LLP
424 CHURCH STREET, SUTIE 2800
NASHVILLE TN , 37219
UNITED STATES

Correspondent e-mail: trademarks@arlaw.com , edward.playfair@arlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	<u>76070034</u>	<u>2544255</u>
AEGIS	Registered	<u>77394899</u>	<u>3498957</u>
AEGIS PAINCOMP	Registered	<u>78752944</u>	<u>3610392</u>
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED	Jul 26, 2010	Sep 04, 2010

3	PENDING, INSTITUTED	Jul 26, 2010
4	ANSWER	Sep 03, 2010
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010
6	SUSPENDED	Sep 24, 2010
7	CONSOLIDATED - CHILD OF 91195701	Sep 30, 2010
8	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011
9	TERMINATED	May 05, 2011

Type of Proceeding: Opposition

Proceeding Number: 91195701

Filing Date: Jul 19, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON
KUTAK ROCK LLP
THE OMAHA BUILDING, 1650 FARNAM STREET
OMAHA NE , 68102-2104
UNITED STATES

Correspondent e-mail: Patrick.Stephenson@KutakRock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS	Registered	<u>77814768</u>	<u>4191000</u>

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
ADAMS AND REESE LLP
424 CHURCH STREET, SUITE 2800
NASHVILLE TN , 37219
UNITED STATES

Correspondent e-mail: trademarks@arlaw.com , edward.playfair@arlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	<u>76070034</u>	<u>2544255</u>
AEGIS	Registered	<u>77394899</u>	<u>3498957</u>
AEGIS PAINCOMP	Registered	<u>78752944</u>	<u>3610392</u>
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 19, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 19, 2010	Aug 28, 2010
3	PENDING, INSTITUTED	Jul 19, 2010	
4	ANSWER	Aug 30, 2010	
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010	
6	SUSPENDED	Sep 24, 2010	
7	CONSOLIDATED - PARENT OF 91195796	Sep 30, 2010	
8	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 05, 2010	
9	EXTENSION OF TIME GRANTED	Oct 16, 2010	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 23, 2010	
11	SUSPENDED	Dec 23, 2010	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 23, 2010	
13	SUSPENDED	Jan 18, 2011	
14	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 28, 2011	
15	SUSPENDED	Feb 07, 2011	

16	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Mar 02, 2011	
17	SUSPENDED	Mar 09, 2011	
18	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 01, 2011	
19	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 07, 2011	
20	D'S REQUEST TO AMEND APPLICATIONS	Apr 26, 2011	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2011	May 28, 2011
22	WITHDRAWAL OF OPPOSITION	May 04, 2011	
23	WITHDRAWAL OF OPPOSITION	May 04, 2011	
24	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011	
25	TERMINATED	May 05, 2011	

EXHIBIT 3

Generated on: This page was generated by TSDR on 2014-07-21 13:42:34 EDT

Mark: AEGIS PAINCOMP



US Serial Number: 78752944

Application Filing Date: Nov. 14, 2005

US Registration Number: 3610392

Registration Date: Apr. 21, 2009

Register: Principal

Mark Type: Service Mark

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

Status Date: Apr. 21, 2009

Publication Date: Sep. 23, 2008

Notice of Allowance Date: Dec. 16, 2008

Mark Information

Mark Literal Elements: AEGIS PAINCOMP

Standard Character Claim: No

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

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

Design Search Code(s): 26.17.09 - Bands, curved; Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved

Related Properties Information

Claimed Ownership of US Registrations: 2544255

Goods and Services

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

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

For: Testing services for evaluating patient compliance with prescribed medications

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2005

Use in Commerce: Dec. 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Aegis Sciences Corporation

Owner Address: 515 Great Circle Road
Nashville, TENNESSEE 37228
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney Name: Micol Cecchi

Attorney of Record

Docket Number: 602956-00000

Attorney Primary Email micol.cecchi@arlaw.com
Address:

Attorney Email No
Authorized:

Correspondent

Correspondent MICOL CECCHI
Name/Address: ADAMS AND REESE, LLP
424 CHURCH ST STE 2800
NASHVILLE, TENNESSEE 37219-2386
UNITED STATES

Phone: (615) 259-1450

Fax: (615) 259-1470

Correspondent e-mail: edward.playfair@arlaw.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 24, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 24, 2009	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 24, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 21, 2009	REGISTERED-PRINCIPAL REGISTER	
Mar. 17, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	78413
Mar. 16, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 13, 2009	STATEMENT OF USE PROCESSING COMPLETE	66530
Jan. 29, 2009	USE AMENDMENT FILED	66530
Feb. 13, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Jan. 29, 2009	TEAS STATEMENT OF USE RECEIVED	
Dec. 16, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 23, 2008	PUBLISHED FOR OPPOSITION	
Sep. 03, 2008	NOTICE OF PUBLICATION	
Aug. 21, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Aug. 20, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 14, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 14, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 14, 2008	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Feb. 29, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78413
Aug. 29, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78413
Dec. 22, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78413
Dec. 20, 2006	ASSIGNED TO LIE	78413
May 26, 2006	LETTER OF SUSPENSION E-MAILED	6332
May 26, 2006	SUSPENSION LETTER WRITTEN	78439
May 19, 2006	ASSIGNED TO EXAMINER	78439
Nov. 22, 2005	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 17, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 17, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 6

Registrant: Aegis Sciences Corporation

Conveyance: MERGER EFFECTIVE 12312006

Reel/Frame: 4150/0896

Pages: 9

Date Recorded: Feb. 17, 2010

Supporting Documents: assignment-tm-4150-0896.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Dec. 07, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: NEW ASC, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: EDWARD PLAYFAIR, ADAMS AND REESE LLP

Correspondent Address: 424 CHURCH STREET
SUITE 2800
NASHVILLE, TN 37219

Domestic Representative - Not Found

Assignment 2 of 6

Conveyance: CHANGE OF NAME

Reel/Frame: 4150/0905

Pages: 3

Date Recorded: Feb. 17, 2010

Supporting Documents: assignment-tm-4150-0905.pdf

Assignor

Name: NEW ASC, INC.

Execution Date: Dec. 07, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: AEGIS SCIENCES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: EDWARD PLAYFAIR, ADAMS AND REESE LLP

Correspondent Address: 424 CHURCH STREET
SUITE 2800
NASHVILLE, TN 37219

Domestic Representative - Not Found

Assignment 3 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: 4301/0685

Pages: 11

Date Recorded: Oct. 21, 2010

Supporting Documents: assignment-tm-4301-0685.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Oct. 21, 2010

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MADISON CAPITAL FUNDING LLC, AS AGENT

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 30 SOUTH WACKER, SUITE 3700
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: KRISTIN BROZOVIC C/O KATTEN MUCHIN

Correspondent Address: 525 W MONROE STREET
CHICAGO, IL 60661

Domestic Representative - Not Found

Assignment 4 of 6

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 5227/0783

Pages: 6

Date Recorded: Feb. 28, 2014

Supporting Documents: assignment-tm-5227-0783.pdf

Assignor

Name: MADISON CAPITAL FUNDING LLC

Execution Date: Feb. 24, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: AEGIS SCIENCES CORPORATION

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Address: 515 GREAT CIRCLE ROAD
NASHVILLE, TENNESSEE 37228

Correspondent

Correspondent Name: KIRKLAND & ELLIS LLP

Correspondent Address: ATTN HAYLEY SMITH, SR. LEGAL ASSISTANT
601 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 6

Conveyance: FIRST LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0044

Pages: 9

Date Recorded: Mar. 04, 2014

Supporting Documents: assignment-tm-5230-0044.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 6 of 6

Conveyance: SECOND LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0634

Pages: 9

Date Recorded: Mar. 05, 2014

Supporting Documents: assignment-tm-5230-0634.pdf

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: 91195796

Filing Date: Jul 26, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON
KUTAK ROCK LLP
THE OMAHA BUILDING, 1650 FARNAM STREET
OMAHA NE , 68102-2104
UNITED STATES

Correspondent e-mail: patrick.stephenson@kutakrock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS THERAPIES	Abandoned - No Statement Of Use Filed	<u>77814766</u>	

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
ADAMS and REESE LLP
424 CHURCH STREET, SUTIE 2800
NASHVILLE TN , 37219
UNITED STATES

Correspondent e-mail: trademarks@arlav.com , edward.playfair@arlav.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	<u>76070034</u>	<u>2544255</u>
AEGIS	Registered	<u>77394899</u>	<u>3498957</u>
AEGIS PAINCOMP	Registered	<u>78752944</u>	<u>3610392</u>
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 26, 2010	Sep 04, 2010
3	PENDING, INSTITUTED	Jul 26, 2010	
4	ANSWER	Sep 03, 2010	
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010	
6	SUSPENDED	Sep 24, 2010	
7	CONSOLIDATED - CHILD OF 91195701	Sep 30, 2010	
8	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011	
9	TERMINATED	May 05, 2011	

Type of Proceeding: Opposition

Proceeding Number: 91195701

Filing Date: Jul 19, 2010

Status: Terminated

Status Date: May 05, 2011

Interlocutory Attorney: ANN LINNEHAN

Defendant

Name: Golden Gate Ancillary LLC

Correspondent Address: PATRICK C STEPHENSON

KUTAK ROCK LLP
 THE OMAHA BUILDING, 1650 FARNAM STREET
 OMAHA NE, 68102-2104
 UNITED STATES

Correspondent e-mail: Patrick.Stephenson@KutakRock.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ENERG BY AEGIS	Registered	<u>77814768</u>	<u>4191000</u>

Plaintiff(s)

Name: Aegis Sciences Corporation

Correspondent Address: EDWARD PLAYFAIR
 ADAMS AND REESE LLP
 424 CHURCH STREET, SUITE 2800
 NASHVILLE TN, 37219
 UNITED STATES

Correspondent e-mail: trademarks@arlaw.com, edward.playfair@arlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AEGIS	Renewed	<u>76070034</u>	<u>2544255</u>
AEGIS	Registered	<u>77394899</u>	<u>3498957</u>
AEGIS PAINCOMP	Registered	<u>78752944</u>	<u>3610392</u>
AEGIS	Registered	<u>85015093</u>	<u>4086011</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 19, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 19, 2010	Aug 28, 2010
3	PENDING, INSTITUTED	Jul 19, 2010	
4	ANSWER	Aug 30, 2010	
5	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2010	
6	SUSPENDED	Sep 24, 2010	
7	CONSOLIDATED - PARENT OF 91195796	Sep 30, 2010	
8	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Oct 05, 2010	
9	EXTENSION OF TIME GRANTED	Oct 16, 2010	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 23, 2010	
11	SUSPENDED	Dec 23, 2010	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Dec 23, 2010	
13	SUSPENDED	Jan 18, 2011	
14	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jan 28, 2011	
15	SUSPENDED	Feb 07, 2011	
16	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Mar 02, 2011	
17	SUSPENDED	Mar 09, 2011	
18	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 01, 2011	
19	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 07, 2011	
20	D'S REQUEST TO AMEND APPLICATIONS	Apr 26, 2011	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2011	May 28, 2011
22	WITHDRAWAL OF OPPOSITION	May 04, 2011	
23	WITHDRAWAL OF OPPOSITION	May 04, 2011	
24	BD'S DECISION: DISMISSED W/O PREJUDICE	May 05, 2011	
25	TERMINATED	May 05, 2011	

EXHIBIT 4

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Mark: AEGIS SHIELD

AEGIS SHIELD

US Serial Number: 85979774 Application Filing Date: Nov. 09, 2011
US Registration Number: 4404849 Registration Date: Sep. 17, 2013
Register: Principal
Mark Type: Trademark, Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 17, 2013
Publication Date: Sep. 25, 2012 Notice of Allowance Date: Mar. 26, 2013

Mark Information

Mark Literal Elements: AEGIS SHIELD
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US 2544255, 4086011, 85467981 and others
Registrations:
Child Of: 85467981

Goods and Services

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

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

For: Downloadable software in the nature of a mobile application for processing health and medical data in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; downloadable software in the nature of a mobile application for data processing in the field of compliance with state and federal sports anti-doping laws and regulations; downloadable software in the nature of a mobile application for data processing in the field of compliance with sports governing bodies' and sports teams' anti-doping rules

International Class(es): 009 - Primary Class U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 16, 2012

Use in Commerce: May 16, 2012

For: Providing health and medical information in the fields of drugs, steroids, and the presence of drugs and steroids in dietary, food and nutritional products; consulting services in the field of drug, substance and steroid use in sports; consulting services in the field of prevention and testing for sports doping and substance abuse

International Class(es): 044 - Primary Class U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2012

Use in Commerce: Apr. 2012

For: Providing information in the field of compliance with state and federal sports anti-doping laws and regulations; providing information in the field of compliance with sports governing bodies' and sports teams' anti-doping rules

International Class(es): 045 - Primary Class U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2012

Use in Commerce: Apr. 2012

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Aegis Sciences Corporation
 Owner Address: 515 Great Circle Road
 Nashville, TENNESSEE 37228
 UNITED STATES
 Legal Entity Type: CORPORATION State or Country Where Organized: TENNESSEE

Attorney/Correspondence Information

Attorney of Record
 Attorney Name: Edward Playfair Docket Number: 602956-00000
 Attorney Primary Email Address: trademarks@arlaw.com Attorney Email Authorized: Yes

Correspondent
 Correspondent Name/Address: EDWARD PLAYFAIR
 ADAMS AND REESE LLP
 424 CHURCH ST STE 2800
 NASHVILLE, TENNESSEE 37219-2386
 UNITED STATES
 Phone: (615) 259-1450 Fax: (615) 259-1470
 Correspondent e-mail: trademarks@arlaw.com Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 15, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Aug. 14, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 25, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Jun. 26, 2013	USE AMENDMENT FILED	76538
Jul. 25, 2013	DIVISIONAL PROCESSING COMPLETE	
Jun. 26, 2013	DIVISIONAL REQUEST RECEIVED	
Jul. 19, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jun. 26, 2013	TEAS REQUEST TO DIVIDE RECEIVED	
Jun. 26, 2013	TEAS STATEMENT OF USE RECEIVED	
Mar. 26, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 08, 2013	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Oct. 24, 2012	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 25, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 25, 2012	PUBLISHED FOR OPPOSITION	
Sep. 05, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 20, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Aug. 16, 2012	ASSIGNED TO LIE	70884
Aug. 09, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 18, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 17, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

Jul. 17, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 06, 2012	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Mar. 06, 2012	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Mar. 06, 2012	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	78428
Mar. 06, 2012	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	78428
Feb. 27, 2012	ASSIGNED TO EXAMINER	78428
Nov. 14, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 12, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION Date in Location: Aug. 15, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Aegis Sciences Corporation

Assignment 1 of 2

Conveyance: FIRST LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0044

Pages: 9

Date Recorded: Mar. 04, 2014

Supporting Documents: [assignment-tm-5230-0044.pdf](#)

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECOND LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0634

Pages: 9

Date Recorded: Mar. 05, 2014

Supporting Documents: [assignment-tm-5230-0634.pdf](#)

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC., AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

EXHIBIT 5

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Edward Playfair
Attorney Primary Email trademarks@arlaw.com
Address:

Docket Number: 602956-00000
Attorney Email Yes
Authorized:

Correspondent

Correspondent EDWARD PLAYFAIR
Name/Address: ADAMS AND REESE LLP
424 CHURCH ST STE 2700
NASHVILLE, TENNESSEE 37219-2380
UNITED STATES
Phone: (615) 259-1450
Correspondent e-mail: trademarks@arlaw.com

Fax: (615) 259-1470
Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 14, 2014	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 10, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Dec. 09, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 09, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Oct. 28, 2013	USE AMENDMENT FILED	76538
Dec. 02, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Oct. 28, 2013	TEAS STATEMENT OF USE RECEIVED	
Oct. 22, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 27, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 27, 2013	PUBLISHED FOR OPPOSITION	
Aug. 07, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 22, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Jul. 22, 2013	ASSIGNED TO LIE	73797
Jul. 01, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 12, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 11, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 11, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 22, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 22, 2013	NON-FINAL ACTION E-MAILED	6325
May 22, 2013	NON-FINAL ACTION WRITTEN	76582
May 13, 2013	ASSIGNED TO EXAMINER	76582
Feb. 07, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Feb. 06, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 02, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 10, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Aegis Sciences Corporation

Assignment 1 of 2

Conveyance: FIRST LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0044

Pages: 9

Date Recorded: Mar. 04, 2014

Supporting Documents: [assignment-lm-5230-0044.pdf](#)

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC. AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECOND LIEN SECURITY AGREEMENT

Reel/Frame: 5230/0634

Pages: 9

Date Recorded: Mar. 05, 2014

Supporting Documents: [assignment-lm-5230-0634.pdf](#)

Assignor

Name: AEGIS SCIENCES CORPORATION

Execution Date: Feb. 24, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: TENNESSEE

Assignee

Name: MORGAN STANLEY SENIOR FUNDING, INC., AS ADMINISTRATIVE AGENT

Legal Entity Type: BANK

State or Country Where Organized: UNITED STATES

Address: 1300 THAMES STREET, 4TH FLOOR, THAMES STREET WHARF
BALTIMORE, MARYLAND 21231

Correspondent

Correspondent Name: KEN TAN, LEGAL ASSISTANT

Correspondent Address: 80 PINE STREET
C/O CAHILL GORDON & REINDEL LLP
NEW YORK, NY 10005

Domestic Representative - Not Found