

ESTTA Tracking number: **ESTTA632610**

Filing date: **10/14/2014**

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	Federal Express Corporation
Granted to Date of previous extension	11/19/2014
Address	3620 Hacks Cross Road, Bldg. B, 3rd Fl. Memphis, TN 38125 UNITED STATES

Attorney information	John C. Filosa Baker & McKenzie LLP 300 East Randolph Street, Suite 5000 Chicago, IL 60601 UNITED STATES leslie.bertagnolli@bakermckenzie.com, judy.krason@bakermckenzie.com, john.filosa@bakermckenzie.com, chiusptomail@bakermckenzie.com Phone:312-861-6580
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Applicant Information

Application No	86188972	Publication date	07/22/2014
Opposition Filing Date	10/14/2014	Opposition Period Ends	11/19/2014
Applicant	Medex Logistics, Inc. 36-40 37th Street, Suite 201 Long Island City, NY 11101 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Transportation logistics services, namely, arranging the transportation of goods for others
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)
Other	Lack of bona fide intent to use applied-for mark on applied-for goods (Trademark Act section 1(b))

Marks Cited by Opposer as Basis for Opposition

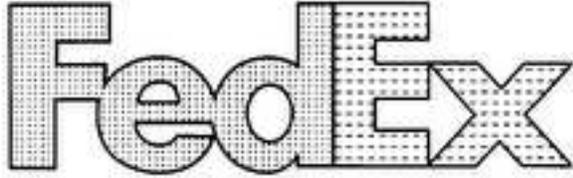
U.S. Registration	3276216	Application Date	05/12/2004
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No.			
Registration Date	08/07/2007	Foreign Priority Date	NONE
Word Mark	1.800.GOFEDEx		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2004/11/30 First Use In Commerce: 2004/11/30 Pick-up, transportation, storage, and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3413407	Application Date	07/19/2006
Registration Date	04/15/2008	Foreign Priority Date	NONE
Word Mark	FEDEX		
Design Mark			
Description of Mark	The mark consists of the letters "Fed" in purple and the letters "Ex" in gray.		
Goods/Services	Class 039. First use: First Use: 2006/06/30 First Use In Commerce: 2006/06/30 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	1311503	Application Date	03/21/1984
Registration Date	12/25/1984	Foreign Priority Date	NONE
Word Mark	FEDEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1984/01/17 First Use In Commerce: 1984/01/17 Package and Document Delivery Service		

U.S. Registration No.	2494019	Application Date	02/01/2000
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Registration Date	10/02/2001	Foreign Priority Date	NONE
Word Mark	FEDEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 pick up, storage, transportation and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2096998	Application Date	05/21/1996
Registration Date	09/16/1997	Foreign Priority Date	NONE
Word Mark	FEDEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1991/02/26 First Use In Commerce: 1991/02/26 shipping and transportation information available via global computer networks		

U.S. Registration No.	2392137	Application Date	10/15/1998
Registration Date	10/03/2000	Foreign Priority Date	NONE
Word Mark	FEDEX 1DAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1999/03/15 First Use In Commerce: 1999/03/15 pickup, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2874944	Application Date	08/28/2003
Registration Date	08/17/2004	Foreign Priority Date	NONE
Word Mark	FEDEX 2DAY		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 1995/06/19 First Use In Commerce: 1995/06/19 pick-up, transportation, storage and delivery of documents, packages and freight by land and air

U.S. Registration No.	2386361	Application Date	10/15/1998
Registration Date	09/12/2000	Foreign Priority Date	NONE

Word Mark	FEDEX 3DAY
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Design Mark	FEDEX 3DAY
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Description of Mark	NONE
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Goods/Services	Class 039. First use: First Use: 1999/03/15 First Use In Commerce: 1999/03/15 pickup, transportation, storage and delivery of documents, packages and freight by land and air
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U.S. Registration No.	3355119	Application Date	02/07/2007
Registration Date	12/18/2007	Foreign Priority Date	NONE

Word Mark	FEDEX ADVANTAGE
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Design Mark	FEDEX ADVANTAGE
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Description of Mark	NONE
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Goods/Services	Class 039. First use: First Use: 2006/04/01 First Use In Commerce: 2006/04/01 Document, package and freight pick-up, transportation and delivery by truck, van and air; and storage of documents, packages and freight, all of the foregoing services performed for others and provided within the context of a customer loyalty program
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U.S. Registration No.	2962859	Application Date	10/08/2003
Registration Date	06/21/2005	Foreign Priority Date	NONE

Word Mark	FEDEX AIR & GROUND
Design Mark	FEDEX AIR & GROUND
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 2003/09/09 First Use In Commerce: 2003/09/09 pick-up, transportation and delivery of documents and packages via land and air

U.S. Registration No.	3054668	Application Date	02/02/2005
Registration Date	01/31/2006	Foreign Priority Date	NONE

Word Mark	FEDEX APPOINTMENT HOME DELIVERY
Design Mark	FEDEX APPOINTMENT HOME DELIVERY
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 2000/03/14 First Use In Commerce: 2000/03/14 pick-up, transportation and delivery of documents, packages and freight via land and air

U.S. Registration No.	2876917	Application Date	10/14/2003
Registration Date	08/24/2004	Foreign Priority Date	NONE

Word Mark	FEDEX ASIAONE
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Design Mark	FEDEX ASIAONE		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1995/09/05 First Use In Commerce: 1995/09/05 pick-up, storage, transportation and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2941184	Application Date	09/05/2003
Registration Date	04/19/2005	Foreign Priority Date	NONE
Word Mark	FEDEX AUTHORIZED SHIPCENTER		
Design Mark	FEDEX AUTHORIZED SHIPCENTER		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1995/06/19 First Use In Commerce: 1995/06/19 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3097626	Application Date	01/31/2005
Registration Date	05/30/2006	Foreign Priority Date	NONE
Word Mark	FEDEX COLLECTION		
Design Mark	FEDEX COLLECTION		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/03/03 First Use In Commerce: 1995/03/03 catalog services featuring promotional items, namely, shirts, hats, caps, jackets, pens, cups, trucks, airplanes, [scarfs,] key chains, umbrellas		

U.S. Registration No.	3433062	Application Date	03/09/2006
Registration Date	05/20/2008	Foreign Priority Date	NONE
Word Mark	FEDEX CRITICAL INVENTORY LOGISTICS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2006/06/13 First Use In Commerce: 2006/06/13 Arranging for delivery, storage and transportation of parts and goods by ground and air</p> <p>Class 039. First use: First Use: 2006/06/13 First Use In Commerce: 2006/06/13 Delivery and transport of parts and goods by ground and air; storage of parts and goods</p>		

U.S. Registration No.	2657697	Application Date	02/01/2000
Registration Date	12/10/2002	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 pick-up, transportation, storage, tracking and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2764608	Application Date	11/03/1999
Registration Date	09/16/2003	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL		

Design Mark	FEDEX CUSTOM CRITICAL		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 pick-up transportation, storage, tracking and delivery of documents, packages and freight by land and air		

U.S. Registration No.	4132390	Application Date	10/04/2005
Registration Date	04/24/2012	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL AIR EXPEDITE EXCLUSIVE USE		
Design Mark	FEDEX CUSTOM CRITICAL AIR EXPEDITE EXCLUSIVE USE		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2006/03/01 First Use In Commerce: 2006/03/01 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	4126026	Application Date	10/04/2005
Registration Date	04/10/2012	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL AIR EXPEDITE NETWORK		
Design Mark	FEDEX CUSTOM CRITICAL AIR EXPEDITE NETWORK		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2011/10/01 First Use In Commerce: 2011/10/01 Pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	4126804	Application Date	04/07/2011
Registration Date	04/10/2012	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL SECURECOMM		
Design Mark	<p style="text-align: center;">FedEx Custom Critical SecureComm</p>		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2011/05/01 First Use In Commerce: 2011/05/01 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	4119577	Application Date	03/07/2011
Registration Date	03/27/2012	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL SHIPMENTRESCUE		
Design Mark	<p style="text-align: center;">FEDEX CUSTOM CRITICAL ShipmentRescue</p>		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2011/05/01 First Use In Commerce: 2011/05/01 providing emergency shipping services for cargo		

U.S. Registration No.	4139592	Application Date	10/04/2005
Registration Date	05/08/2012	Foreign Priority Date	NONE
Word Mark	FEDEX CUSTOM CRITICAL SURFACE EXPEDITE EXCLUSIVE USE		

Design Mark	<p style="text-align: center;">FEDEX CUSTOM CRITICAL SURFACE EXPEDITE EXCLUSIVE USE</p>
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 2006/03/01 First Use In Commerce: 2006/03/01 pick-up, transportation, storage and delivery of documents, packages and freight by land and air

U.S. Registration No.	3073157	Application Date	02/02/2005
Registration Date	03/28/2006	Foreign Priority Date	NONE

Word Mark	FEDEX DATE CERTAIN HOME DELIVERY
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Design Mark	<p style="text-align: center;">FEDEX DATE CERTAIN HOME DELIVERY</p>
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Description of Mark	NONE
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Goods/Services	Class 039. First use: First Use: 2000/03/14 First Use In Commerce: 2000/03/14 pick-up, transportation and delivery of documents, packages and freight via land and air
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U.S. Registration No.	4437413	Application Date	08/22/2012
Registration Date	11/19/2013	Foreign Priority Date	NONE

Word Mark	FEDEX DELIVERY MANAGER
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Design Mark	FEDEX DELIVERY MANAGER		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2013/04/23 First Use In Commerce: 2013/04/23 Business services, namely, managing and tracking shipments of documents, packages and freight		

U.S. Registration No.	3054676	Application Date	02/02/2005
Registration Date	01/31/2006	Foreign Priority Date	NONE

Word Mark	FEDEX EVENING HOME DELIVERY		
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Design Mark	FEDEX EVENING HOME DELIVERY		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/03/14 First Use In Commerce: 2000/03/14 pick-up, transportation and delivery of documents, packages and freight via land and air		

U.S. Registration No.	3331553	Application Date	10/04/2005
Registration Date	11/06/2007	Foreign Priority Date	NONE

Word Mark	FEDEX EXPEDITED FREIGHT SERVICES		
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Design Mark	FEDEX EXPEDITED FREIGHT SERVICES		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2006/09/05 First Use In Commerce: 2006/09/05 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3088648	Application Date	07/28/2004
Registration Date	05/02/2006	Foreign Priority Date	NONE

Word Mark	FEDEX EXPORT AGENTFILE		
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Design Mark	FEDEX EXPORT AGENTFILE		
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Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2004/10/01 First Use In Commerce: 2004/10/01 electronic filing for others of export information to the government's automated export system		

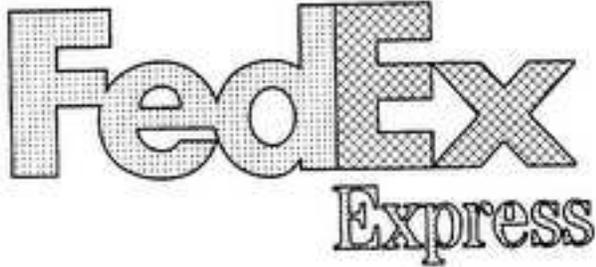
U.S. Registration No.	4515657	Application Date	11/19/2012
Registration Date	04/15/2014	Foreign Priority Date	NONE

Word Mark	FEDEX EXPRESS		
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Design Mark	
Description of Mark	The mark consists of the words "FedEx Express" with "Fed" and "Express" in purple and "Ex" in orange.
Goods/Services	<p>Class 035. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 Providing electronic tracking of freight information to others for business administration purposes</p> <p>Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 Services rendered in transporting goods from one place to another by land and air consisting of the pick-up, transportation, delivery, tracking and storage of documents, packages and cargo, namely, transport and storage of documents, packages and cargo</p>

U.S. Registration No.	2461314	Application Date	02/01/2000
Registration Date	06/19/2001	Foreign Priority Date	NONE

Word Mark	FEDEX EXPRESS
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 COMPUTERIZED TRACKING AND TRACING OF PACKAGES AND FREIGHT IN TRANSIT</p> <p>Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 PICK UP, STORAGE, TRANSPORTATION AND DELIVERY OF DOCUMENTS, PACKAGES AND FREIGHT BY LAND AND AIR</p>
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U.S. Registration No.	2017855	Application Date	01/05/1996
Registration Date	11/19/1996	Foreign Priority Date	NONE
Word Mark	FEDEX EXPRESS SAVER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1995/10/01 First Use In Commerce: 1995/10/01 pickup, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2932475	Application Date	10/24/2003
Registration Date	03/15/2005	Foreign Priority Date	NONE
Word Mark	FEDEX EXPRESSTAG		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 038. First use: First Use: 1995/08/31 First Use In Commerce: 1995/08/31 electronic transmission of shipment information during the document, package and freight transportation process</p> <p>Class 039. First use: First Use: 1995/08/31 First Use In Commerce: 1995/08/31 pick-up, transportation and delivery of documents, packages and freight by land and air</p>		

U.S. Registration No.	1927568	Application Date	07/13/1994
Registration Date	10/17/1995	Foreign Priority Date	NONE
Word Mark	FEDEX FEDERAL EXPRESS		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 035. First use: First Use: 1994/06/23 First Use In Commerce: 1994/06/23 computerized tracking and handling of documents, packages and freight in transit by land and air Class 039. First use: First Use: 1994/06/23 First Use In Commerce: 1994/06/23 pick-up, transportation, storage, and delivery of documents, packages and freight by land and air
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U.S. Registration No.	1929460	Application Date	07/14/1994
Registration Date	10/24/1995	Foreign Priority Date	NONE

Word Mark	FEDEX FEDERAL EXPRESS
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 1994/06/23 First Use In Commerce: 1994/06/23 computerized tracking and handling of documents, packages and freight in transit by land and air Class 039. First use: First Use: 1994/06/23 First Use In Commerce: 1994/06/23 pick-up, transportation, storage, and delivery of documents, packages and freight by land and air
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U.S. Registration No.	2874039	Application Date	09/04/2003
Registration Date	08/17/2004	Foreign Priority Date	NONE

Word Mark	FEDEX FIRST OVERNIGHT
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 039. First use: First Use: 1995/07/31 First Use In Commerce: 1995/07/31 pick-up, transportation and delivery of documents and packages via land and air
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U.S. Registration No.	2800470	Application Date	02/14/2003
Registration Date	12/30/2003	Foreign Priority Date	NONE

Word Mark	FEDEX FREIGHT
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 2001/12/31 First Use In Commerce: 2002/06/30 pick-up, storage, transportation and delivery of documents, packages and freight by land

U.S. Registration No.	3208081	Application Date	02/03/2006
Registration Date	02/13/2007	Foreign Priority Date	NONE

Word Mark	FEDEX FREIGHT
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 2001/12/31 First Use In Commerce: 2002/06/30 computerized tracking and tracing of freight in transit by land Class 039. First use: First Use: 2001/12/31 First Use In Commerce: 2002/06/30 pick-up, transportation and delivery offreight transported by land
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U.S. Registration No.	3096893	Application Date	06/20/2005
Registration Date	05/23/2006	Foreign Priority Date	NONE

Word Mark	FEDEX FREIGHT ADVANCE NOTICE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 2005/07/20 First Use In Commerce: 2005/07/20
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	Providing freight transportation tracking and monitoring services in the nature of providing notice of shipment status to customers in the document, package and freight transportation industry		
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U.S. Registration No.	4014008	Application Date	11/24/2010
Registration Date	08/16/2011	Foreign Priority Date	NONE
Word Mark	FEDEX FREIGHT FIRST DELIVERY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2011/01/24 First Use In Commerce: 2011/01/24 pick-up, storage, transportation and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3057519	Application Date	01/19/2005
Registration Date	02/07/2006	Foreign Priority Date	NONE
Word Mark	FEDEX FREIGHT REGIONAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2003/09/15 First Use In Commerce: 2003/09/15 pick-up, transportation, storage and delivery of freight		

U.S. Registration	2494021	Application Date	02/01/2000
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No.			
Registration Date	10/02/2001	Foreign Priority Date	NONE
Word Mark	FEDEX GROUND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/01/19 First Use In Commerce: 2000/01/19 pick up, storage, transportation and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2595150	Application Date	01/19/2000
Registration Date	07/16/2002	Foreign Priority Date	NONE
Word Mark	FEDEX HOME DELIVERY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/03/13 First Use In Commerce: 2000/03/13 COMPUTERIZED TRACKING AND TRACING OF PACKAGES AND FREIGHT IN TRANSIT Class 039. First use: First Use: 2000/03/13 First Use In Commerce: 2000/03/13 PICK UP, STORAGE, TRANSPORTATION AND DELIVERY OF DOCUMENTS, PACKAGES AND FREIGHT BY LAND AND AIR		

U.S. Registration No.	2652337	Application Date	02/01/2000
Registration Date	11/19/2002	Foreign Priority	NONE

		Date	
Word Mark	FEDEX HOME DELIVERY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/03/13 First Use In Commerce: 2000/03/13 computerized tracking and tracing of packages and freight in transit Class 039. First use: First Use: 2000/03/13 First Use In Commerce: 2000/03/13 pick-up, storage, transportation and delivery of documents, packages and freight by land and air		

U.S. Registration No.	2779896	Application Date	05/17/2000
Registration Date	11/04/2003	Foreign Priority Date	NONE

Word Mark	FEDEX INSIGHT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/09/30 First Use In Commerce: 2001/09/30 computerized tracking and tracing of packages and freight in transit Class 038. First use: First Use: 2001/09/30 First Use In Commerce: 2001/09/30 Providing telecommunications connections from business to business via a glob- alcomputer network Class 040. First use: First Use: 2001/09/30 First Use In Commerce: 2001/09/30 [customizing telecommunications hardware to the specifications of others]		

U.S. Registration No.	2892950	Application Date	10/14/2003
Registration Date	10/12/2004	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL BROKER SELECT		

Design Mark	FEDEX INTERNATIONAL BROKER SELECT
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1995/06/19 First Use In Commerce: 1995/06/19 Customs clearance services Class 036. First use: First Use: 1995/06/19 First Use In Commerce: 1995/06/19 Customs brokerage

U.S. Registration No.	2067624	Application Date	02/22/1995
Registration Date	06/03/1997	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL ECONOMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/06/21 First Use In Commerce: 1995/06/21 computerized tracking or tracing of documents, packages and freight Class 039. First use: First Use: 1995/06/21 First Use In Commerce: 1995/06/21 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3055405	Application Date	02/24/2005
Registration Date	01/31/2006	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL EXPRESS FREIGHT		
Design Mark	<p style="text-align: center;">FEDEX INTERNATIONAL EXPRESS FREIGHT</p>		
Description of	NONE		

Mark	
Goods/Services	Class 039. First use: First Use: 1996/03/01 First Use In Commerce: 1996/03/01 pick-up, transportation and delivery offreight via land and air

U.S. Registration No.	2082319	Application Date	12/01/1995
Registration Date	07/22/1997	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL FIRST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1996/03/04 First Use In Commerce: 1996/03/04 pick-up, transportation, storage and delivery of documents, packages and freight by land and air		

U.S. Registration No.	3054988	Application Date	02/10/2005
Registration Date	01/31/2006	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL GROUND		
Design Mark	 <p style="text-align: center;">FEDEX INTERNATIONAL GROUND</p>		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2000/01/31 First Use In Commerce: 2000/01/31 pick-up, transportation, storage and delivery of documents, packages and freight via land and air		

U.S. Registration No.	3057886	Application Date	06/10/2005
Registration Date	02/07/2006	Foreign Priority Date	NONE
Word Mark	FEDEX INTERNATIONAL GROUND DIRECTDISTRIBUTION		

Design Mark	<p style="text-align: center;">FEDEX INTERNATIONAL GROUND DIRECT DISTRIBUTION</p>
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 2005/03/23 First Use In Commerce: 2005/03/23 pick-up, transportation and delivery of documents, packages and freight via land and air

Attachments	<p>78417260#TMSN.png(bytes) 78933206#TMSN.png(bytes) 75907225#TMSN.png(bytes) 75570393#TMSN.png(bytes) 75570394#TMSN.png(bytes) 77101624#TMSN.png(bytes) 76550136#TMSN.png(bytes) 78558906#TMSN.png(bytes) 76550858#TMSN.png(bytes) 76542570#TMSN.png(bytes) 78557174#TMSN.png(bytes) 78833096#TMSN.png(bytes) 75907512#TMSN.png(bytes) 75838829#TMSN.png(bytes) 78726306#TMSN.png(bytes) 78726303#TMSN.png(bytes) 85289328#TMSN.png(bytes) 85259422#TMSN.png(bytes) 78726310#TMSN.png(bytes) 78558904#TMSN.png(bytes) 85710063#TMSN.png(bytes) 78559097#TMSN.png(bytes) 78726292#TMSN.png(bytes) 78457859#TMSN.png(bytes) 85783084#TMSN.png(bytes) 75907247#TMSN.png(bytes) 76554036#TMSN.png(bytes) 74548979#TMSN.png(bytes) 74549560#TMSN.png(bytes) 76542451#TMSN.png(bytes) 78806351#TMSN.png(bytes) 78654460#TMSN.png(bytes) 85184335#TMSN.png(bytes) 78550171#TMSN.png(bytes) 75907508#TMSN.png(bytes) 75898766#TMSN.png(bytes) 75907507#TMSN.png(bytes) 76049206#TMSN.png(bytes) 76551016#TMSN.png(bytes) 78574177#TMSN.png(bytes)</p>
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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	/John Filosa/
Name	John C. Filosa
Date	10/14/2014

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

Applicant:	Medex Logistics, Inc.)	
)	
Serial No.:	86/188972)	
)	
Filing Date:	February 10, 2014)	
)	
Mark:	MEDEX LOGISTICS, INC.)	
)	
Published:	July 22, 2014)	
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)	
Federal Express Corporation,)	
)	
	Opposer,)	Opposition No.
)	
	v.)	
)	
Medex Logistics, Inc.,)	
)	
	Applicant.)	

NOTICE OF OPPOSITION

In the matter of Application Serial No. 86/188972 for registration of the trademark MEDEX LOGISTICS, INC. in International Class 35 by Medex Logistics, Inc. (“Applicant”), which was published in the *Official Gazette* of July 22, 2014, Federal Express Corporation, a corporation organized under the laws of Delaware and having a principal place of business at 3620 Hacks Cross Road, Building B, 3rd Floor, Memphis, Tennessee 38125 (“Opposer”), believes that it will be damaged by the registration of the above-referenced mark and, therefore, opposes on the following grounds:

1. Opposer is, and for many years has been, in the business of, among other things, offering a global network of specialized services relating to the transportation, distribution, storage and delivery of documents, packages and freight, the provision of transportation-related information, international trade support, logistics services, freight forwarding, and supply chain services, among other services involving the shipping of parcels, documents, packages and other goods, items, and things using the names and marks FEDEX and FEDEX AND Design and all related common law marks and rights in any form of FEDEX (“Opposer’s Marks” or the “FedEx Mark”).

2. Opposer was founded in 1971 and has been credited with revolutionizing the air/ground express transportation industry. On or before January 17, 1984, Opposer began using Opposer’s Marks, and has continuously used the marks in interstate commerce. In addition, Opposer owns and has used and maintained a wide variety of international trademark registrations for Opposer’s Marks, and Opposer’s use of these marks has had and continues to have an impact on interstate commerce in the United States. Moreover, Opposer’s Marks are famous and well-known in the United States and throughout the world.

3. Opposer’s Marks include the following United States trademark registrations:

Mark/Name	App. No./Reg. No.
1.800.GOFEDEx (Stylized)	SN:78-417260 RN:3,276,216
FEDEX (Stylized)	SN:78-933206 RN:3,413,407
FEDEX	SN:73-471433 RN:1,311,503
FEDEX (Stylized)	SN:75-907225 RN:2,494,019
FEDEX	SN:75-107329 RN:2,096,998

FEDEX 1DAY	SN:75-570393 RN:2,392,137
FEDEX 2DAY	SN:78-293462 RN:2,874,944
FEDEX 3DAY	SN:75-570394 RN:2,386,361
FEDEX ADVANTAGE	SN:77-101624 RN:3,355,119
FEDEX AIR & GROUND	SN:76-550136 RN:2,962,859
FEDEX APPOINTMENT HOME DELIVERY	SN:78-558906 RN:3,054,668
FEDEX ASIAONE	SN:76-550858 RN:2,876,917
FEDEX AUTHORIZED SHIPCENTER	SN:76-542570 RN:2,941,184
FEDEX COLLECTION	SN:78-557174 RN:3,097,626
FEDEX CRITICAL INVENTORY LOGISTICS	SN:78-833096 RN:3,433,062
FEDEX CUSTOM CRITICAL (Stylized)	SN:75-907512 RN:2,657,697
FEDEX CUSTOM CRITICAL	SN:75-838829 RN:2,764,608
FEDEX CUSTOM CRITICAL AIR EXPEDITE EXCLUSIVE USE	SN:78-726306 RN:4,132,390
FEDEX CUSTOM CRITICAL AIR EXPEDITE NETWORK	SN:78-726303 RN:4,126,026
FEDEX CUSTOM CRITICAL SECURECOMM	SN:85-289328 RN:4,126,804
FEDEX CUSTOM CRITICAL SHIPMENTRESCUE	SN:85-259422 RN:4,119,577
FEDEX CUSTOM CRITICAL SURFACE EXPEDITE EXCLUSIVE USE	SN:78-726310 RN:4,139,592
FEDEX DATE CERTAIN HOME DELIVERY	SN:78-558904 RN:3,073,157
FEDEX DELIVERY MANAGER	SN:85-710063 RN:4,437,413
FEDEX EVENING HOME DELIVERY	SN:78-559097 RN:3,054,676
FEDEX EXPEDITED FREIGHT SERVICES	SN:78-726292 RN:3,331,553

FEDEX EXPORT AGENTFILE	SN:78-457859 RN:3,088,648
FEDEX EXPRESS (Stylized)	SN:85-783084 RN:4,515,657
FEDEX EXPRESS (Stylized)	SN:75-907247 RN:2,461,314
FEDEX EXPRESS SAVER	SN:75-040726 RN:2,017,855
FEDEX EXPRESSTAG	SN:76-554036 RN:2,932,475
FEDEX FEDERAL EXPRESS (Stylized)	SN:74-548979 RN:1,927,568
FEDEX FEDERAL EXPRESS (Stylized)	SN:74-549560 RN:1,929,460
FEDEX FIRST OVERNIGHT	SN:76-542451 RN:2,874,039
FEDEX FREIGHT	SN:78-214872 RN:2,800,470
FEDEX FREIGHT (Stylized)	SN:78-806351 RN:3,208,081
FEDEX FREIGHT ADVANCE NOTICE	SN:78-654460 RN:3,096,893
FEDEX FREIGHT FIRST DELIVERY	SN:85-184335 RN:4,014,008
FEDEX FREIGHT REGIONAL	SN:78-550171 RN:3,057,519
FEDEX GROUND (Stylized)	SN:75-907508 RN:2,494,021
FEDEX HOME DELIVERY and Design	SN:75-898766 RN:2,595,150
FEDEX HOME DELIVERY and Design	SN:75-907507 RN:2,652,337
FEDEX INSIGHT	SN:76-049206 RN:2,779,896
FEDEX INTERNATIONAL BROKER SELECT	SN:76-551016 RN:2,892,950
FEDEX INTERNATIONAL ECONOMY	SN:74-638095 RN:2,067,624
FEDEX INTERNATIONAL EXPRESS FREIGHT	SN:78-574177 RN:3,055,405
FEDEX INTERNATIONAL FIRST	SN:75-028009 RN:2,082,319

FEDEX INTERNATIONAL GROUND	SN:78-564431 RN:3,054,988
FEDEX INTERNATIONAL GROUND DIRECTDISTRIBUTION	SN:78-647872 RN:3,057,886
FEDEX INTERNATIONAL GROUND DISTRIBUTION	SN:77-435356 RN:3,527,144
FEDEX INTERNATIONAL MAIL VIEW	SN:85-290254 RN:4,123,018
FEDEX INTERNATIONAL MAILSERVICE	SN:78-271148 RN:2,912,878
FEDEX INTERNATIONAL PREMIUM	SN:78-160146 RN:2,796,238
FEDEX INTERNATIONAL PRIORITY	SN:74-710447 RN:2,018,922
FEDEX INTERNATIONAL PRIORITY DIRECTDISTRIBUTION	SN:75-119167 RN:2,217,593
FEDEX INTERNATIONAL PRIORITY PLUS	SN:74-710450 RN:2,018,923
FEDEX IXF	SN:78-296661 RN:2,893,432
FEDEX KINKO'S OFFICE AND PRINT CENTER and Design	SN:78-977106 RN:3,124,984
FEDEX MULTIMODAL (Stylized)	SN:85-232023 RN:4,037,756
FEDEX OFFICE and Design	SN:77-652857 RN:3,929,069
FEDEX OFFICE and Design	SN:77-980247 RN:3,874,982
FEDEX OFFICE	SN:77-522484 RN:3,800,207
FEDEX OFFICE MANAGED PRINT SERVICES	SN:85-622052 RN:4,312,027
FEDEX ONE RATE	SN:85-893283 RN:4,507,747
FEDEX PRIORITY ALERT	SN:85-801196 RN:4,487,176
FEDEX PRIORITY ALERT	SN:76-540524 RN:2,947,374
FEDEX PRIORITY OVERNIGHT	SN:75-681711 RN:2,382,695
FEDEX RETURN MANAGER	SN:76-401518 RN:2,843,610

FEDEX SAMEDAY	SN:78-294057 RN:2,874,959
FEDEX SHIP&GET	SN:76-400475 RN:2,776,641
FEDEX SHIP CENTER	SN:85-274253 RN:4,052,516
FEDEX SHIP MANAGER	SN:78-330207 RN:2,891,452
FEDEX SHIP&GET	SN:85-681097 RN:4,420,626
FEDEX SMARTPOST	SN:78-335547 RN:2,929,883
FEDEX SOLUTIONS FOR A MORE SUSTAINABLE WORLD	SN:85-323548 RN:4,203,221
FEDEX STANDARD OVERNIGHT	SN:78-266492 RN:2,817,609
FEDEX SUPPLY CHAIN SERVICES (Stylized)	SN:75-898771 RN:2,562,345
FEDEX TECH AWARDS	SN:76-426680 RN:2,803,372
FEDEX TECHCONNECT	SN:85-979201 RN:4,366,115
FEDEX TECHCONNECT	SN:85-129820
FEDEX TRADE NETWORKS (Stylized)	SN:86-139804
FEDEX TRADE NETWORKS	SN:78-276163 RN:2,877,480
FEDEX TRADE NETWORKS (Stylized)	SN:78-864445 RN:3,236,732
FEDEX TRADE NETWORKS AIR-GROUND DISTRIBUTION	SN:78-331530 RN:2,916,356
FEDEX TRANSMART	SN:78-064302 RN:2,799,108
FEDEX, GET AHEAD	SN:85-305630 RN:4,126,845
FEDEX. SOLUTIONS THAT MATTER.	SN:85-979783 RN:4,408,659
FEDEX.COM	SN:78-202893 RN:2,797,726
FEDEXDELIVERS	SN:85-139880 RN:4,064,506
MY FEDEX	SN:78-046778 RN:2,679,046

MY FEDEX OFFICE REWARDS	SN:85-312304 RN:4,226,705
YOUR ONLINE BUSINESS AND FEDEX. TOGETHER, WE SIMPLY CLICK	SN:85-295443 RN:4,103,208

4. Applicant has filed Application Serial No. 86/188972 for registration of the trademark MEDEX LOGISTICS, INC. in International Class 35 on the basis of intent to use, with a filing and priority date of February 10, 2014. This application was published for purposes of opposition in respect of “Transportation logistics services, namely, arranging the transportation of goods for others.”

5. Opposer’s Marks are used on a variety of transportation and logistics services in Class 35, including “Arranging for delivery, storage and transportation of parts and goods by ground and air” and Class 39, including “Pick-up, transportation, and delivery of documents, packages and freight by land and air.”

6. Opposer’s first use of Opposer’s Marks in commerce in 1984 long predates, by more than 30 years, Applicant’s filing of and claimed priority date in MEDEX LOGISTICS, INC.

7. Because Applicant’s MEDEX LOGISTICS, INC. mark resembles Opposer’s Marks, because Applicant’s MEDEX LOGISTICS, INC. incorporates the words of Opposer’s Marks, because there is only one letter different between the dominant portion of Applicant’s Mark (MEDEX) and Opposer’s FedEx Mark, and because the parties’ respective services are similar, Applicant’s MEDEX LOGISTICS, INC. mark so resembles Opposer’s Marks as to be likely to cause confusion, or to cause mistake, or to deceive. In particular, use of Applicant’s MEDEX LOGISTICS, INC. Mark on “Transportation logistics services, namely, arranging the transportation of goods for others” is likely to cause confusion, or to cause mistake, or to deceive

as to the source, sponsorship or affiliation of Applicant's services.

8. The registration of Applicant's MEDEX LOGISTICS, INC. also will dilute Opposer's Marks, which have long ago achieved fame, and lessen their ability to distinguish Opposer as the source of the products and services offered under Opposer's Marks, in violation of 15 U.S.C. § 1025(c).

9. Upon information and belief, Applicant did not have a bona fide intent to use Applicant's Mark in the United States for its services at or before the time of its application, and therefore Application No. 86/188972 is void.

10. Based upon the foregoing, the registration of the Mark depicted in Application Serial No. 86/188972 will cause injury and damage to Opposer.

WHEREFORE, Opposer, Federal Express Corporation, prays that this Opposition be sustained and registration of Applicant's MEDEX LOGISTICS, INC. mark be denied.

Please charge the statutory filing fee of \$300.00 to Deposit Account No. 501649. If this amount is insufficient for any reason, please charge any shortfall, missing or excess fees to Deposit Account No. 501649.

Respectfully submitted,

Date: _____, 2014

/John C. Filosa/
One of the Attorneys for Opposer, Federal Express Corporation

BAKER & McKENZIE LLP
Leslie Bertagnolli
John C. Filosa
300 East Randolph Street, Suite 5000
Chicago, IL 60601
leslie.bertagnolli@bakermckenzie.com
john.filosa@bakermckenzie.com
Telephone: 312-861-8000
Facsimile: 312-698-2153

PROOF OF FILING AND SERVICE

The undersigned hereby certifies that the foregoing **Notice of Opposition** was filed via ESTTA and served upon Applicant and counsel for Applicant via the United States Postal Service, as first class mail, postage prepaid, in an envelope addressed as follows:

Julius F. DeVito
Medex Logistics, Inc.
3640 37th Street, Suite 201
Long Island City, NY 11101-1639

this ____ day of _____, 2014.

/John C. Filosa/
John C. Filosa

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