

ESTTA Tracking number: **ESTTA632413**

Filing date: **10/13/2014**

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	Reynolds Innovations Inc.		
Entity	Corporation	Citizenship	North Carolina
Address	401 North Main Street Winston-Salem, NC 27102 UNITED STATES		

Attorney information	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 West Fourth Street Winston-Salem, NC 27101 UNITED STATES wbryner@ktslaw.com, hhenderson@ktslaw.com, jburns@ktslaw.com, tmadmin@ktslaw.com Phone:336-607-7300		
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### Applicant Information

Application No	86266722	Publication date	09/23/2014
Opposition Filing Date	10/13/2014	Opposition Period Ends	10/23/2014
Applicant	KWONG CHAK FAT TECHNOLOGY LTD. RM 1408, 14/F., FO TAN INDUSTRIAL CENTRE FO TAN, SHATIN, N.T., HONG KONG		

### Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cigarette cases; Cigarette filters; Cigarette tubes; Electronic cigarette refill cartridges sold empty; Electronic cigarettes; Electronic cigarettes for use as an alternative to traditional cigarettes; Lighters for smokers; Smokeless cigarette vaporizer pipe; Smoker's articles, namely, filter tubes; Tobacco substitutes
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### Grounds for Opposition

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

U.S. Registration No.	3986700	Application Date	03/19/2010
Registration Date	06/28/2011	Foreign Priority Date	NONE
Word Mark	FLEX		

Design Mark	<h1>FLEX</h1>		
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2011/03/03 First Use In Commerce: 2011/03/03 Smokeless tobacco		

U.S. Registration No.	3986701	Application Date	03/19/2010
Registration Date	06/28/2011	Foreign Priority Date	NONE
Word Mark	VICEROY FLEX		
Design Mark	<h1>VICEROY FLEX</h1>		
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2011/03/03 First Use In Commerce: 2011/03/03 Smokeless tobacco		

U.S. Registration No.	4044163	Application Date	12/09/2010
Registration Date	10/25/2011	Foreign Priority Date	NONE
Word Mark	V VICEROY FLEX		

Design Mark			
Description of Mark	The mark consists of a stylized shape representing the letter "V" under which appears the words "VICEROY" and "FLEX".		
Goods/Services	Class 034. First use: First Use: 2011/03/03 First Use In Commerce: 2011/03/03 Smokeless tobacco		

U.S. Registration No.	4269867	Application Date	04/25/2012
Registration Date	01/01/2013	Foreign Priority Date	NONE
Word Mark	VELO FLEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2012/07/30 First Use In Commerce: 2012/07/30 Smokeless tobacco		

U.S. Registration No.	4375039	Application Date	09/25/2012
Registration Date	07/30/2013	Foreign Priority Date	NONE
Word Mark	REVEL FLEX		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 034. First use: First Use: 2012/10/29 First Use In Commerce: 2012/10/29 Tobacco products, namely, tobacco-derived lozenges

Attachments	77963176#TMSN.png( bytes ) 77963178#TMSN.png( bytes ) 85194374#TMSN.png( bytes ) 85607359#TMSN.png( bytes ) 85737966#TMSN.png( bytes ) VLEX Notice of Opposition.pdf(2240750 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	/William M. Bryner/
Name	William M. Bryner
Date	10/13/2014

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

REYNOLDS INNOVATIONS INC.,	)	
	)	In the matter of Application
Opposer,	)	Serial No. 86/266,722
	)	
v.	)	Mark: VLEX
	)	
	)	
	)	
KWONG CHAK FAT TECHNOLOGY	)	Opposition No. _____
LTD.,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Reynolds Innovations Inc. (“Opposer”), a North Carolina corporation having its principal place of business at 401 North Main Street, Winston-Salem, North Carolina, 27102, believes that it will be damaged by the registration of the trademark VLEX, as shown in U.S. Trademark App. Ser. No. 86/266,722 (the “Application”), for the goods identified in the application, and hereby opposes the same.

As grounds for the opposition, Opposer alleges the following:

1. Opposer, together with its corporate affiliates and its predecessors-in-interest, has been and is engaged in the manufacture, distribution and sale of cigarettes, smokeless tobacco and other tobacco products, and electronic cigarette products and accessories. Opposer’s predecessors, affiliates and licensees, including but not limited to R.J. Reynolds Tobacco Company, are referred to collectively as “Reynolds.”

2. Well before Applicant’s first use (actual or constructive) of the mark shown in the Application, Reynolds has continuously used, and presently uses, the trademark FLEX, both standing alone and together with other words and/or design elements (the “FLEX Marks”), in

interstate commerce throughout the United States in connection with the advertising, promotion, and sale of Reynolds's tobacco products, including smokeless tobacco products and tobacco-derived lozenges.

3. Continuously since Reynolds's adoption and first use of the FLEX Marks, and preceding Applicant's first use (actual or constructive) of the trademark VLEX as shown in the Application, Reynolds has extensively advertised and promoted the FLEX Marks in connection with the distribution and sale of its tobacco products.

4. As a result of Reynolds's continuous use of the FLEX Mark in connection with its tobacco products, and as a consequence of Reynolds's advertising, promotion, and sale of goods under the FLEX Marks, the consuming public and members of the trade have come to recognize the FLEX Marks as being used by Reynolds or by a single source.

5. As a result of Reynolds's use in commerce of the FLEX Marks, the FLEX Marks symbolize the extensive goodwill and consumer recognition established by Reynolds. The FLEX Marks identify and distinguish Reynolds's tobacco products from competing products manufactured by others.

6. In addition to Reynolds's prior use of the FLEX Marks in commerce, Opposer is also the owner of the following U.S. Trademark Registrations (collectively, the "FLEX Registrations") on the Principal Register of the United States Patent and Trademark Office (the "USPTO"):

- a. Reg. No. 3,986,700 of FLEX, issued June 28, 2011, for smokeless tobacco in International Class 34;
- b. Reg. No. 3,986,701 of VICEROY FLEX, issued June 28, 2011, for smokeless tobacco in International Class 34;
- c. Reg. No. 4,044,163 of V VICEROY FLEX & Design, issued October 25, 2011, for smokeless tobacco in International Class 34;

- d. Reg. No. 4,269,867 of VELO FLEX, issued January 1, 2013, for smokeless tobacco in International Class 34; and
  - e. Reg. No. 4,375,039 of REVEL FLEX, issued July 30, 2013, for tobacco products, namely, tobacco-derived lozenges in International Class 34.
7. Pursuant to 37 C.F.R. § 2.122(d)(1), current printouts of information from electronic database records of the USPTO showing the current status and title of the FLEX Registrations are attached hereto as Exhibit A.
8. The FLEX Registrations remain valid, subsisting, and uncanceled.
9. On April 30, 2014, Applicant Kwong Chak Fat Technology Ltd. (“Applicant”) filed the Application under Lanham Act § 1(b), 15 U.S.C. § 1051(b), by which Applicant seeks to register the mark VLEX (the “VLEX Mark”) in connection with “Cigarette cases; Cigarette filters; Cigarette tubes; Electronic cigarette refill cartridges sold empty; Electronic cigarettes; Electronic cigarettes for use as an alternative to traditional cigarettes; Lighters for smokers; Smokeless cigarette vaporizer pipe; Smoker's articles, namely, filter tubes; Tobacco substitutes” in International Class 34.
10. Applicant’s VLEX Mark, as shown in the Application, is confusingly similar in sound and appearance to Opposer’s previously used FLEX Marks.
11. The goods identified in the Application are highly related to the goods on which the FLEX Marks are used and have previously been used.
12. Applicant’s VLEX Mark, when used in connection with Applicant’s goods as identified in the Application, so resembles Opposer’s previously used FLEX Marks as to be likely to cause confusion, to cause mistake, and/or to deceive members of the public concerning a sponsorship or endorsement of, or an affiliation, connection, or association with the sources of goods sold under the FLEX Marks in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer, the public, and the trade.

13. Applicant's VLEX Mark, as shown in the Application, is confusingly similar in sound and appearance to the previously registered FLEX Marks as shown in the FLEX Registrations.

14. Applicant's VLEX Mark, when used in connection with Applicant's goods as identified in the Application, so resembles the previously registered mark shown in the FLEX Registrations as to be likely to cause confusion, to cause mistake, and/or to deceive members of the public concerning a sponsorship or endorsement of, or an affiliation, connection, or association with the sources of goods sold under the FLEX Marks, as shown in the FLEX Registrations, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer, the public, and the trade.

15. Pursuant to Section 13(a) of the Lanham Act, 15 U.S.C. § 1063(a), Opposer believes it will be damaged by registration of Applicant's VLEX Mark as shown in the Application in that members of the purchasing public and/or the trade are likely to be confused or mistaken that Applicant's goods offered under Applicant's VLEX Mark originate from Opposer, or from the same source as goods sold under Opposer's FLEX Marks, or that such goods of Applicant are sponsored by, endorsed by, or affiliated with the source of goods sold under Opposer's FLEX Marks. Such likelihood of confusion results in damage to the goodwill among purchasers and the trade that Opposer's FLEX Marks symbolize. Registration of Applicant's VLEX Mark as shown in the Application will support and assist Applicant in the confusing and misleading use of Applicant's VLEX Mark, and, in addition, will give color and exclusive statutory right to Applicant in violation and derogation of the prior and superior rights of Opposer.

**WHEREFORE**, Opposer requests that registration of Applicant's VLEX Mark, as

shown in the Application, be refused.

The required fee for instituting this opposition proceeding is being submitted herewith. Please charge any deficiency or refund in the filing fee to Deposit Account No. 20-1430.

Please recognize William M. Bryner and the law firm of Kilpatrick Townsend & Stockton LLP as attorneys for Opposer in connection with this opposition proceeding. Please address all correspondence regarding this proceeding to William M. Bryner at Kilpatrick Townsend & Stockton LLP, 1001 West Fourth Street, Winston-Salem, NC, 27101.

This the 13<sup>th</sup> day of October, 2014.

/William M. Bryner/  
William M. Bryner  
Harris W. Henderson  
KILPATRICK TOWNSEND & STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
Telephone: (336) 607-7300  
wbryner@kilpatricktownsend.com  
hhenderson@kilpatricktownsend.com

*Attorneys for Opposer*

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

REYNOLDS INNOVATIONS INC.,	)	
	)	In the matter of Application
Opposer,	)	Serial No. 86/266,722
	)	
v.	)	Mark: VLEX
	)	
	)	
	)	
KWONG CHAK FAT TECHNOLOGY	)	Opposition No. _____
LTD.,	)	
	)	
Applicant.	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was served on counsel for Applicant on October 13, 2014 via first class United States mail to:

Kwok Yuentung  
Convention Plaza  
3011, 30/F Office Tower  
1 Harbor Road  
Hong Kong

/wmb/  
\_\_\_\_\_  
*Counsel for Opposer*

**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, October 13, 2014.

/wmb/  
\_\_\_\_\_  
*Counsel for Opposer*

**EXHIBIT A**

# United States of America

United States Patent and Trademark Office

## FLEX

**Reg. No. 3,986,700**

REYNOLDS INNOVATIONS INC. (NORTH CAROLINA CORPORATION)  
401 NORTH MAIN STREET  
WINSTON-SALEM, NC 27102

**Registered June 28, 2011**

**Int. Cl.: 34**

FOR: SMOKELESS TOBACCO, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 3-3-2011; IN COMMERCE 3-3-2011.

**PRINCIPAL REGISTER**

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

SN 77-963,176, FILED 3-19-2010.

VIVIAN MICZNIK FIRST, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office



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Mark: FLEX

**FLEX**

US Serial Number:	77963176	Application Filing Date:	Mar. 19, 2010
US Registration Number:	3986700	Registration Date:	Jun. 28, 2011
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jun. 28, 2011		
Publication Date:	Aug. 10, 2010	Notice of Allowance Date:	Oct. 05, 2010

**Mark Information** Expand All

Mark Literal Elements: FLEX

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

**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: Smokeless tobacco

International Class(es): 034 - Primary Class U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 03, 2011 Use in Commerce: Mar. 03, 2011

**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: Reynolds Innovations Inc.

Owner Address: 401 North Main Street  
Winston-Salem, NORTH CAROLINA 27102  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: NORTH CAROLINA

### ▼ Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: William M. Bryner

Attorney Primary Email  
Address: [wstrademarks@kilpatricktownsend.com](mailto:wstrademarks@kilpatricktownsend.com)

Attorney Email Authorized: No

#### Correspondent

Correspondent Name/Address: William M. Bryner

Kilpatrick Townsend & Stockton LLP  
1001 W. Fourth Street  
Winston-Salem, NORTH CAROLINA 27101  
UNITED STATES

Phone: 336-607-7300

Fax: 336-607-7500

Correspondent e-mail: [wstrademarks@kilpatricktownsend.com](mailto:wstrademarks@kilpatricktownsend.com)

Correspondent e-mail  
Authorized: No

#### Domestic Representative - Not Found

#### ▲ Prosecution History

#### ▲ TM Staff and Location Information

#### ▼ Assignment Abstract Of Title Information - None recorded

#### ▲ Proceedings

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# United States of America

United States Patent and Trademark Office

## VICEROY FLEX

**Reg. No. 3,986,701**

REYNOLDS INNOVATIONS INC. (NORTH CAROLINA CORPORATION)  
401 NORTH MAIN STREET  
WINSTON-SALEM, NC 27102

**Registered June 28, 2011**

**Int. Cl.: 34**

FOR: SMOKELESS TOBACCO, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 3-3-2011; IN COMMERCE 3-3-2011.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 747,489, 1,073,305, AND 1,073,306.

SN 77-963,178, FILED 3-19-2010.

VIVIAN MICZNIK FIRST, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office



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Mark: VICEROY FLEX

**VICEROY FLEX**

US Serial Number:	77963178	Application Filing Date:	Mar. 19, 2010
US Registration Number:	3986701	Registration Date:	Jun. 28, 2011
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jun. 28, 2011		
Publication Date:	Aug. 10, 2010	Notice of Allowance Date:	Oct. 05, 2010

**Mark Information** Expand All

Mark Literal Elements: VICEROY FLEX

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

**Related Properties Information**

Claimed Ownership of US Registrations: 0747489, 1073305, 1073306

**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: Smokeless tobacco

International Class(es): 034 - Primary Class      U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 03, 2011      Use in Commerce: Mar. 03, 2011

**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

<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		
<b>▼ Current Owner(s) Information</b>					
<b>Owner Name:</b>	Reynolds Innovations Inc.				
<b>Owner Address:</b>	401 North Main Street Winston-Salem, NORTH CAROLINA 27102 UNITED STATES				
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	NORTH CAROLINA		
<b>▼ Attorney/Correspondence Information</b>					
<b>Attorney of Record</b>					
<b>Attorney Name:</b>	William M. Bryner				
<b>Attorney Primary Email Address:</b>	wstrademarks@kilpatricktownsend.com	<b>Attorney Email Authorized:</b>	No		
<b>Correspondent</b>					
<b>Correspondent Name/Address:</b>	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 W. Fourth Street Winston-Salem, NORTH CAROLINA 27101 UNITED STATES				
<b>Phone:</b>	336-607-7300	<b>Fax:</b>	336-607-7500		
<b>Correspondent e-mail:</b>	wstrademarks@kilpatricktownsend.com	<b>Correspondent e-mail Authorized:</b>	No		
<b>Domestic Representative - Not Found</b>					
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United States of America  
United States Patent and Trademark Office



**Reg. No. 4,044,163**

REYNOLDS INNOVATIONS INC. (NORTH CAROLINA CORPORATION)  
401 NORTH MAIN STREET  
WINSTON-SALEM, NC 27102

**Registered Oct. 25, 2011**

**Int. Cl.: 34**

FOR: SMOKELESS TOBACCO, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 3-3-2011; IN COMMERCE 3-3-2011.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 747,489, 1,073,305, AND 1,073,306.

THE MARK CONSISTS OF A STYLIZED SHAPE REPRESENTING THE LETTER "V" UNDER WHICH APPEARS THE WORDS "VICEROY" AND "FLEX".

SER. NO. 85-194,374, FILED 12-9-2010.

KYLE PEETE, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**



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### Trademark Status & Document Retrieval (TSDR) ?

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Status	Documents

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STATUS	DOCUMENTS ?	Download	Print Preview
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Mark: V VICEROY FLEX			
US Serial Number:	85194374	Application Filing Date:	Dec. 09, 2010
US Registration Number:	4044163	Registration Date:	Oct. 25, 2011
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Oct. 25, 2011		
Publication Date:	Aug. 09, 2011		
<b>Mark Information</b> <span style="float: right;">Expand All</span>			
Mark Literal Elements:	V VICEROY FLEX		
Standard Character Claim:	No		
Mark Drawing Type:	5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM		
Description of Mark:	The mark consists of a stylized shape representing the letter "V" under which appears the words "VICEROY" and "FLEX".		
Color(s) Claimed:	Color is not claimed as a feature of the mark.		
<b>Related Properties Information</b>			
Claimed Ownership of US Registrations:	0747489, 1073305, 1073306		
<b>Goods and Services</b>			
Note:	The following symbols indicate that the registrant/owner has amended the goods/services:		
	<ul style="list-style-type: none"> <li>Brackets [...] indicate deleted goods/services;</li> <li>Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and</li> <li>Asterisks *.* identify additional (new) wording in the goods/services.</li> </ul>		
For:	Smokeless tobacco		
International Class(es):	034 - Primary Class	U.S Class(es):	002, 008, 009, 017
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Mar. 03, 2011	Use in Commerce:	Mar. 03, 2011

**Basis Information (Case Level)**

<b>Filed Use:</b>	No	<b>Currently Use:</b>	Yes	<b>Amended Use:</b>	No
<b>Filed ITU:</b>	Yes	<b>Currently ITU:</b>	No	<b>Amended ITU:</b>	No
<b>Filed 44D:</b>	No	<b>Currently 44D:</b>	No	<b>Amended 44D:</b>	No
<b>Filed 44E:</b>	No	<b>Currently 44E:</b>	No	<b>Amended 44E:</b>	No
<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No		
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No		

**▼ Current Owner(s) Information**

<b>Owner Name:</b>	Reynolds Innovations Inc.		
<b>Owner Address:</b>	401 North Main Street Winston-Salem, NORTH CAROLINA 27102 UNITED STATES		
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	NORTH CAROLINA

**▼ Attorney/Correspondence Information****Attorney of Record**

<b>Attorney Name:</b>	William M. Bryner		
<b>Attorney Primary Email Address:</b>	wstrademarks@kilpatricktownsend.com	<b>Attorney Email Authorized:</b>	No

**Correspondent**

<b>Correspondent Name/Address:</b>	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 W. Fourth Street Winston-Salem, NORTH CAROLINA 27101 UNITED STATES		
<b>Phone:</b>	336-607-7300	<b>Fax:</b>	336-607-7500
<b>Correspondent e-mail:</b>	wstrademarks@kilpatricktownsend.com	<b>Correspondent e-mail Authorized:</b>	Yes

**Domestic Representative - Not Found****▲ Prosecution History****▲ TM Staff and Location Information****▼ Assignment Abstract Of Title Information - None recorded****▲ Proceedings - Click to Load**[Download Adobe Reader](#)If you are the applicant or the applicant's attorney and have questions about this file, please contact the [Trademark Assistance Center](#)

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**United States of America**  
United States Patent and Trademark Office

# VELO FLEX

**Reg. No. 4,269,867**

**Registered Jan. 1, 2013**

**Int. Cl.: 34**

**TRADEMARK**

**PRINCIPAL REGISTER**

REYNOLDS INNOVATIONS INC. (NORTH CAROLINA CORPORATION)  
401 NORTH MAIN STREET  
WINSTON-SALEM, NC 27101

FOR: SMOKELESS TOBACCO, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 7-30-2012; IN COMMERCE 7-30-2012.

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

THE ENGLISH TRANSLATION OF "VELO" IN THE MARK IS "VEIL" OR "BICYCLE".

SN 85-607,359, FILED 4-25-2012.

ALYSSA STEEL, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**



ADVISORY: If you experience any trouble when clicking on the direct links to published records in Notices of Publication received via email and/or that appear in TSDR (Trademark Status and Document Retrieval), you can access the individual record by either 1) copying the link from the email or Notice of Publication in TSDR and pasting it into the url address of a supported browser (IE 10.0 or later and the latest versions of FireFox, Chrome or Safari); or 2) visiting the TMOG main page at <https://tmog.uspto.gov/>, selecting the Official Gazette issue date from the list of Issues in the upper left corner and then entering the 8 digit serial number in the box labeled "Search By" and clicking on the magnifying glass icon to execute the search.

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Mark: VELO FLEX

VELO FLEX

US Serial Number:	85607359	Application Filing Date:	Apr. 25, 2012
US Registration Number:	4269867	Registration Date:	Jan. 01, 2013
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	No
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jan. 01, 2013		
Publication Date:	Sep. 04, 2012	Notice of Allowance Date:	Oct. 30, 2012

Mark Information Expand All

Mark Literal Elements: VELO FLEX

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

Translation: The English translation of "VELO" in the mark is "veil" or "bicycle".

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:	Smokeless tobacco
International Class(es):	034 - Primary Class
U.S Class(es):	002, 008, 009, 017
Class Status:	ACTIVE
Basis:	1(a)
First Use:	Jul. 30, 2012
Use in Commerce:	Jul. 30, 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

<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No
<b>▼ Current Owner(s) Information</b>			
<b>Owner Name:</b>	Reynolds Innovations Inc.		
<b>Owner Address:</b>	401 North Main Street Winston-Salem, NORTH CAROLINA 27101 UNITED STATES		
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	NORTH CAROLINA
<b>▼ Attorney/Correspondence Information</b>			
<b>Attorney of Record</b>			
<b>Attorney Name:</b>	William M. Bryner	<b>Docket Number:</b>	00568-414775
<b>Attorney Primary Email Address:</b>	wstrademarks@kilpatricktownsend.com	<b>Attorney Email Authorized:</b>	No
<b>Correspondent</b>			
<b>Correspondent Name/Address:</b>	WILLIAM M. BRYNER KILPATRICK TOWNSEND & STOCKTON LLP 1001 W 4TH ST WINSTON SALEM, NORTH CAROLINA 27101-2410 UNITED STATES		
<b>Phone:</b>	336-607-7300	<b>Fax:</b>	336-607-7500
<b>Correspondent e-mail:</b>	wstrademarks@kilpatricktownsend.com	<b>Correspondent e-mail Authorized:</b>	Yes
<b>Domestic Representative - Not Found</b>			
<b>▲ Prosecution History</b>			
<b>▲ TM Staff and Location Information</b>			
<b>▼ Assignment Abstract Of Title Information - None recorded</b>			
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**United States of America**  
United States Patent and Trademark Office

# REVEL FLEX

**Reg. No. 4,375,039**

REYNOLDS INNOVATIONS INC. (NORTH CAROLINA CORPORATION)  
401 NORTH MAIN STREET  
WINSTON-SALEM, NC 27102

**Registered July 30, 2013**

**Int. Cl.: 34**

FOR: TOBACCO PRODUCTS, NAMELY, TOBACCO-DERIVED LOZENGES, IN CLASS 34  
(U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 10-29-2012; IN COMMERCE 10-29-2012.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 3,986,700, 3,986,701, AND 4,269,867.

SER. NO. 85-737,966, FILED 9-25-2012.

BRENDAN REGAN, EXAMINING ATTORNEY



*Sean Street Lee*

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**



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<a href="#">Status</a> <a href="#">Documents</a>	

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Mark: REVEL FLEX

# REVEL FLEX

US Serial Number: 85737966

Application Filing Date: Sep. 25, 2012

US Registration Number: 4375039

Registration Date: Jul. 30, 2013

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 30, 2013

Publication Date: May 14, 2013

**▼ Mark Information** [Expand All](#)

Mark Literal Elements: REVEL FLEX

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

**▼ Related Properties Information**

Claimed Ownership of US Registrations: [3986700](#), [3986701](#), [4269867](#)

**▼ 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: Tobacco products, namely, tobacco-derived lozenges

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 29, 2012

Use in Commerce: Oct. 29, 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

<b>Filed 66A:</b>	No	<b>Currently 66A:</b>	No
<b>Filed No Basis:</b>	No	<b>Currently No Basis:</b>	No
<b>▼ Current Owner(s) Information</b>			
<b>Owner Name:</b>	Reynolds Innovations Inc.		
<b>Owner Address:</b>	401 North Main Street Winston-Salem, NORTH CAROLINA 27102 UNITED STATES		
<b>Legal Entity Type:</b>	CORPORATION	<b>State or Country Where Organized:</b>	NORTH CAROLINA
<b>▼ Attorney/Correspondence Information</b>			
<b>Attorney of Record</b>			
<b>Attorney Name:</b>	William M. Bryner	<b>Docket Number:</b>	00568-Pendin
<b>Attorney Primary Email Address:</b>	wstrademarks@kilpatricktownsend.com	<b>Attorney Email Authorized:</b>	No
<b>Correspondent</b>			
<b>Correspondent Name/Address:</b>	WILLIAM M. BRYNER KILPATRICK TOWNSEND & STOCKTON LLP 1001 W 4TH ST WINSTON SALEM, NORTH CAROLINA 27101-2410 UNITED STATES		
<b>Phone:</b>	336-607-7300	<b>Fax:</b>	336-607-7500
<b>Correspondent e-mail:</b>	wstrademarks@kilpatricktownsend.com	<b>Correspondent e-mail Authorized:</b>	Yes
<b>Domestic Representative - Not Found</b>			
<b>▲ Prosecution History</b>			
<b>▲ TM Staff and Location Information</b>			
<b>▼ Assignment Abstract Of Title Information - None recorded</b>			
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