

ESTTA Tracking number: **ESTTA636105**

Filing date: **10/30/2014**

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	Claremont Hotel Properties Limited Partnership
Granted to Date of previous extension	12/10/2014
Address	909 Montgomery Street Suite 400 San Francisco, CA 94133 UNITED STATES
Attorney information	Robert A. Becker Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES rbecker@frosszelnick.com Phone:212-813-5900

**Applicant Information**

Application No	79141237	Publication date	08/12/2014
Opposition Filing Date	10/30/2014	Opposition Period Ends	12/10/2014
International Registration No.	1188800	International Registration Date	04/26/2013
Applicant	GLH Hotels Group Limited Clarendon House, 2 Church Street BERMUDA		

**Goods/Services Affected by Opposition**

<p>Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Motion picture and video rental services; rental of radio and television receiving sets; health club services, namely, providing instruction and equipment in the field of physical exercise; leisure club services in the nature of country clubs; provision of sport and recreational facilities; providing information in the fields of sports, leisure and recreation; organizing and conducting educational conventions, exhibitions, conferences, and seminars in the fields of education, culture, sports and entertainment for non-business and non-commercial purposes; theatre, opera and concert ticket reservations</p>
<p>Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Rental of temporary accommodation; reservation of temporary accommodation; hotel, motel, bar, café, restaurant, and catering services; providing banquet facilities for special occasions; reservation services for booking meals; resort lodging services; rental of rooms for social functions and meetings; provision of information relating to holidays, namely, provision of information on hotels and restaurants to tourists and travelers on vacation; advisory services relating to holiday accommodation</p>

## Applicant Information

Application No	79136439	Publication date	07/08/2014
Opposition Filing Date	10/30/2014	Opposition Period Ends	
International Registration No.	1176348	International Registration Date	04/26/2013
Applicant	GLH Hotels Group Limited Clarendon House, 2 Church Street Hamilton, HM1 BERMUDA		

## Goods/Services Affected by Opposition

<p>Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Motion picture and video rental services; rental of radio and television receiving sets; health club services, namely, providing instruction and equipment in the field of physical exercise; leisure club services in the nature of country clubs; provision of sport and recreational facilities; providing information in the fields of sports, leisure and recreation; organizing and conducting educational conventions, exhibitions, conferences, and seminars in the fields of education, culture, sports and entertainment for non-business and non-commercial purposes; theatre, opera and concert ticket reservations</p>
<p>Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Rental of temporary accommodation; reservation of temporary accommodation; hotel, motel, bar, café, restaurant, and catering services; providing banquet facilities for special occasions; reservation services for booking meals; resort lodging services; rental of rooms for social functions and meetings; provision of information relating to holidays, namely, provision of information on hotels and restaurants to tourists and travelers on vacation; advisory services relating to holiday accommodation</p>

## Applicant Information

Application No	79133507	Publication date	09/16/2014
Opposition Filing Date	10/30/2014	Opposition Period Ends	
International Registration No.	1169115	International Registration Date	06/13/2013
Applicant	GLH Hotels Group Limited Clarendon House, 2 Church Street  BERMUDA		

## Goods/Services Affected by Opposition

<p>Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Business management of hotels; arranging and conducting exhibitions, events and fairs for commercial or advertising purposes; advertising services; provision of office equipment facilities; provision of secretarial services; office functions; operation and supervision of loyalty and incentive schemes for promotional purposes; retail store services featuring beauty products, toiletries, hand tools, optical goods, cameras, audio and video recordings, domestic electrical and electronic equipment, jewellery, clocks, watches, stationery, publications, umbrellas, parasols, leather goods, luggage, bags, furniture, bathroom accessories, furnishings, textiles, clothing, footwear, headgear, toys and games, sports equipment, foodstuffs, drinks, wines and flowers</p>
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## Applicant Information

Application No	79133512	Publication date	08/12/2014
Opposition Filing Date	10/30/2014	Opposition Period Ends	
International Registration No.	1169120	International Registration Date	06/13/2013
Applicant	GLH Hotels Group Limited Clarendon House, 2 Church Street  BERMUDA		

## Goods/Services Affected by Opposition

<p>Class 035. First Use: 0 First Use In Commerce: 0  All goods and services in the class are opposed, namely: Business management of hotels; arranging and conducting exhibitions, events and fairs for commercial or advertising purposes; advertising services; provision of office equipment facilities; provision of secretarial services; office functions; operation and supervision of loyalty and incentive schemes for promotional purposes; retail store services featuring beauty products, toiletries, hand tools, optical goods, cameras, audio and video recordings, domestic electrical and electronic equipment, jewellery, clocks, watches, stationery, publications, umbrellas, parasols, leather goods, luggage, bags, furniture, bathroom accessories, furnishings, textiles, clothing, footwear, headgear, toys and games, sports equipment, foodstuffs, drinks, wines and flowers</p>
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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.	2332128	Application Date	03/09/1999
Registration Date	03/21/2000	Foreign Priority Date	NONE
Word Mark	THE CLAREMONT HOTEL CLUB & SPA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1998/10/00 First Use In Commerce: 1998/10/00 RECREATIONAL SERVICES IN THE NATURE OF AQUATIC FACILITIES AND TENNIS FACILITIES Class 042. First use: First Use: 1998/10/00 First Use In Commerce: 1998/10/00 RESORT HOTELS AND HEALTH SPAS		

U.S. Registration No.	2332127	Application Date	03/09/1999
Registration Date	03/21/2000	Foreign Priority Date	NONE
Word Mark	CLAREMONT HOTEL CLUB & SPA		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 041. First use: First Use: 1998/10/00 First Use In Commerce: 1998/10/00 RECREATIONAL SERVICES IN THE NATURE OF AQUATIC FACILITIES AND TENNIS FACILITIES</p> <p>Class 042. First use: First Use: 1998/10/00 First Use In Commerce: 1998/10/00 RESORT HOTELS AND HEALTH SPAS</p>

Attachments	<p>75656483#TMSN.png( bytes ) 75656463#TMSN.png( bytes ) F1554550.PDF(360252 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	/Robert Becker/
Name	Robert A. Becker
Date	10/30/2014

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

In the Matter of the Application Serial Nos. 79/141,237, 79/136,439, 79/133,507, and 79/133,512

CLAREMONT HOTEL PROPERTIES LIMITED  
PARTNERSHIP,

Opposer,

v.

GLH HOTELS GROUP LIMITED,

Applicant.

NOTICE OF OPPOSITION

Opposer, Claremont Hotel Properties Limited Partnership, a Delaware limited partnership located at 909 Montgomery Street, Suite 400, San Francisco, California 94133, United States, believes that it will be damaged by registration of the marks shown in Application Serial Nos. 79/141,237 (in Classes 41 and 43), 79/136,439 (in Classes 41 and 43), 79/133,507 (in Class 35), and 79/133,512 (in Class 35), and therefore opposes those applications in those specified classes (“Specified Classes”). As grounds for this opposition, Opposer, through its attorneys, alleges as follows:

1. Since at least as early as October 1998, Opposer has been using the trademarks THE CLAREMONT HOTEL CLUB & SPA and THE CLAREMONT HOTEL CLUB & SPA and Design (hereinafter “Opposer’s Marks”) in the United States in connection with resort hotels, health spas, and recreational services in the nature of aquatic facilities and tennis facilities.

2. Opposer owns U.S. Reg. No. 2,332,128 for THE CLAREMONT HOTEL CLUB & SPA (with HOTEL CLUB & SPA disclaimed) for “recreational services in the nature of aquatic facilities and tennis facilities” in Class 41 and “resort hotels and health spas” in Class 42. That registration, issued on March 21, 2000, is valid, subsisting, and in full force and effect. Further, the

registration is incontestable and therefore is conclusive evidence of Opposer's exclusive right in that mark for the identified services. A TSDR printout for that registration is attached as Exhibit A.

3. Opposer owns U.S. Reg. No. 2,332,127 for THE CLAREMONT HOTEL CLUB & SPA and Design (with HOTEL CLUB & SPA disclaimed) for "recreational services in the nature of aquatic facilities and tennis facilities" in Class 41 and "resort hotels and health spas" in Class 42. That registration, issued on March 21, 2000, is valid, subsisting, and in full force and effect. Further, the registration is incontestable and therefore is conclusive evidence of Opposer's exclusive right in that mark for the identified services. A TSDR printout for that registration is attached as Exhibit B. (Reg. Nos. 2,332,128 and 2,332,127 are hereinafter referred to collectively as "Opposer's Registrations.")

4. On information and belief, Applicant is a Bermuda limited liability company located at Clarendon House, 2 Church Street, Hamilton HM1, Bermuda.

5. On April 26, 2013, Applicant filed application Ser. No. 79/141,237 to register the mark CLERMONT HOTELS (with HOTELS disclaimed) based on Section 66(a) of the Lanham Act. That application covered, *inter alia*: "health club services, namely, providing instruction and equipment in the field of physical exercise; leisure club services in the nature of country clubs; provision of sport and recreational facilities; providing information in the fields of sports, leisure and recreation" and "theatre, opera and concert ticket reservations" in Class 41; and "Rental of temporary accommodation; reservation of temporary accommodation; hotel, motel, bar, café, restaurant, and catering services; providing banquet facilities for special occasions; reservation services for booking meals; resort lodging services; rental of rooms for social functions and meetings; provision of information relating to holidays, namely, provision of information on hotels and restaurants to tourists and travelers on vacation; advisory services relating to holiday accommodation" in Class 43.

6. On April 26, 2013, Applicant filed application Ser. No. 79/136,439 to register the mark CLERMONT based on Section 66(a) of the Lanham Act. That application covered, *inter alia*: “health club services, namely, providing instruction and equipment in the field of physical exercise; leisure club services in the nature of country clubs; provision of sport and recreational facilities; providing information in the fields of sports, leisure and recreation” and “theatre, opera and concert ticket reservations” in Class 41; and “Rental of temporary accommodation; reservation of temporary accommodation; hotel, motel, bar, café, restaurant, and catering services; providing banquet facilities for special occasions; reservation services for booking meals; resort lodging services; rental of rooms for social functions and meetings; provision of information relating to holidays, namely, provision of information on hotels and restaurants to tourists and travelers on vacation; advisory services relating to holiday accommodation” in Class 43.

7. On June 13, 2013, Applicant filed application Ser. No. 79/133,507 to register the mark CLERMONT HOTELS (with HOTELS disclaimed) based on Section 66(a) of the Lanham Act. That application covered, *inter alia*: “business management of hotels” in Class 35.

8. On June 13, 2013, Applicant filed application Ser. No. 79/133,512 to register the mark CLERMONT based on Section 66(a) of the Lanham Act. That application covered, *inter alia*: “business management of hotels” in Class 35. (Application Ser. Nos. 79/141,237, 79/136,439, 79/133,507, and 79/133,512 are hereinafter referred to collectively as the “Applications.” The marks CLERMONT HOTELS and CLERMONT are hereinafter referred to collectively as “Applicant’s Marks.”)

9. On information and belief, Applicant did not use Applicant’s Marks for the goods and services in the Applications prior to April 26, 2013.

10. The application and registration dates of Opposer's Registrations are prior to any priority date upon which Applicant can rely for any of the Subject Applications.

11. Opposer's dates of first use of Opposer's Marks are prior to any priority date upon which Applicant can rely for any of the Subject Applications.

12. The term CLERMONT is the sole term in applicant's application Ser. Nos. 79/136,439 and 79/133,512 and is the dominant term in applicant's application Ser. Nos. 79/141,237 and 79/133,507. The other term in Applicant's application Ser. Nos. 79/141,237 and 79/133,507, HOTELS, is descriptive.

13. The term CLAREMONT is the dominant term in Opposer's Marks. The other terms in Opposer's Marks are descriptive or, in the case of the word THE, non-distinctive.

14. The terms CLERMONT and CLAREMONT are pronounced identically or virtually identically. The appearance of the term CLERMONT is very similar to the appearance of the term CLAREMONT.

15. The services in the Specified Classes for which Applicant seeks to register Applicant's Marks are identical or closely related to those services that are offered by Opposer under Opposer's Marks, and those services for which Opposer has registered Opposer's Marks.

16. The Applications and Opposer's Registrations are not limited as to channels of trade or consumers and thus the services covered by the Applications and Opposer's Registrations are presumed to be offered in all channels of trade in which such services are offered and to all consumers who would ordinarily purchase or use such services. Because the services of the parties are identical or closely related, it is presumed that Applicant's channels of trade and consumers for the services in the Specified Classes to be offered under Applicant's Marks will be the same as or

will overlap with the channels of trade in which Opposer offers its services under Opposer's Marks and the consumers to whom Opposer offers its services under Opposer's Marks.

17. Any use of Applicant's Marks, which are identical, virtually identical, or highly similar in commercial impression, appearance, and sound to Opposer's Marks, in connection with the services in the Specified Classes identified in the Subject Applications, which are identical or closely related to the services offered by Opposer under Opposer's Marks, is likely to cause confusion or to cause mistake, or to deceive the trade and public into believing that Applicant's services in the Specified Classes offered under Applicant's Marks come from the same source as services offered under Opposer's Marks, or are otherwise authorized, sponsored, or licensed by Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

18. Registration of Applicant's Marks for the services in the Specified Classes would be inconsistent with Opposer's prior rights and registrations for Opposer's Marks.

19. By reason of the foregoing, Opposer will be damaged by the registration of the marks shown in the Applications for the services in the Specified Classes.

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that Application Serial Nos. 79/136,439, 79/133,512, 79/141,237, and 79/133,507 for registration of the marks CLERMONT and CLERMONT HOTELS be denied with respect to the Specified Classes.

Dated: New York, New York  
October 30, 2014

Respectfully submitted,

FROSS ZELNICK LEHRMAN  
& ZISSU, P.C.

By: \_\_\_\_\_

  
Craig S. Mende  
Robert A. Becker

Attorneys for Opposer  
866 United Nations Plaza  
New York, New York 10017  
(212) 813-5900

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the NOTICE OF OPPOSITION to be served by prepaid, first-class mail on this 30th day of October, 2014, upon applicant's attorney, Charles G. Zug, Esq., Nelson Mullins Riley & Scarborough LLP, 100 North Tryon Street, 42nd Floor, IP Department, Charlotte, NC 28202.



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Robert A. Becker

# **EXHIBIT A**

Generated on: This page was generated by TSDR on 2014-10-29 15:34:50 EDT

Mark: THE CLAREMONT HOTEL CLUB & SPA

The Claremont Hotel Club &  
Spa

US Serial Number: 75656483

Application Filing Date: Mar. 09, 1999

US Registration Number: 2332128

Registration Date: Mar. 21, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jul. 30, 2010

Publication Date: Dec. 28, 1999

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## Mark Information

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Mark Literal Elements: THE CLAREMONT HOTEL CLUB & SPA

Standard Character Claim: No

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

Disclaimer: "HOTEL CLUB & SPA"

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## Goods and Services

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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: RECREATIONAL SERVICES IN THE NATURE OF AQUATIC FACILITIES AND TENNIS FACILITIES

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1998

Use in Commerce: Oct. 1998

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For: RESORT HOTELS AND HEALTH SPAS

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1998

Use in Commerce: Oct. 1998

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## Basis Information (Case Level)

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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

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## Current Owner(s) Information

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Owner Name: CLAREMONT HOTEL PROPERTIES LIMITED PARTNERSHIP

Owner Address: 909 MONTGOMERY STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94133  
UNITED STATES

Legal Entity Type: LIMITED PARTNERSHIP WITH CLAREMONT  
HOTEL PROPERTIES GP, LLC, A DELAWARE  
LIMITED LIABILITY COMPANY, ITS GENERAL  
PARTNER

State or Country Where  
Organized: DELAWARE

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## Attorney/Correspondence Information

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Attorney of Record

Attorney Name: Andrew J. Ferren

Docket Number: 05547.0168

Attorney Primary Email [afferren@goulstonstorr.com](mailto:afferren@goulstonstorr.com)  
Address:

Attorney Email Yes  
Authorized:

#### Correspondent

**Correspondent Name/Address:** Andrew J. Ferren  
FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 UNITED NATIONS PLAZA  
NEW YORK, NEW YORK 10017  
UNITED STATES

Phone: 212-813-5900

Fax: 212-813-5901

#### Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 16, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 30, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jul. 30, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 29, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jul. 27, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jun. 10, 2010	AMENDMENT UNDER SECTION 7 - ISSUED	68335
Apr. 14, 2010	SEC 7 REQUEST FILED	68335
Apr. 14, 2010	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Apr. 05, 2010	POST REGISTRATION ACTION MAILED - SEC. 7	68335
Mar. 18, 2010	TEAS SECTION 7 REQUEST RECEIVED	
Mar. 18, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 27, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 20, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 13, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 13, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 29, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 10, 2007	CASE FILE IN TICRS	
May 16, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
May 12, 2006	ASSIGNED TO PARALEGAL	68335
Feb. 17, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 17, 2006	PAPER RECEIVED	
May 10, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 21, 2000	REGISTERED-PRINCIPAL REGISTER	
Dec. 28, 1999	PUBLISHED FOR OPPOSITION	
Nov. 26, 1999	NOTICE OF PUBLICATION	
Oct. 24, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 28, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 18, 1999	NON-FINAL ACTION MAILED	
Aug. 12, 1999	ASSIGNED TO EXAMINER	59500

### Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Mar. 21, 2010

Change in Registration: Yes

**Amendment to a Registration/Renewal Certificate:** The drawing is amended to appear as follows: The Claremont Hotel Club & Spa . In the statement, Column 2, after line 4, " The mark consist of standard characters, without claim to any particular font, style, size or color", is inserted. In the statement , Column 2, line 6, RESORT & SPA" is deleted, and "Hotel Club & Spa" IS INSERTED.

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 30, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 7

Registrant: KSL Claremont Resort, Inc.

#### Assignment 1 of 7

Conveyance: CHANGE OF NAME

Reel/Frame: [3176/0172](#)

Pages: 5

Date Recorded: Oct. 17, 2005

Supporting Documents: [assignment-tm-3176-0172.pdf](#)

#### Assignor

Name: [KSL CLAREMONT RESORT, INC.](#)

Execution Date: Apr. 02, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

#### Assignee

Name: [CNL CLAREMONT RESORT, LP](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Address: 450 SOUTH ORANGE AVENUE  
LEGAL DEPT. - 12TH FLOOR - CAROL MCKNIGHT  
ORLANDO, FLORIDA 32801

#### Correspondent

Correspondent Name: CNL CLAREMONT RESORT LP / CAROL MCKNIGHT

Correspondent Address: 450 SOUTH ORANGE AVENUE  
LEGAL DEPT - 12TH FLOOR  
ORLANDO, FL 32801

#### Domestic Representative - Not Found

#### Assignment 2 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3245/0640](#)

Pages: 4

Date Recorded: Feb. 10, 2006

Supporting Documents: [assignment-tm-3245-0640.pdf](#)

#### Assignor

Name: [CNL CLAREMONT RESORT, LP](#)

Execution Date: Oct. 14, 2005

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

#### Assignee

Name: [CNL HOTELS & RESORTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 450 SOUTH ORANGE AVENUE  
12TH FLOOR - LEGAL DEPT.  
ORLANDO, FLORIDA 32801

#### Correspondent

Correspondent Name: CAROL MCKNIGHT CNL HOTELS & RESORTS

Correspondent Address: 450 SOUTH ORANGE AVENUE  
12TH FLOOR - LEGAL DEPT.  
ORLANDO, FL 32801

#### Domestic Representative - Not Found

#### Assignment 3 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3605/0743](#)

Pages: 25

Date Recorded: Aug. 21, 2007

Supporting Documents: [assignment-tm-3605-0743.pdf](#)

**Assignor**

Name: [MSR HOTELS & RESORTS, INC.](#) Execution Date: Jun. 21, 2007  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY CNL HOTELS & RESORTS, INC.

**Assignee**

Name: [MS RESORT PURCHASER, LLC](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Address: 420 SOUTH ORANGE AVENUE, SUITE 600  
ATTN: LEGAL DEPT  
ORLANDO, FLORIDA 32801-3313

**Correspondent**

Correspondent Name: MSR HOTELS & RESORTS, INC.  
Correspondent Address: 420 SOUTH ORANGE AVENUE, SUITE 600  
LEGAL DEPT.  
OR, FL 32801-3313

**Domestic Representative - Not Found**

**Assignment 4 of 7**

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE LIST OF MARKS (SEE ATTACHED) ATTACHED TO THE ASSIGNMENT PREVIOUSLY RECORDED ON REEL 003605 FRAME 0743. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNMENT OF THE REMAINING MARKS TO MS RESORT PURCHASER LLC TOGETHER WITH THE ASSOCIATED GOODWILL.

Reel/Frame: [3719/0812](#) Pages: 9

Date Recorded: Feb. 14, 2008

Supporting Documents: [assignment-tm-3719-0812.pdf](#)

**Assignor**

Name: [MSR HOTELS & RESORTS, INC.](#) Execution Date: Jun. 21, 2007  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

DBA, AKA, TA, Formerly: FORMERLY CNL HOTELS & RESORTS, INC.

**Assignee**

Name: [MS RESORT PURCHASER LLC](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Address: 420 SOUTH ORANGE AVENUE, SUITE 600  
ATTN: LEGAL DEPT  
ORLANDO, FLORIDA 32801-3313

**Correspondent**

Correspondent Name: LISA BILLONE  
Correspondent Address: 400 ATLANTIC AVENUE  
GOULSTON & STORRS, P.C.  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 5 of 7**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5230/0621](#) Pages: 8

Date Recorded: Mar. 05, 2014

Supporting Documents: [assignment-tm-5230-0621.pdf](#)

**Assignor**

Name: [MS RESORT PURCHASER LLC](#) Execution Date: Mar. 04, 2014  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

**Assignee**

Name: [450 LEX PRIVATE LIMITED](#)  
Legal Entity Type: PRIVATE LIMITED COMPANY State or Country Where Organized: SINGAPORE

Address: 335 MADISON AVENUE, 24TH FLOOR  
C/O GIC REAL ESTATE, INC.  
NEW YORK, NEW YORK 10017

**Correspondent**

**Correspondent Name:** GLENN A. GUNDERSEN

**Correspondent Address:** 2929 ARCH STREET  
CIRA CENTRE  
PHILADELPHIA, PA 19104-2808

**Domestic Representative - Not Found**

**Assignment 6 of 7**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5232/0320](#)

**Pages:** 5

**Date Recorded:** Mar. 06, 2014

**Supporting Documents:** [assignment-tm-5232-0320.pdf](#)

**Assignor**

**Name:** [450 LEX PRIVATE LIMITED](#)

**Execution Date:** Mar. 04, 2014

**Legal Entity Type:** PRIVATE LIMITED COMPANY

**State or Country Where Organized:** SINGAPORE

**Assignee**

**Name:** [TCR PROPERTY LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 335 MADISON AVENUE, 24TH FLOOR  
C/O GIC REAL ESTATE, INC.  
NEW YORK, NEW YORK 10017

**Correspondent**

**Correspondent Name:** GLENN A. GUNDERSEN

**Correspondent Address:** 2929 ARCH STREET  
CIRA CENTRE  
PHILADELPHIA, PA 19104-2808

**Domestic Representative - Not Found**

**Assignment 7 of 7**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5321/0004](#)

**Pages:** 7

**Date Recorded:** Jul. 11, 2014

**Supporting Documents:** [assignment-tm-5321-0004.pdf](#)

**Assignor**

**Name:** [TCR PROPERTY LLC](#)

**Execution Date:** Mar. 19, 2014

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [CLAREMONT HOTEL PROPERTIES LIMITED PARTNERSHIP](#)

**Legal Entity Type:** LIMITED PARTNERSHIP WITH CLAREMONT  
HOTEL PROPERTIES GP, LLC, A DELAWARE  
LIMITED LIABILITY COMPANY, ITS GENERAL  
PARTNER

**State or Country Where Organized:** DELAWARE

**Address:** 909 MONTGOMERY STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94133

**Correspondent**

**Correspondent Name:** LAWRENCE E. APOLZON

**Correspondent Address:** FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 UNITED NATIONS PLAZA  
NEW YORK, NY 10017

**Domestic Representative - Not Found**

# **EXHIBIT B**

Generated on: This page was generated by TSDR on 2014-10-29 15:35:07 EDT

Mark: CLAREMONT HOTEL CLUB & SPA



US Serial Number: 75656463  
US Registration Number: 2332127  
Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Jul. 30, 2010  
Publication Date: Dec. 28, 1999

Application Filing Date: Mar. 09, 1999  
Registration Date: Mar. 21, 2000

## Mark Information

Mark Literal Elements: CLAREMONT HOTEL CLUB & SPA  
Standard Character Claim: No  
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)  
Disclaimer: "HOTEL CLUB & SPA"  
Design Search Code(s): 07.03.25 - Aquariums (buildings); Convention hall; Hospitals; Libraries, public libraries; Schools; Wash, car (commercial)  
24.09.25 - Bunting (flags); Flags, signal; Other flags

## 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: RECREATIONAL SERVICES IN THE NATURE OF AQUATIC FACILITIES AND TENNIS FACILITIES

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

For: RESORT HOTELS AND HEALTH SPAS

International Class(es): 042 - Primary Class  
U.S Class(es): 100, 101  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Oct. 1998  
Use in Commerce: Oct. 1998

## 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: CLAREMONT HOTEL PROPERTIES LIMITED PARTNERSHIP  
Owner Address: 909 MONTGOMERY STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94133  
UNITED STATES  
Legal Entity Type: LIMITED PARTNERSHIP WITH CLAREMONT HOTEL PROPERTIES GP, LLC, A DELAWARE  
State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Andrew J. Ferren **Docket Number:** 05547.0168  
**Attorney Primary Email Address:** [aferran@goulstonstorrs.com](mailto:aferran@goulstonstorrs.com) **Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Andrew J. Ferren  
 FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
 866 UNITED NATIONS PLAZA  
 NEW YORK, NEW YORK 10017  
 UNITED STATES  
**Phone:** 212-813-5900 **Fax:** 212-813-5901

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 16, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 16, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 12, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 30, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jul. 30, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 29, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jul. 27, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jun. 10, 2010	AMENDMENT UNDER SECTION 7 - ISSUED	68335
Apr. 14, 2010	SEC 7 REQUEST FILED	68335
Apr. 14, 2010	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 22, 2010	POST REGISTRATION ACTION MAILED - SEC. 7	68335
Mar. 18, 2010	TEAS SECTION 7 REQUEST RECEIVED	
Jan. 27, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Mar. 18, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 27, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 20, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 13, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 13, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 29, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 10, 2007	CASE FILE IN TICRS	
May 16, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
May 12, 2006	ASSIGNED TO PARALEGAL	68335
Feb. 17, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 17, 2006	PAPER RECEIVED	
May 10, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 21, 2000	REGISTERED-PRINCIPAL REGISTER	
Dec. 28, 1999	PUBLISHED FOR OPPOSITION	
Nov. 26, 1999	NOTICE OF PUBLICATION	
Oct. 24, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 28, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 18, 1999	NON-FINAL ACTION MAILED	
Aug. 12, 1999	ASSIGNED TO EXAMINER	59500

# Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Mar. 21, 2010

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the statement, Column 2, line 6, " RESORT & SPA" is deleted, and " HOTEL CLUB & SPA", is inserted. The drawing is amended to appear as follows: PUBLISH CUT

## TM Staff and Location Information

### TM Staff Information - None File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jul. 30, 2010

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 7

**Registrant:** KSL Claremont Resort, Inc.

### Assignment 1 of 7

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** [3176/0172](#)

**Pages:** 5

**Date Recorded:** Oct. 17, 2005

**Supporting Documents:** [assignment-tm-3176-0172.pdf](#)

### Assignor

**Name:** [KSL CLAREMONT RESORT, INC.](#)

**Execution Date:** Apr. 02, 2004

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

### Assignee

**Name:** [CNL CLAREMONT RESORT, LP](#)

**Legal Entity Type:** LIMITED PARTNERSHIP

**State or Country Where Organized:** DELAWARE

**Address:** 450 SOUTH ORANGE AVENUE  
LEGAL DEPT. - 12TH FLOOR - CAROL MCKNIGHT  
ORLANDO, FLORIDA 32801

### Correspondent

**Correspondent Name:** CNL CLAREMONT RESORT LP / CAROL MCKNIGHT

**Correspondent Address:** 450 SOUTH ORANGE AVENUE  
LEGAL DEPT - 12TH FLOOR  
ORLANDO, FL 32801

### Domestic Representative - Not Found

### Assignment 2 of 7

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [3245/0640](#)

**Pages:** 4

**Date Recorded:** Feb. 10, 2006

**Supporting Documents:** [assignment-tm-3245-0640.pdf](#)

### Assignor

**Name:** [CNL CLAREMONT RESORT, LP](#)

**Execution Date:** Oct. 14, 2005

**Legal Entity Type:** LIMITED PARTNERSHIP

**State or Country Where Organized:** DELAWARE

### Assignee

**Name:** [CNL HOTELS & RESORTS, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 450 SOUTH ORANGE AVENUE  
12TH FLOOR - LEGAL DEPT.  
ORLANDO, FLORIDA 32801

### Correspondent

**Correspondent Name:** CAROL MCKNIGHT CNL HOTELS & RESORTS

**Correspondent Address:** 450 SOUTH ORANGE AVENUE  
12TH FLOOR - LEGAL DEPT.  
ORLANDO, FL 32801

**Domestic Representative - Not Found**

**Assignment 3 of 7**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [3605/0743](#)

**Pages:** 25

**Date Recorded:** Aug. 21, 2007

**Supporting Documents:** [assignment-tm-3605-0743.pdf](#)

**Assignor**

**Name:** [MSR HOTELS & RESORTS, INC.](#)

**Execution Date:** Jun. 21, 2007

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**DBA, AKA, TA, Formerly:** FORMERLY CNL HOTELS & RESORTS, INC.

**Assignee**

**Name:** [MS RESORT PURCHASER, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 420 SOUTH ORANGE AVENUE, SUITE 600  
ATTN: LEGAL DEPT  
ORLANDO, FLORIDA 32801-3313

**Correspondent**

**Correspondent Name:** MSR HOTELS & RESORTS, INC.

**Correspondent Address:** 420 SOUTH ORANGE AVENUE, SUITE 600  
LEGAL DEPT.  
OR, FL 32801-3313

**Domestic Representative - Not Found**

**Assignment 4 of 7**

**Conveyance:** CORRECTIVE ASSIGNMENT TO CORRECT THE LIST OF MARKS (SEE ATTACHED) ATTACHED TO THE ASSIGNMENT PREVIOUSLY RECORDED ON REEL 003605 FRAME 0743. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNMENT OF THE REMAINING MARKS TO MS RESORT PURCHASER LLC TOGETHER WITH THE ASSOCIATED GOODWILL.

**Reel/Frame:** [3719/0812](#)

**Pages:** 9

**Date Recorded:** Feb. 14, 2008

**Supporting Documents:** [assignment-tm-3719-0812.pdf](#)

**Assignor**

**Name:** [MSR HOTELS & RESORTS, INC.](#)

**Execution Date:** Jun. 21, 2007

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**DBA, AKA, TA, Formerly:** FORMERLY CNL HOTELS & RESORTS, INC.

**Assignee**

**Name:** [MS RESORT PURCHASER LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 420 SOUTH ORANGE AVENUE, SUITE 600  
ATTN: LEGAL DEPT  
ORLANDO, FLORIDA 32801-3313

**Correspondent**

**Correspondent Name:** LISA BILLONE

**Correspondent Address:** 400 ATLANTIC AVENUE  
GOULSTON & STORRS, P.C.  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 5 of 7**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5230/0621](#)

**Pages:** 8

**Date Recorded:** Mar. 05, 2014

**Supporting Documents:** [assignment-tm-5230-0621.pdf](#)

**Assignor**

**Name:** [MS RESORT PURCHASER LLC](#)

**Execution Date:** Mar. 04, 2014

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Assignee**

Name: [450 LEX PRIVATE LIMITED](#)

Legal Entity Type: PRIVATE LIMITED COMPANY

State or Country Where Organized: SINGAPORE

Address: 335 MADISON AVENUE, 24TH FLOOR  
C/O GIC REAL ESTATE, INC.  
NEW YORK, NEW YORK 10017

**Correspondent**

Correspondent Name: GLENN A. GUNDERSEN

Correspondent Address: 2929 ARCH STREET  
CIRA CENTRE  
PHILADELPHIA, PA 19104-2808

**Domestic Representative - Not Found**

**Assignment 6 of 7**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5232/0320](#)

Pages: 5

Date Recorded: Mar. 06, 2014

Supporting Documents: [assignment-tm-5232-0320.pdf](#)

**Assignor**

Name: [450 LEX PRIVATE LIMITED](#)

Execution Date: Mar. 04, 2014

Legal Entity Type: PRIVATE LIMITED COMPANY

State or Country Where Organized: SINGAPORE

**Assignee**

Name: [TCR PROPERTY LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 335 MADISON AVENUE, 24TH FLOOR  
C/O GIC REAL ESTATE, INC.  
NEW YORK, NEW YORK 10017

**Correspondent**

Correspondent Name: GLENN A. GUNDERSEN

Correspondent Address: 2929 ARCH STREET  
CIRA CENTRE  
PHILADELPHIA, PA 19104-2808

**Domestic Representative - Not Found**

**Assignment 7 of 7**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5321/0004](#)

Pages: 7

Date Recorded: Jul. 11, 2014

Supporting Documents: [assignment-tm-5321-0004.pdf](#)

**Assignor**

Name: [TCR PROPERTY LLC](#)

Execution Date: Mar. 19, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**

Name: [CLAREMONT HOTEL PROPERTIES LIMITED PARTNERSHIP](#)

Legal Entity Type: LIMITED PARTNERSHIP WITH CLAREMONT  
HOTEL PROPERTIES GP, LLC, A DELAWARE  
LIMITED LIABILITY COMPANY, ITS GENERAL  
PARTNER

State or Country Where Organized: DELAWARE

Address: 909 MONTGOMERY STREET, SUITE 400  
SAN FRANCISCO, CALIFORNIA 94133

**Correspondent**

Correspondent Name: LAWRENCE E. APOLZON

Correspondent Address: FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 UNITED NATIONS PLAZA  
NEW YORK, NY 10017

**Domestic Representative - Not Found**