

ESTTA Tracking number: **ESTTA686667**

Filing date: **07/30/2015**

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	Diageo North America, Inc.
Granted to Date of previous extension	08/01/2015
Address	801 Main Avenue Norwalk, CT 06851 UNITED STATES

Attorney information	Margaret C. Lu Diageo North America, Inc. 801 Main Avenue Norwalk, CT 06851 UNITED STATES margaret.lu@diageo.com, maria.cacucciolo@diageo.com, diageodocketing@ashurst.com Phone:(203) 229-7187
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Applicant Information

Application No	86305708	Publication date	06/02/2015
Opposition Filing Date	07/30/2015	Opposition Period Ends	08/01/2015
Applicant	Royer, Harrison Ronald 1264 Lyle Place NW Atlanta, GA 30318 UNITED STATES		

Goods/Services Affected by Opposition

Class 033. First Use: 0 First Use In Commerce: 0 Opposed goods and services in the class: Spirits
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3015393	Application Date	08/24/2004
Registration Date	11/15/2005	Foreign Priority Date	NONE
Word Mark	BULLEIT		

Design Mark	<h1>BULLEIT</h1>		
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1993/08/25 First Use In Commerce: 1993/08/25 Whiskey		

U.S. Registration No.	2254414	Application Date	10/22/1997
Registration Date	06/15/1999	Foreign Priority Date	NONE
Word Mark	BULLEIT BOURBON FRONTIER WHISKEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1999/02/05 First Use In Commerce: 1999/02/05 whiskey		

U.S. Registration No.	3075812	Application Date	08/24/2004
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	BULLEIT BOURBON FRONTIER WHISKEY		

Design Mark	
Description of Mark	<p>The mark consists of three-dimensional configuration of a bottle that is used to contain the goods, as well as a label design and protruding words and designs. The label design with ridged edges is claimed as a feature of the mark. The protruding words, BULLEIT BOURBON FRONTIER WHISKEY, the protruding line below BULLEIT BOURBON, and the four protruding dots below FRONTIER WHISKEY are all also claimed as features of the mark.</p>
Goods/Services	<p>Class 033. First use: First Use: 1999/02/05 First Use In Commerce: 1999/02/05 Alcoholic beverages, namely, distilled spirits</p>

U.S. Registration No.	3301661	Application Date	08/24/2004
Registration Date	10/02/2007	Foreign Priority Date	NONE
Word Mark	BULLEIT BOURBON		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1993/08/25 First Use In Commerce: 1993/08/25 Whiskey		

Attachments	78472610#TMSN.png(bytes) 78472619#TMSN.png(bytes) 78472621#TMSN.png(bytes) BULLETPROOF_NOP_Serial No. 86305708_Final.pdf(702721 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	/s/ Margaret C. Lu
Name	Margaret C. Lu
Date	07/30/2015

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

In the Matter of Application Serial No. 86/305,708
Published in the Official Gazette on June 2, 2015
Mark: BULLETPROOF
International Class: 33

DIAGEO NORTH AMERICA, INC. Opposer, -against- HARRISON RONALD ROYER Applicant.
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Opposition No. _____

NOTICE OF OPPOSITION

Opposer Diageo North America, Inc. ("Opposer") believes that it will be damaged by the registration of the mark BULLETPROOF ("Applicant's Mark") for "spirits" in International Class 33, as shown in the above-noted intent-to-use application, Serial No. 86/305,708 (the "Application"), and hereby opposes the same pursuant to Section 13(a) of the Trademark Act of 1946, as amended (the "Lanham Act"), 15 U.S.C. § 1063(a).

As grounds for the opposition, Opposer alleges that:

1. Opposer Diageo North America, Inc. is a Connecticut corporation with its principal place of business at 801 Main Avenue, Norwalk, Connecticut 06851.
2. Opposer and its predecessors in interest have used marks consisting of or including BULLEIT (collectively, the "BULLEIT Marks") in commerce in the United States in connection with alcoholic beverages since at least as early as 1993.

3. During its continuous use of its BULLEIT Marks, Opposer has directly and indirectly offered for sale and sold alcoholic beverages bearing the BULLEIT Marks to wholesalers, distributors, and individuals over the legal purchase age for alcohol throughout the United States.
4. During its continuous use of its BULLEIT Marks, Opposer has directly and indirectly offered for sale and sold alcoholic beverages bearing the BULLEIT Marks throughout the United States and internationally.
5. During its continuous use of its BULLEIT Marks, Opposer and its authorized wholesalers, distributors, and retail accounts also have expended considerable time, effort and money in advertising and publicizing the sale of alcoholic beverages bearing the BULLEIT Marks throughout the United States and internationally.
6. From a date prior to any date upon which Applicant can rely in this proceeding, consumers and the public have recognized and used the BULLEIT Marks to refer to Opposer's alcoholic beverages, and have come to identify the BULLEIT Marks with Opposer and its products.
7. In addition to Opposer's common law rights in its BULLEIT Marks, Opposer owns, *inter alia*, incontestable U.S. Reg. No. 3,015,393 for BULLEIT for whiskey, registered November 15, 2005 based on use and use in commerce since August 25, 1993; incontestable U.S. Reg. No. 2,254,414 for BULLEIT BOURBON FRONTIER WHISKEY for whiskey, registered June 15, 1999 based on use and use in commerce since February 5, 1999; incontestable U.S. Reg. No. 3,075,812 for BULLEIT BOURBON FRONTIER WHISKEY and design for

alcoholic beverages, namely, distilled spirits, registered April 4, 2006 based on use and use in commerce since February 5, 1999; and incontestable U.S. Reg. No. 3,301,661 for BULLEIT BOURBON for whiskey, registered October 2, 2007 based on use and use in commerce since August 25, 1993. Copies of the certificates and electronic status records for these registrations, which are valid, subsisting, and in full force and effect, are attached hereto as Exhibit A.

8. The BULLEIT Marks are strong and famous and have been so from a date prior to the June 10, 2014 filing date of the intent-to-use application herein opposed, or any other date upon which Applicant can rely in this proceeding.
9. Upon information and belief, Harrison Ronald Royer ("Applicant") is a resident of Georgia with an address of 1264 Lyle Place NW, Atlanta, Georgia 30318.
10. By the application herein opposed, Serial No. 86/305,708, Applicant seeks to register BULLETPROOF for "spirits" in International Class 33.
11. Applicant filed the Application on an intent-to-use basis on June 10, 2014, long after Opposer commenced use of its BULLEIT Marks, and long after Opposer registered those marks in the United States.
12. Applicant's BULLETPROOF mark is confusingly similar to Opposer's BULLEIT Marks.
13. The goods for which Applicant seeks registration are closely related or identical to, and likely to be perceived as closely related or identical to, those in connection with which Opposer uses and has used its BULLEIT Marks in the United States.
14. Upon information and belief, the goods sold in connection with Opposer's BULLEIT Marks and the goods set forth in Applicant's Application Serial No.

86/305,708 are intended to be directed to similar or identical classes of purchasers and to be distributed through the same or similar channels of trade in the United States.

15. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of the mark sought to be registered, and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.
16. Opposer will also be damaged by the registration sought by Applicant because such registration will dilute the distinctive qualities of the famous BULLEIT Marks.
17. Registration should be refused pursuant to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), on the grounds that Applicant's Mark so closely resembles Opposer's prior-used and registered BULLEIT Marks as to be likely, when used on or in connection with the goods identified in the Application, to cause confusion, or to cause mistake, or to deceive, with the consequent injury to the Opposer and to the public.
18. Registration should also be refused pursuant to Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), on the basis that Applicant's Mark will cause dilution of the distinctive qualities of Opposer's BULLEIT Marks.

WHEREFORE, Opposer believes it will be damaged by the registration of Applicant's Mark for the goods identified in Application Serial Number 86/305,708

and respectfully requests that the opposition be sustained and registration of said mark be denied.

Pursuant to 37 C.F.R. §2.6(a)(17), Opposer respectfully requests that the \$300.00 statutory filing fee for filing a Notice of Opposition in one international class, and any additional amount, be charged to Deposit Account No. 083120.

All communication should be addressed to Opposer's counsel at the below stated address.

Dated: Norwalk, Connecticut
July 30, 2015

Respectfully submitted,



Margaret C. Lu
Diageo North America, Inc.
801 Main Avenue
Norwalk, Connecticut 06851

Counsel/or Opposer Diageo North America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing NOTICE OF OPPOSITION to be served, via first class mail, postage prepaid, on this 30th day of July 2015, to Applicant at the address identified on the Patent and Trademark Office's database as follows:

Harrison Ronald Royer
1264 Lyle Place NW
Atlanta, Georgia 30318



Maria C. Cacucciolo

EXHIBIT A

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,015,393

Registered Nov. 15, 2005

**TRADEMARK
PRINCIPAL REGISTER**

BULLEIT

DIAGEO NORTH AMERICA, INC. (CONNECTI-
CUT CORPORATION)

801 MAIN AVE

NORWALK, CT 06851

FOR: WHISKEY, IN CLASS 33 (U.S. CLS. 47 AND
49).

FIRST USE 8-25-1993; IN COMMERCE 8-25-1993.

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

OWNER OF U.S. REG. NO. 2,254,414.

SER. NO. 78-472,610, FILED 8-24-2004.

TIMOTHY FINNEGAN, EXAMINING ATTORNEY

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 2,254,414

United States Patent and Trademark Office

Registered June 15, 1999

**TRADEMARK
PRINCIPAL REGISTER**

BULLEIT BOURBON FRONTIER WHISKEY

KENAGRA, INC. (KENTUCKY CORPORATION)
P.O. BOX 21781
LEXINGTON, KY 40522

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BOURBON" OR "WHISKEY"
APART FROM THE MARK AS SHOWN.

FOR: WHISKEY, IN CLASS 33 (U.S. CLS. 47
AND 49).
FIRST USE 2-5-1999; IN COMMERCE
2-5-1999.

SN 75-377,491, FILED 10-22-1997.

ROBERT J. CROWE, EXAMINING ATTORNEY

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 3,075,812

United States Patent and Trademark Office

Registered Apr. 4, 2006

Corrected

OG Date July 20, 2010

**TRADEMARK
PRINCIPAL REGISTER**



DIAGEO NORTH AMERICA, INC. (CON-
NECTICUT CORPORATION)
801 MAIN AVE
NORWALK, CT 06851
OWNER OF U.S. REG. NOS. 1,903,771
AND 2,254,414.

NO CLAIM IS MADE TO THE EXCLU-
SIVE RIGHT TO USE "BOURBON" AND
"WHISKEY", APART FROM THE MARK
AS SHOWN.

THE MARK CONSISTS OF THREE-
DIMENSIONAL CONFIGURATION OF A
BOTTLE THAT IS USED TO CONTAIN
THE GOODS, AS WELL AS A LABEL
DESIGN AND PROTRUDING WORDS
AND DESIGNS. THE LABEL DESIGN
WITH RIDGED EDGES IS CLAIMED AS

A FEATURE OF THE MARK. THE PRO-
TRUDING WORDS, BULLET BOURBON
FRONTIER WHISKEY, THE PROTRUD-
ING LINE BELOW BULLET BOURBON,
AND THE FOUR PROTRUDING DOTS
BELOW FRONTIER WHISKEY ARE ALL
ALSO CLAIMED AS FEATURES OF THE
MARK.

FOR: ALCOHOLIC BEVERAGES,
NAMELY, DISTILLED SPIRITS, IN
CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 2-5-1999; IN COMMERCE
2-5-1999.

SER. NO. 78-472,619, FILED 8-24-2004.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on July 20, 2010.*

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,301,661

Registered Oct. 2, 2007

TRADEMARK
PRINCIPAL REGISTER

BULLEIT BOURBON

DIAGEO NORTH AMERICA, INC. (CONNECTI-
CUT CORPORATION)
801 MAIN AVE
NORWALK, CT 06851

FOR: WHISKEY. IN CLASS 33 (U.S. CLS. 47 AND
49).

FIRST USE 8-25-1993; IN COMMERCE 8-25-1993.

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

OWNER OF U.S. REG. NOS. 1,903,771 AND
2,254,414.

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

SEC. 2(F).

SER. NO. 78-472,621, FILED 8-24-2004.

MICHAEL KAZAZIAN, EXAMINING ATTORNEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stuart Kauffman
Attorney Primary Email Address: trademarks@diageo.com

Docket Number: 046411-0235-
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stuart Kauffman
Diageo North America, Inc.
801 Main Avenue
Norwalk, CONNECTICUT 06851-1127
UNITED STATES

Phone: (203) 229-2100

Correspondent e-mail: diageodocketing@ashurst.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 20, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 20, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Dec. 20, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Nov. 07, 2011	TEAS SECTION 8 & 15 RECEIVED	
Nov. 15, 2005	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2005	PUBLISHED FOR OPPOSITION	
Aug. 03, 2005	NOTICE OF PUBLICATION	
May 02, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Apr. 29, 2005	ASSIGNED TO LIE	76243
Apr. 27, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Apr. 12, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Apr. 12, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 30, 2005	NON-FINAL ACTION E-MAILED	6325
Mar. 30, 2005	NON-FINAL ACTION WRITTEN	78426
Mar. 24, 2005	ASSIGNED TO EXAMINER	78426
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 31, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Dec. 20, 2011

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: 91213034

Filing Date: Sep 18, 2013

Status: Terminated

Status Date: Apr 25, 2014

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Michael D. Cecchi

Correspondent Address: WILLIAM W JONES
6 JUNIPER LN
MADISON CT , 06443 3326
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET PROOF	Abandoned - After Inter-Partes Decision	<u>76713023</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 08, 2013	
5	W/DRAW OF APPLICATION	Apr 01, 2014	
6	BD DECISION: SUSTAINED	Apr 25, 2014	
7	TERMINATED	Apr 25, 2014	

Type of Proceeding: Opposition

Proceeding Number: 91203618

Filing Date: Feb 01, 2012

Status: Terminated

Status Date: Aug 14, 2012

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Bulletgirl L.L.C.

Correspondent Address: TOD TUMEY
TUMEY LLP
PO BOX 22188
HOUSTON TX , 77227 2188
UNITED STATES

Correspondent e-mail: tumeys@tumeyllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET GIRL	Abandoned - No Statement Of Use Filed	<u>85165932</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ

801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 09, 2012	
5	MOTION TO AMEND APPLICATION	Feb 21, 2012	
6	P'S OPPOSITION/RESPONSE TO MOTION	Mar 29, 2012	
7	D'S CERTIFICATE OF SERVICE	Apr 02, 2012	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 08, 2012	Sep 12, 2012
9	WITHDRAWAL OF OPPOSITION	Aug 09, 2012	
10	BOARD'S DECISION: DISMISSED	Aug 14, 2012	
11	TERMINATED	Aug 14, 2012	

Type of Proceeding: Opposition

Proceeding Number: 91194286

Filing Date: Mar 26, 2010

Status: Terminated

Status Date: Jul 08, 2010

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Curt Edward Huettner

Correspondent Address: CURT EDWARD HUETTNER
1506 WINDMILL WAY
SIMI VALLEY CA , 93065-3395
UNITED STATES

Correspondent e-mail: curthuettner@sbcglobal.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Abandoned - After Inter-Partes Decision	<u>77857879</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: JENNIFER J. MILLONES
DIAGEO NORTH AMERICA, INC.
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , jennifer.millones@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

BULLEIT BOURBON FRONTIER WHISKEY

Section 8 and 15 - Accepted and
Acknowledged

78472619 3075812

BULLEIT BOURBON FRONTIER WHISKEY

Renewed

75377491 2254414

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2010	May 05, 2010
3	PENDING, INSTITUTED	Mar 26, 2010	
4	NOTICE OF DEFAULT	May 20, 2010	
5	BOARD'S DECISION: SUSTAINED	Jul 08, 2010	
6	TERMINATED	Jul 08, 2010	

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Mark: BULLEIT BOURBON FRONTIER WHISKEY

US Serial Number: 75377491
US Registration Number: 2254414
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 16, 2009
Publication Date: Jun. 16, 1998
Application Filing Date: Oct. 22, 1997
Registration Date: Jun. 15, 1999
Notice of Allowance Date: Sep. 08, 1998

Mark Information

Mark Literal Elements: BULLEIT BOURBON FRONTIER WHISKEY
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Disclaimer: "BOURBON" or "WHISKEY"

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
- Astersks * * identify additional (new) wording in the goods/services

For: whiskey

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 05, 1999

Use in Commerce: Feb. 05, 1999

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: DIAGEO NORTH AMERICA, INC.
Owner Address: 801 MAIN AVENUE
NORWALK, CONNECTICUT 06851
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: CONNECTICUT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jennifer J. Millones

Attorney Primary Email Address: trademarks@diageo.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jennifer J. Millones
Diageo North America, Inc.
801 Main Avenue
Norwalk, CONNECTICUT 06851-1127
UNITED STATES

Phone: (203) 229-2100

Correspondent e-mail: diageodocketing@ashurst.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 16, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Jun. 16, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2009	ASSIGNED TO PARALEGAL	66607
Jun. 05, 2009	TEAS SECTION 8 & 9 RECEIVED	
May 23, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 23, 2005	ASSIGNED TO PARALEGAL	60132
May 09, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 09, 2005	TEAS SECTION 8 & 15 RECEIVED	
Mar. 02, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 15, 1999	REGISTERED-PRINCIPAL REGISTER	
Mar. 24, 1999	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 16, 1999	ASSIGNED TO EXAMINER	67348
Mar. 05, 1999	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 05, 1999	EXTENSION 1 GRANTED	
Feb. 11, 1999	USE AMENDMENT FILED	
Feb. 11, 1999	EXTENSION 1 FILED	
Sep. 08, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 16, 1998	PUBLISHED FOR OPPOSITION	
May 15, 1998	NOTICE OF PUBLICATION	
Apr. 13, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 09, 1998	ASSIGNED TO EXAMINER	67348
Mar. 24, 1998	ASSIGNED TO EXAMINER	73358

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 15, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 16, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: KenAgra, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2012/0191

Pages: 2

Date Recorded: Dec. 21, 1999

Supporting Documents: assignment-tm-2012-0191.pdf**Assignor**Name: KENAGRA, INC.

Execution Date: Nov. 19, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

AssigneeName: JOSEPH E. SEAGRAM & SONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: INDIANA

Address: 375 PARK AVENUE
NEW YORK, NEW YORK 10022**Correspondent**

Correspondent Name: FROSS ZELNICK LEHRMAN & ZISSU, P.C.

Correspondent Address: MICHAEL I. DAVIS, ESQ.
866 UNITED NATIONS PLAZA
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: MERGER

Reel/Frame: 2601/0770

Pages: 13

Date Recorded: Jan. 22, 2003

Supporting Documents: assignment-tm-2601-0770.pdf**Assignor**Name: JOSEPH E. SEAGRAM & SONS, INC.

Execution Date: Dec. 11, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: INDIANA

AssigneeName: DIAGEO NORTH AMERICA, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: CONNECTICUT

Address: SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901**Correspondent**

Correspondent Name: MORGAN, LEWIS & BOCKIUS LLP

Correspondent Address: CAROLE R. KLEIN
1111 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

Domestic Representative - Not Found

Proceedings**Summary**

Number of Proceedings: 3

Type of Proceeding: OppositionProceeding Number: 91213034

Filing Date: Sep 18, 2013

Status: Terminated

Status Date: Apr 25, 2014

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Michael D. Cecchi

Correspondent Address: WILLIAM W JONES
6 JUNIPER LN
MADISON CT, 06443 3326
UNITED STATES**Associated marks**

Mark

Application Status

Serial

Registration

BULLET PROOF Abandoned - After Inter-Partes Decision 76713023
Number **Number**
Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
 DIAGEO NORTH AMERICA INC
 801 MAIN AVE
 NORWALK CT , 06851
 UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 08, 2013	
5	W/DRAW OF APPLICATION	Apr 01, 2014	
6	BD DECISION: SUSTAINED	Apr 25, 2014	
7	TERMINATED	Apr 25, 2014	

Type of Proceeding: Opposition

Proceeding Number: 91203618

Filing Date: Feb 01, 2012

Status: Terminated

Status Date: Aug 14, 2012

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Bulletgirl L.L.C.

Correspondent Address: TOD TUMEY
 TUMEY LLP
 PO BOX 22188
 HOUSTON TX , 77227 2188
 UNITED STATES

Correspondent e-mail: ttumey@tumeyllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET GIRL	Abandoned - No Statement Of Use Filed	<u>85165932</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
 801 MAIN AVENUE
 NORWALK CT , 06851
 UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>

BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 09, 2012	
5	MOTION TO AMEND APPLICATION	Feb 21, 2012	
6	P'S OPPOSITION/RESPONSE TO MOTION	Mar 29, 2012	
7	D'S CERTIFICATE OF SERVICE	Apr 02, 2012	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 08, 2012	Sep 12, 2012
9	WITHDRAWAL OF OPPOSITION	Aug 09, 2012	
10	BOARD'S DECISION: DISMISSED	Aug 14, 2012	
11	TERMINATED	Aug 14, 2012	

Type of Proceeding: Opposition

Proceeding Number: 91194286 **Filing Date:** Mar 26, 2010
Status: Terminated **Status Date:** Jul 08, 2010
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Curt Edward Huettner
Correspondent Address: CURT EDWARD HUETTNER
1506 WINDMILL WAY
SIMI VALLEY CA , 93065-3395
UNITED STATES
Correspondent e-mail: curthuettner@sbcglobal.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET	Abandoned - After Inter-Partes Decision	<u>77857879</u>	

Plaintiff(s)

Name: Diageo North America, Inc.
Correspondent Address: JENNIFER J. MILLONES
DIAGEO NORTH AMERICA, INC.
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES
Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , jennifer.millones@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2010	May 05, 2010
3	PENDING, INSTITUTED	Mar 26, 2010	

4	NOTICE OF DEFAULT	May 20, 2010
5	BOARD'S DECISION: SUSTAINED	Jul 08, 2010
6	TERMINATED	Jul 08, 2010

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Mark: BULLEIT BOURBON FRONTIER WHISKEY



US Serial Number: 78472619
US Registration Number: 3075812
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Mar. 30, 2012
Publication Date: Jan. 10, 2006
Application Filing Date: Aug. 24, 2004
Registration Date: Apr. 04, 2006

Mark Information

Mark Literal Elements: BULLEIT BOURBON FRONTIER WHISKEY
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of three-dimensional configuration of a bottle that is used to contain the goods, as well as a label design and protruding words and designs. The label design with ridged edges is claimed as a feature of the mark. The protruding words, BULLEIT BOURBON FRONTIER WHISKEY, the protruding line below BULLEIT BOURBON, and the four protruding dots below FRONTIER WHISKEY are all also claimed as features of the mark.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "BOURBON" and "WHISKEY"
Design Search Code(s): 19.09.02 - Bottles, jars or flasks with bulging, protruding or rounded sides; Jars with bulging or protruding sides; Flasks with bulging or protruding sides

Related Properties Information

Claimed Ownership of US Registrations: 1903771, 2254414

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: Alcoholic beverages, namely, distilled spirits

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 05, 1999

Use in Commerce: Feb. 05, 1999

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: Diageo North America, Inc.

Owner Address: 801 Main Ave
Norwalk, CONNECTICUT 06851
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CONNECTICUT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stuart Kauffman

Docket Number: 046411-0235-

Attorney Primary Email Address: trademarks@diageo.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stuart Kauffman
Diageo North America, Inc.
801 Main Avenue
Norwalk, CONNECTICUT 06851-1127
UNITED STATES

Phone: (203) 229-2100

Correspondent e-mail: diageodocketing@ashurst.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 04, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 31, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Mar. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Feb. 27, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jun. 11, 2010	CERTIFICATE OF CORRECTION ISSUED	66607
Jun. 11, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jun. 10, 2010	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 04, 2006	REGISTERED-PRINCIPAL REGISTER	
Jan. 10, 2006	PUBLISHED FOR OPPOSITION	
Dec. 21, 2005	NOTICE OF PUBLICATION	
Nov. 26, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Nov. 25, 2005	ASSIGNED TO LIE	74221
Nov. 22, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	78289
Oct. 07, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	78289
Oct. 07, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 11, 2005	NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2005	NON-FINAL ACTION WRITTEN	78179
Mar. 24, 2005	ASSIGNED TO EXAMINER	78179
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 31, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Use:**Affidavit of Incontestability:** Section 15 - Accepted**Change in Registration:** Yes**Correction made to Registration:** In the statement, column 1, line 7, " first use: 08-25-1993 In commerce: 08/25/1993 should be deleted, and " First use: 02-05-1999 In commerce 02-05-1999 " should be inserted.**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** TMEG LAW OFFICE 107**Date in Location:** Mar. 30, 2012**Proceedings****Summary**

Number of Proceedings: 3

Type of Proceeding: Opposition**Proceeding Number:** 91213034**Filing Date:** Sep 18, 2013**Status:** Terminated**Status Date:** Apr 25, 2014**Interlocutory Attorney:** ROBERT COGGINS**Defendant****Name:** Michael D. Cecchi**Correspondent Address:** WILLIAM W JONES
6 JUNIPER LN
MADISON CT , 06443 3326
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BULLET PROOF	Abandoned - After Inter-Partes Decision	<u>76713023</u>	

Plaintiff(s)**Name:** Diageo North America, Inc.**Correspondent Address:** EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVE
NORWALK CT , 06851
UNITED STATES**Correspondent e-mail:** trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
3	PENDING, INSTITUTED	Oct 16, 2013	
4	ANSWER	Nov 08, 2013	
5	W/DRAW OF APPLICATION	Apr 01, 2014	
6	BD DECISION: SUSTAINED	Apr 25, 2014	
7	TERMINATED	Apr 25, 2014	

Type of Proceeding: Opposition

Proceeding Number: 91203618

Filing Date: Feb 01, 2012

Status: Terminated

Status Date: Aug 14, 2012

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Bulletgirl L.L.C.

Correspondent Address: TOD TUMEY
TUMEY LLP
PO BOX 22188
HOUSTON TX , 77227 2188
UNITED STATES

Correspondent e-mail: ttumey@tumeyllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET GIRL	Abandoned - No Statement Of Use Filed	<u>85165932</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.venditelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 09, 2012	
5	MOTION TO AMEND APPLICATION	Feb 21, 2012	
6	P'S OPPOSITION/RESPONSE TO MOTION	Mar 29, 2012	
7	D'S CERTIFICATE OF SERVICE	Apr 02, 2012	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 08, 2012	Sep 12, 2012
9	WITHDRAWAL OF OPPOSITION	Aug 09, 2012	
10	BOARD'S DECISION: DISMISSED	Aug 14, 2012	
11	TERMINATED	Aug 14, 2012	

Type of Proceeding: Opposition

Proceeding Number: 91194286

Filing Date: Mar 26, 2010

Status: Terminated

Status Date: Jul 08, 2010

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Curt Edward Huettner

Correspondent Address: CURT EDWARD HUETTNER
1506 WINDMILL WAY
SIMI VALLEY CA , 93065-3395
UNITED STATES

Correspondent e-mail: curthuettner@sbcglobal.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET	Abandoned - After Inter-Partes Decision	<u>77857879</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: JENNIFER J. MILLONES
 DIAGEO NORTH AMERICA, INC.
 801 MAIN AVENUE
 NORWALK CT , 06851
 UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.venditelli@diageo.com , jennifer.millones@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2010	May 05, 2010
3	PENDING, INSTITUTED	Mar 26, 2010	
4	NOTICE OF DEFAULT	May 20, 2010	
5	BOARD'S DECISION: SUSTAINED	Jul 08, 2010	
6	TERMINATED	Jul 08, 2010	

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Mark: BULLEIT BOURBON

BULLEIT BOURBON

US Serial Number: 78472621 Application Filing Date: Aug. 24, 2004
US Registration Number: 3301661 Registration Date: Oct. 02, 2007
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Sep. 25, 2013
Publication Date: Jul. 17, 2007

Mark Information

Mark Literal Elements: BULLEIT BOURBON
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
Disclaimer: "BOURBON"
Acquired Distinctiveness Claim: In whole

Related Properties Information

Claimed Ownership of US Registrations: 1903771, 2254414

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: Whiskey

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 25, 1993

Use in Commerce: Aug. 25, 1993

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: Diageo North America, Inc.
Owner Address: 801 Main Ave
Norwalk, CONNECTICUT 06851
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: CONNECTICUT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stuart Kauffman
Attorney Primary Email Address: trademarks@diageo.com

Docket Number: 046411-0235-
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stuart Kauffman
 Diageo North America, Inc.
 801 Main Avenue
 Norwalk, CONNECTICUT 06851-1127
 UNITED STATES

Phone: (203) 229-2100

Correspondent e-mail: diageodocketing@ashurst.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 25, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 25, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Sep. 18, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	77315
Sep. 25, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Sep. 18, 2013	TEAS SECTION 8 & 15 RECEIVED	
Oct. 02, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 17, 2007	PUBLISHED FOR OPPOSITION	
Jun. 27, 2007	NOTICE OF PUBLICATION	
May 02, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
May 02, 2007	ASSIGNED TO LIE	73797
Apr. 12, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 12, 2007	AMENDMENT FROM APPLICANT ENTERED	68602
Apr. 12, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	68602
Apr. 12, 2007	PAPER RECEIVED	
Apr. 12, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 11, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 11, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 11, 2006	FINAL REFUSAL E-MAILED	
Oct. 11, 2006	FINAL REFUSAL WRITTEN	76072
Apr. 24, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77975
Oct. 24, 2005	CORRESPONDENCE E-MAILED	
Oct. 24, 2005	SUSPENSION LETTER WRITTEN	76072
Sep. 30, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	76984
Sep. 27, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76984
Sep. 27, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 29, 2005	NON-FINAL ACTION E-MAILED	6325
Mar. 29, 2005	NON-FINAL ACTION WRITTEN	76072
Mar. 24, 2005	ASSIGNED TO EXAMINER	76072
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 31, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Sep. 25, 2013

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: 91213034

Filing Date: Sep 18, 2013

Status: Terminated

Status Date: Apr 25, 2014

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Michael D. Cecchi

Correspondent Address: WILLIAM W JONES
6 JUNIPER LN
MADISON CT , 06443 3326
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET PROOF	Abandoned - After Inter-Partes Decision	<u>76713023</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.venditelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
<u>1</u>	FILED AND FEE	Sep 18, 2013	
<u>2</u>	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 16, 2013	Nov 25, 2013
<u>3</u>	PENDING, INSTITUTED	Oct 16, 2013	
<u>4</u>	ANSWER	Nov 08, 2013	
<u>5</u>	W/DRAW OF APPLICATION	Apr 01, 2014	
<u>6</u>	BD DECISION: SUSTAINED	Apr 25, 2014	
<u>7</u>	TERMINATED	Apr 25, 2014	

Type of Proceeding: Opposition

Proceeding Number: 91203618

Filing Date: Feb 01, 2012

Status: Terminated

Status Date: Aug 14, 2012

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Bulletgirl L.L.C.

Correspondent Address: TOD TUMEY
TUMEY LLP
PO BOX 22188
HOUSTON TX , 77227 2188
UNITED STATES

Correspondent e-mail: ttumey@tumeyllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET GIRL	Abandoned - No Statement Of Use Filed	<u>85165932</u>	

Plaintiff(s)

Name: Diageo North America, Inc.

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UNITED STATES

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Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 09, 2012	
5	MOTION TO AMEND APPLICATION	Feb 21, 2012	
6	P'S OPPOSITION/RESPONSE TO MOTION	Mar 29, 2012	
7	D'S CERTIFICATE OF SERVICE	Apr 02, 2012	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 08, 2012	Sep 12, 2012
9	WITHDRAWAL OF OPPOSITION	Aug 09, 2012	
10	BOARD'S DECISION: DISMISSED	Aug 14, 2012	
11	TERMINATED	Aug 14, 2012	

Type of Proceeding: Opposition

Proceeding Number: 91194286

Filing Date: Mar 26, 2010

Status: Terminated

Status Date: Jul 08, 2010

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

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Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLET	Abandoned - After Inter-Partes Decision	<u>77857879</u>	

Plaintiff(s)

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 UNITED STATES

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Associated marks

Mark	Application Status	Serial Number	Registration Number
BULLEIT	Section 8 and 15 - Accepted and Acknowledged	<u>78472610</u>	<u>3015393</u>
BULLEIT BOURBON	Section 8 and 15 - Accepted and Acknowledged	<u>78472621</u>	<u>3301661</u>
BULLEIT BOURBON FRONTIER WHISKEY	Section 8 and 15 - Accepted and Acknowledged	<u>78472619</u>	<u>3075812</u>
BULLEIT BOURBON FRONTIER WHISKEY	Renewed	<u>75377491</u>	<u>2254414</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 26, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2010	May 05, 2010
3	PENDING, INSTITUTED	Mar 26, 2010	
4	NOTICE OF DEFAULT	May 20, 2010	
5	BOARD'S DECISION: SUSTAINED	Jul 08, 2010	
6	TERMINATED	Jul 08, 2010	