

ESTTA Tracking number: **ESTTA700623**

Filing date: **10/07/2015**

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	Pella Corporation
Granted to Date of previous extension	10/07/2015
Address	102 Main Street Pella, IA 50219 UNITED STATES

Attorney information	Peter M. Routhier Faegre Baker Daniels LLP 90 South Seventh Street 2200 Wells Fargo Center Minneapolis, MN 55402 UNITED STATES tmmppls@faegrebd.com, peter.routhier@faegrebd.com Phone:6127667000
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Applicant Information

Application No	86500569	Publication date	06/09/2015
Opposition Filing Date	10/07/2015	Opposition Period Ends	10/07/2015
Applicant	Clopay Building Products Company, Inc. 8585 Duke Boulevard Mason, OH 45040 UNITED STATES		

Goods/Services Affected by Opposition

Class 019. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Decorative window lites in the nature of glass and plastic panels for use in metal and non-metal entry doors and as replacement units for such metal and non-metal entry doors; decorative window lites, side lites and transom lites in the nature of glass and plastic panels for use in metal and non-metal entry doors and as replacement units for such metal and non-metal entry doors

Grounds for Opposition

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

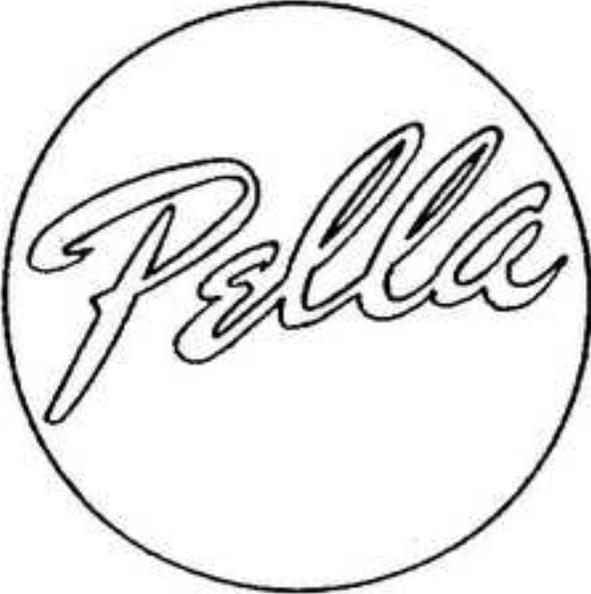
Marks Cited by Opposer as Basis for Opposition

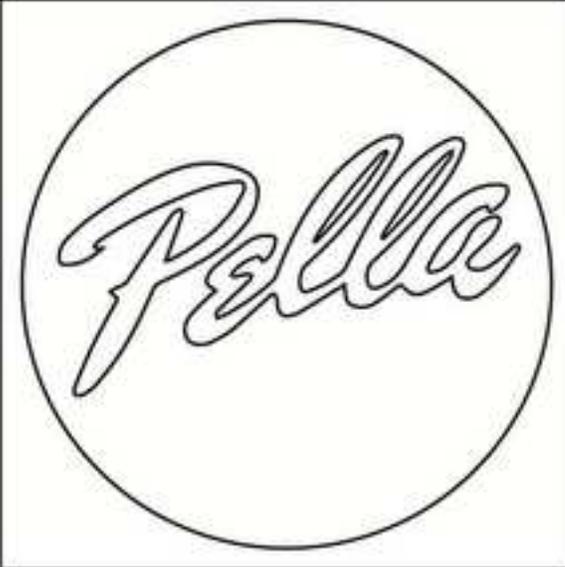
U.S. Registration No.	836191	Application Date	08/04/1966
Registration Date	10/03/1967	Foreign Priority	NONE

		Date	
Word Mark	PELLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U012 (International Class 006, 017, 019). First use: First Use: 1934/06/01 First Use In Commerce: 1934/06/01 DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, [FOLDING DOORS, FOLDING PARTITIONS,] WINDOW SCREENS, AND ROLLING WINDOW SCREENS		

U.S. Registration No.	811964	Application Date	10/15/1965
Registration Date	08/02/1966	Foreign Priority Date	NONE
Word Mark	PELLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 019. First use: First Use: 1934/06/01 First Use In Commerce: 1934/06/01 DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, FOLDING DOORS, FOLDING PARTITIONS, WINDOW SCREENS AND ROLLING WINDOW SCREENS		

U.S. Registration No.	959647	Application Date	04/20/1972
Registration Date	05/29/1973	Foreign Priority Date	NONE
Word Mark	PELLA		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class U012 (International Class 006, 017, 019). First use: First Use: 1949/00/00 First Use In Commerce: 1949/00/00 DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING-TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, [FOLDING DOORS, FOLDING PARTITIONS,] WINDOW SCREENS AND [ROLLING WINDOW SCREENS]		
U.S. Registration No.	959646	Application Date	04/20/1972
Registration Date	05/29/1973	Foreign Priority Date	NONE
Word Mark	PELLA		

Design Mark		
Description of Mark	The mark consists of the word "PELLA" in a stylized script inside of a circle, which is inside a square, with two additional horizontal bars above and below the square.	
Goods/Services	Class U012 (International Class 006, 017, 019). First use: First Use: 1969/00/00 First Use In Commerce: 1969/00/00 DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING-TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, FOLDING DOORS, [FOLDING PARTITIONS,] WINDOW SCREENS AND ROLLING WINDOW SCREENS	

U.S. Registration No.	4197287	Application Date	10/24/2011
Registration Date	08/28/2012	Foreign Priority Date	NONE

Word Mark	PELLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 2011/07/25 First Use In Commerce: 2011/07/25 Fabric window coverings and treatments, namely, curtains, draperies, sheers, swags and valances		

U.S. Registration	4608705	Application Date	12/18/2013
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No.			
Registration Date	09/23/2014	Foreign Priority Date	NONE
Word Mark	PELLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1985/00/00 First Use In Commerce: 1985/00/00 wholesale and retail store services and distributorship services featuring doors and windows and parts and accessories for doors and windows; organizing and conducting exhibitions in the field of doors and windows and construction services relating to the same for commercial purposes</p> <p>Class 037. First use: First Use: 2001/00/00 First Use In Commerce: 2001/00/00 installation of doors and windows</p> <p>Class 040. First use: First Use: 1982/00/00 First Use In Commerce: 1982/00/00 custom construction of doors and windows</p> <p>Class 041. First use: First Use: 2009/10/00 First Use In Commerce: 2009/10/00 organizing and conducting exhibitions in the field of doors and windows and construction services relating to the same for educational purposes</p> <p>Class 042. First use: First Use: 1982/00/00 First Use In Commerce: 1982/00/00 custom design of doors and windows</p>		

Attachments	<p>72251748#TMSN.png(bytes) 72421982#TMSN.png(bytes) 72421981#TMSN.png(bytes) 85454263#TMSN.png(bytes) 86146759#TMSN.png(bytes) Pella Notice of Opposition.pdf(14289 bytes) US - 0836191.pdf(22582 bytes) US - 0811964.pdf(17204 bytes) US - 0959647.pdf(37647 bytes) US - 0959646.pdf(39881 bytes) US - 4197287.pdf(18537 bytes) US - 4608705.pdf(20722 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	/Peter M Routhier/
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Name	Peter M. Routhier
Date	10/07/2015

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

In the Matter of
Application Serial No. 86/500,569 for the mark CAPELLA, filed January 12, 2015.

Pella Corporation,

Opposer,

v.

Clopay Building Products Company, Inc.,

Applicant.

Opposition No. _____

Notice of Opposition

Pella Corporation (“Pella”) believes it will be damaged by registration of the mark CAPELLA as set forth in Application Serial Number 86,500,569 (“the ’569 Application”). Pella opposes registration of the ’569 Application on the following grounds:

1. Opposer Pella is an Iowa corporation with its principal place of business at 102 Main Street, Pella, Iowa.
2. Pella is a family-owned company that has been in the window business for ninety years. Initially it was called the Rolscreen Company, and was most widely known for its “disappearing” ROLSCREEN® window screens. Today its name is the Pella Corporation, and it designs, manufactures, and sells a variety of windows, doors and related products throughout the United States and abroad.
3. Since at least 1934, Pella has continuously used (and is today using) the mark PELLA in connection with a variety of goods and services, including but not limited to doors and windows, window screens, and rolling window screens.
4. Pella is the owner of a number of valid and subsisting federal registrations for the PELLA mark, including but not limited to Registration No. 836,191—registered October 3,

1967—for use with various doors and windows, window screens and rolling window screens in International Class 19. In addition to the '191 Registration, Pella also owns, and bases this registration on, the following additional valid and subsisting federal registrations for the PELLA mark: Registration No. 811,964, 959,647, 959,646, 4,197,287, and 4,608,705.

5. Pella has invested great sums of money and substantial effort in establishing, promoting, and protecting the PELLA mark.

6. Through extensive use and promotion of the PELLA mark, substantial and valuable goodwill and public recognition has been built in the PELLA mark.

7. The PELLA mark is famous.

8. Applicant Clopay Building Products Company, Inc. (“Clopay”) is a Delaware corporation with its principal place of business at 8585 Duke Boulevard, Mason, Ohio.

9. On January 12, 2015, Clopay filed an application to register the mark CAPELLA in connection with window lites on an intent-to-use basis. Specifically, Clopay filed application Serial No. 78/417,269 in International Class 19 for CAPELLA in connection with “Decorative window lites in the nature of glass and plastic panels for use in metal and non-metal entry doors and as replacement units for such metal and non-metal entry doors; decorative window lites, side lites and transom lites in the nature of glass and plastic panels for use in metal and non-metal entry doors and as replacement units for such metal and non-metal entry doors.”

10. On information and belief, Clopay is primarily in the business of manufacturing and selling garage doors, but also manufactures and sells related and/or component products, such as windows.

11. On information and belief, Pella’s use of the PELLA mark, and all of the federal registrations cited in paragraph 4 for the PELLA mark, predate any use or registration of the CAPELLA mark by Clopay.

12. The goods for which Clopay seeks registration of the CAPELLA mark are identical or closely related to the goods on which Pella has used its PELLA mark and for which Pella owns valid federal trademark registrations.

13. Clopay's CAPELLA mark so resembles Pella's PELLA mark as to be likely, when used in connection with the goods identified in the '269 Application, to cause confusion, mistake, and/or deception, causing harm to Pella.

14. Clopay's CAPELLA mark cannot be registered consistent with Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

15. Clopay's CAPELLA mark so resembles Pella's PELLA mark that it is likely to cause dilution consistent with Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

WHEREFORE, Pella believes that it would be damaged by registration of the CAPELLA mark, prays that the '569 Application be rejected, that no registration be issued thereon, and that this opposition be sustained in favor of Pella.

Pella submits with this Notice of Opposition a filing fee of \$300. If the amount submitted is determined to be incorrect, the Commissioner may charge any additional fees or credit any overpayment to Deposit Account No. 06-0029.

Dated: October 7, 2015

FAEGRE BAKER DANIELS LLP

By /s/ Peter M. Routhier/
Peter M. Routhier
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402
Telephone: (612) 766-7000
Facsimile: (612) 766-1600
peter.routhier@faegrebd.com

Attorney for the Opposer

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

In the Matter of
Application Serial No. 86/500,569 for the mark CAPELLA, filed January 12, 2015.

Pella Corporation,

Opposer,

v.

Coplay Building Products Company, Inc.,

Applicant.

Opposition No. _____

CERTIFICATE OF SERVICE

I, Peter M. Routhier, do hereby certify that on October 7, 2015, a true and correct copy of Pella Corporations **Notice of Opposition** has been forwarded by United States and electronic mail, first class, postage prepaid, to counsel for the Applicant Coplay Building Products Company, Inc., at the correspondent address as listed below:

April L. Besl (april.besl@dinsmore.com)
Dinsmore & Shohl LLP
255 East 5th Street, Suite 1900
Cincinnati, Ohio 45202

/s Peter M. Routhier/
Peter M. Routhier

Generated on: This page was generated by TSDR on 2015-10-05 09:27:00 EDT

Mark: PELLA



US Serial Number: 72251748 Application Filing Date: Aug. 04, 1966
US Registration Number: 836191 Registration Date: Oct. 03, 1967
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 26, 2007

Mark Information

Mark Literal Elements: PELLA
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Related Properties Information

Claimed Ownership of US Registrations: 0563619, 0811964

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: DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, [FOLDING DOORS, FOLDING PARTITIONS,] WINDOW SCREENS, AND ROLLING WINDOW SCREENS

International Class(es): 006, 017, 019

U.S Class(es): 012 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1934

Use in Commerce: Jun. 01, 1934

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: PELLA CORPORATION
Owner Address: 102 MAIN STREET
PELLA, IOWA 50219
UNITED STATES
Legal Entity Type: CORPORATION State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: PATRICIA L. REDING

Docket Number: 26998-278165

Correspondent

Correspondent Name/Address: PATRICIA I. REDING
90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402
UNITED STATES

Phone: 612-766-7430

Fax: 612-766-1600

Correspondent e-mail: trademarkpls@faegre.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 06, 2009	CASE FILE IN TICRS	
Apr. 19, 2007	UNDELIVERABLE MAIL - NO ACTION TAKEN	99888
Mar. 26, 2007	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70619
Mar. 26, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 12, 2007	ASSIGNED TO PARALEGAL	70619
Jan. 17, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 17, 2007	TEAS SECTION 8 & 9 RECEIVED	
Aug. 14, 2006	REVIEW OF CORRESPONDENCE COMPLETE	67149
Nov. 12, 2002	PAPER RECEIVED	
Oct. 22, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 03, 1987	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
May 15, 1987	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 03, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 06, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ROLSCREEN COMPANY

Assignment 1 of 1

Conveyance: CHANGE OF NAME 19920610

Reel/Frame: [0894/0117](#)

Pages: 5

Date Recorded: Sep. 01, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [ROLSCREEN COMPANY](#)

Execution Date: Apr. 30, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Assignee

Name: [PELLA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Address: No Assignee Address Found

Correspondent

Correspondent Name: ZARLEY, MCKEE, THOMTE, ET AL

Correspondent Address: KRISTI C. NEWBIGGIN
801 GRAND AVENUE, STE. 3200
DES MOINES, IA 50309

Domestic Representative - Not Found

Attorney/Correspondence Information

Attorney of Record

Attorney Name: PATRICIA I. REDING

Correspondent

Correspondent Name/Address: PATRICIA I REDING
FAEGRE & BENSON LLP
2200 WELLS FARGO CTR
90 S 7TH ST
MINNEAPOLIS, MINNESOTA 55402
UNITED STATES

Phone: 612-766-7430

Fax: 612-766-1600

Correspondent e-mail: trademarkpls@faegre.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 03, 2009	CASE FILE IN TICRS	
Oct. 03, 2006	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	61619
Oct. 03, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 03, 2006	ASSIGNED TO PARALEGAL	61619
Aug. 01, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 01, 2006	TEAS SECTION 8 & 9 RECEIVED	
Nov. 12, 2002	PAPER RECEIVED	
Oct. 22, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 02, 1986	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Feb. 20, 1986	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 02, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 03, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ROLSCREEN COMPANY

Assignment 1 of 1

Conveyance: CHANGE OF NAME 19920610

Reel/Frame: [0894/0117](#)

Pages: 5

Date Recorded: Sep. 01, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [ROLSCREEN COMPANY](#)

Execution Date: Apr. 30, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Assignee

Name: [PELLA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Organized:

Address: No Assignee Address Found

Correspondent

Correspondent Name: ZARLEY, MCKEE, THOMTE, ET AL

Correspondent Address: KRISTI C. NEWBIGGIN
801 GRAND AVENUE, STE. 3200
DES MOINES, IA 50309

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91087512](#)

Filing Date: Apr 27, 1992

Status: Terminated

Status Date: Jul 22, 1994

Interlocutory Attorney: PAULA T HAIRSTON

Defendant

Name: FRANZ KRALER

Correspondent Address: RICHARD P. CROWLEY
901 MAIN STREET P.O. BOX 901
OSTERVILLE MA , 02655
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HELLA	Abandoned - After Inter-Partes Decision	74184256	

Plaintiff(s)

Name: ROLSCREEN COMPANY

Correspondent Address: BRUCE W. MCKEE
ZARLEY, MCKEE, THOMTE, VOORHEES & SEASE
801 GRAND AVENUE SUITE 3200
DES MOINES IA , 50309-2721
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PELLA	Renewed	72230293	811964

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 27, 1992	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	May 18, 1992	Jun 29, 1992
3	PENDING, INSTITUTED	May 18, 1992	
4	ANSWER	Jun 26, 1992	
5	TRIAL DATES SET	Jul 14, 1992	
6	P'S MOTION FOR AN EXTENSION OF TIME	Oct 02, 1992	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Nov 12, 1992	
8	PL'S REQUEST TO AMEND NAME	Nov 19, 1992	
9	#8 GRANTED; TRIAL DATES REMAIN AS SET	Jan 13, 1993	
10	DEFENDANT'S NOTICE OF RELIANCE	Apr 12, 1993	
11	PL MOTION TO STRIKE	May 20, 1993	
12	DF'S OPPS TO PL MOT TO STRIKE	May 27, 1993	
13	PL'S MOTION TO REOPEN	Aug 19, 1993	
14	PL'S BRIEF 3-TC	Aug 16, 1993	
15	PL'S REPLY BRIEF DUE 12/30/93	Nov 23, 1993	
16	SUBMITTED ON BRIEF	Mar 01, 1994	
17	PENDING (AWAITING DECISION)	Mar 01, 1994	

18

BOARD'S DECISION: SUSTAINED

Jun 15, 1994

19

TERMINATED

Jul 22, 1994

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Patricia I. Reding **Docket Number:** 426998.27816
Attorney Primary Email Address: tmpls@FaegreBD.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Patricia I. Reding
Faegre Baker Daniels LLP
90 South Seventh Street
2200 Wells Fargo Center
Minneapolis, MINNESOTA 55402-3901
UNITED STATES
Phone: 612 766 6886 **Fax:** 612 766 1600
Correspondent e-mail: tmpls@FaegreBD.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 18, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 18, 2013	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	75461
Jun. 18, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Jun. 17, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
May 29, 2013	TEAS SECTION 8 & 9 RECEIVED	
Sep. 03, 2008	CASE FILE IN TICRS	
Mar. 31, 2003	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Mar. 31, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 23, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 23, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 23, 2002	PAPER RECEIVED	
Nov. 12, 2002	PAPER RECEIVED	
Oct. 22, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 03, 1993	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Dec. 29, 1992	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Feb. 27, 1979	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 29, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 18, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ROLSCREEN COMPANY

Assignment 1 of 1

Conveyance: CHANGE OF NAME 19920610

Reel/Frame: [0894/0117](#)

Pages: 5

Date Recorded: Sep. 01, 1992

Supporting Documents: No Supporting Documents Available

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Name: [ROLSCREEN COMPANY](#)

Execution Date: Apr. 30, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Assignee

Name: [PELLA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Address: No Assignee Address Found

Correspondent

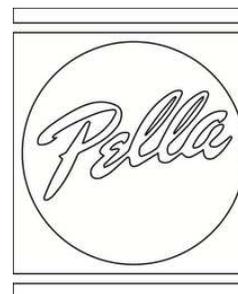
Correspondent Name: ZARLEY, MCKEE, THOMTE, ET AL

Correspondent Address: KRISTI C. NEWBIGGIN
801 GRAND AVENUE, STE. 3200
DES MOINES, IA 50309

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2015-10-05 09:29:12 EDT

Mark: PELLA



US Serial Number: 72421981

Application Filing Date: Apr. 20, 1972

US Registration Number: 959646

Registration Date: May 29, 1973

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 04, 2013

Mark Information

Mark Literal Elements: PELLA

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 the word "PELLA" in a stylized script inside of a circle, which is inside a square, with two additional horizontal bars above and below the square.

Design Search Code(s): 26.01.02 - Circles, plain single line; Plain single line circles
26.11.02 - Rectangles (single line); Plain single line rectangles
26.11.11 - Rectangles divided twice into three sections

Related Properties Information

Claimed Ownership of US Registrations: 0563619, 0811964, 0836191

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: DOUBLE HUNG WINDOWS, CASEMENT WINDOWS, AWNING-TYPE WINDOWS, STATIONARY WINDOWS, DOUBLE GLAZED SASHES, SLIDING GLASS DOORS, FOLDING DOORS, [FOLDING PARTITIONS,] WINDOW SCREENS AND ROLLING WINDOW SCREENS

International Class(es): 006, 017, 019

U.S Class(es): 012 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1969

Use in Commerce: 1969

Used Anywhere in Another Form: IN OR ABOUT 1965 IN A DIFFERENT FORM.

Used in Commerce in Another Form: IN OR ABOUT 1965 IN A DIFFERENT FORM.

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: PELLA CORPORATION
Owner Address: 102 MAIN STREET
PELLA, IOWA 50219
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Patricia I. Reding
Attorney Primary Email Address: tmpls@FaegreBD.com
Docket Number: 426998.27816
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Patricia I. Reding
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UNITED STATES
Phone: 612-766-6886
Fax: 612-766-1600
Correspondent e-mail: tmpls@FaegreBD.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 26, 2015	AMENDMENT UNDER SECTION 7 - ISSUED	59136
Aug. 04, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 04, 2013	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	59136
Aug. 04, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
Aug. 04, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	59136
Aug. 02, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
May 29, 2013	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	59136
May 18, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	59136
Apr. 24, 2013	TEAS SECTION 8 & 9 RECEIVED	
Apr. 24, 2013	TEAS SECTION 7 REQUEST RECEIVED	
Sep. 03, 2008	CASE FILE IN TICRS	
Aug. 15, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 08, 2003	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Apr. 08, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 23, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 23, 2002	PAPER RECEIVED	
Nov. 12, 2002	PAPER RECEIVED	
Oct. 22, 2002	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 17, 1993	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Dec. 28, 1992	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Apr. 16, 1979	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: May 29, 2013

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: The drawing is amended to appear as follows: PUBLISH NEW CUT. In the statement, column 2, after line 9, "The mark consists of the word "PELLA" in a stylized script inside of a circle, which is inside a square, with two additional horizontal bars above and below the square". should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: May 26, 2015

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ROLSCREEN COMPANY

Assignment 1 of 1

Conveyance: CHANGE OF NAME 19920610

Reel/Frame: [0894/0117](#)

Pages: 5

Date Recorded: Sep. 01, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [ROLSCREEN COMPANY](#)

Execution Date: Apr. 30, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Assignee

Name: [PELLA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Address: No Assignee Address Found

Correspondent

Correspondent Name: ZARLEY, MCKEE, THOMTE, ET AL

Correspondent Address: KRISTI C. NEWBIGGIN
801 GRAND AVENUE, STE. 3200
DES MOINES, IA 50309

Domestic Representative - Not Found

Attorney Name: Patricia I. Reding

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Correspondent

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Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 12, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 12, 2012	PUBLISHED FOR OPPOSITION	
May 23, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 08, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
May 07, 2012	ASSIGNED TO LIE	74221
Apr. 18, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 11, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 11, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 11, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 16, 2012	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Feb. 15, 2012	USE AMENDMENT ACCEPTED	74781
Feb. 14, 2012	AMENDMENT TO USE PROCESSING COMPLETE	88889
Feb. 14, 2012	USE AMENDMENT FILED	88889
Feb. 13, 2012	TEAS AMENDMENT OF USE RECEIVED	
Feb. 13, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 13, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 13, 2012	NON-FINAL ACTION WRITTEN	74781
Feb. 09, 2012	ASSIGNED TO EXAMINER	74781
Oct. 27, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 27, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 28, 2012

Class Status: ACTIVE

Basis: 1(a)

First Use: 1982

Use in Commerce: 1982

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: Pella Corporation
Owner Address: 102 Main Street
Pella, IOWA 50219
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

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Attorney Email Authorized: Yes

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Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 23, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 08, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 08, 2014	PUBLISHED FOR OPPOSITION	
Jun. 18, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 04, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jun. 04, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 04, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 04, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 04, 2014	EXAMINERS AMENDMENT -WRITTEN	68788
Jun. 03, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 03, 2014	NON-FINAL ACTION E-MAILED	6325
Jun. 03, 2014	NON-FINAL ACTION WRITTEN	68788
May 14, 2014	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 04, 2014	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Apr. 18, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633

Apr. 17, 2014	ASSIGNED TO LIE	70633
Mar. 25, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 25, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 25, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 25, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 25, 2014	EXAMINERS AMENDMENT -WRITTEN	68788
Mar. 24, 2014	ASSIGNED TO EXAMINER	68788
Jan. 04, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 23, 2014