

ESTTA Tracking number: **ESTTA718085**

Filing date: **01/04/2016**

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	Delson Group, Inc
Granted to Date of previous extension	01/06/2016
Address	2901 Tasman Dr., Suite 107 Santa Clara, CA 95054 UNITED STATES

Correspondence information	Delson Group, Inc 2901 Tasman Dr., Suite 107 Santa Clara, CA 95054 UNITED STATES IPR@Willie.LU
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Applicant Information

Application No	86633476	Publication date	09/08/2015
Opposition Filing Date	01/04/2016	Opposition Period Ends	01/06/2016
International Registration No.	NONE	International Registration Date	NONE
Applicant	Tencent Holdings Limited Cricket Square, Hutchins Dr, George Town Grand Cayman, CAYMAN ISLANDS		

Goods/Services Affected by Opposition

<p>Class 016. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: paper, cardboard and goods made from these materials, not included in other classes, namely, paper bags, paper banners, paper boxes, paper dollies, paper labels, cardboard hang tags, cardboard signboards and cardboard tubes; cardboard boxes; cardboard packaging; printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of games; photographs; printers' type; adhesives for stationery or household purposes; photograph albums; greeting cards; gift boxes; appointment books; birthday books; calendars; business cards; note books; notepads; envelopes; erasing products, namely, chalk erasers, erasers, ink erasers, rubber erasers, wet eraser markers and whiteboard erasers; printed publications, namely, brochures, booklets and teaching materials in the field of games</p>

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)

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

U.S. Application No.	85538374	Application Date	02/09/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TENCENT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 042. First use: First Use: 2011/10/15 First Use In Commerce: 2012/02/04</p> <p>Scientific and technological services and research and design relating thereto, namely, research and development of computer software and communication software, research and development of system architecture and system hardware in the field of information and communication technology; scientific industrial analysis and research services; design and development of computer hardware and software; computer rental; rental of computer software and hardware; updating of computer software for others; computer software consultancy services; computer programming for others; technical computer systems analysis services; design of networks and telecommunication installations for others, namely, installation of computer software; providing temporary use on on-line non-downloadable computer software for use in management of a database, for use as a spreadsheet and computer search engine, for word processing, for computer aided design, for information retrieval in the field of information and communication technology; testing and research relating to telecommunication apparatus and instruments, electronic apparatus and instruments, their parts and fittings thereof, mobile telephones, computers and radio pagers; providing temporary use on on-line non-downloadable computer software for an automatically updating address book, a personal planner, a date reminder, a travel planner, alumni and professional group links and business and social networking for a consumer's business and personal use; cross-platform conversion of digital content into other forms of digital content; data encryption services; computer disaster recovery planning services; computer network security services, namely, compiling information about potential security threats, developing software for scanning and cleaning virus for handheld devices and computer systems; computer security system consultation services; providing electronic verification of on-line orders of digital content and generating electronic permission codes which then allow users to access said digital content; creating and maintaining web sites for others; providing search engines for the Internet; computer services, namely, creating an online community and social networking for registered users to participate in competitions, showcase their skills, get feedback from their peers, join discussion, share information, form virtual communities, engage in social networking and improve their talent; computer services, namely, designing, managing and monitoring websites for others featuring on-line forums for discussion; computer programming services for others; applica-</p>		

	<p>tion service provider, namely, hosting computer software applications for others for mobile communications; hosting of digital content on the internet; hosting the websites of others on a computer server for a global computer network; computer services, namely, creating computer network-based indexes of information available on computer networks; providing customized computer searching services, namely, searching and retrieving information at the customer's specific request via mobile devices and the global communication networks in the field of information technology; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; installation, maintenance and repair of computer software; engineering services, namely, technical project planning services related to telecommunications equipment; providing customized computer searching services, namely, searching and retrieving information at the customer's specific request in the field of wireless and mobile communications; computer technological consulting in the field of information technology, semiconductors, sensing and diagnostic electronics, distributed control devices, vehicle control and communication systems, vehicle navigation devices, electronic displays, robotics, cryptography and computer security electronics, information and data analysis, computer performance analysis, software applications development, software systems design, computer protocols design, computer terminal design and computer network design; scientific research and development services in the fields of information and communication technology, semiconductors, radio frequency transceivers, communication-transmission devices, sensing and diagnostic electronics, distributed control devices, vehicle communication systems, vehicle control circuits, vehicle navigation device, vehicle safety and security systems, electronic displays, robotics, cryptography and security electronics, communications signal detection devices, compression and processing devices, antenna technology, information and data analysis, computer performance analysis, software applications development, software systems design, computer protocols design, computer terminal design and computer network design; providing a website featuring on-line non-downloadable software that enables users to upload, download, stream, post, display blog, link, share audio and video content, photographic images, text, graphics and data; computer services, namely, managing business, personal and social networking web sites among different service and application platforms of others; computer services for integrating different software service and application platforms in social, business, personal and community networking; research and development in the field of business, personal and social networking</p>
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Related Proceedings	91207516
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Attachments	85538374#TMSN.png(bytes) TTAB_86633476_filing.pdf(1446083 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	/willielu/
Name	Delson Group, Inc
Date	01/04/2016

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

DELSON GROUP INC

Opposer,

v.

TENCENT HOLDING LIMITED.

Applicant.

Opposition No. _____

TM: TENCENT
(Serial No. 86/633,476)

NOTICE OF OPPOSITION

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

Opposer Delson Group Inc. (“Delson”) hereby submits the following Notice of Opposition (the “Notice”). The provisions of Notice shall not constitute a waiver of any right, privilege or defense.

I. FACT BACKGROUND

A. Opposer and Its Trademark TENCENT

1. Delson is an American small business, duly organized and existing under the laws of the state of Delaware, with its principal business address at 2901 Tasman Dr., Suite 107, Santa Clara, CA 95054.

2. Delson is in the business of organizing international technology conferences and conducting research, development and consulting related to mobile and wireless technologies and related products or services. Delson's co-founder, Prof. Willie Lu, is a renowned international technology expert on mobile and wireless technology and standards. Prof. Lu was a member of the United States Federal Communications Commission's Technological Advisory Council, and the principal inventor of Open Wireless Architecture (OWA) and Mobile Cloud core platform which are widely used in mobile handheld devices, mobile portable devices and mobile chipsets, etc. Through Delson, Prof. Lu founded "TENCENT R&D Service" or "TENCENT Research", which is a research and development (R&D) service platform on mobile and wireless technology and other information and communication technology ("ICT") technologies. Delson also founded many world-class R&D technology events including WORLD WIRELESS CONGRESS, GLOBAL MOBILE CONGRESS and MOBILE WORLD CONGRESS, with numerous global mobile and wireless professionals involved in these events as well as in the R&D services. Delson's R&D services include technical trainings, technical publications, technical advertisement and marketing as well as consulting and analysis, etc.

3. Delson started to market TENCENT for its R&D service on mobile wireless and related ICT technologies during Delson's technology conference in 2001. The R&D service has been established in San Francisco Bay Area since 2001.

Subsequently, Delson continuously marketed and advertised its TENCENT R&D or TENCENT Research services.

4. Delson used TENCENT to market and promote its R&D and consulting services, technologies and service platforms in the ICT (information and communication technology) sector including research and development, on-line publications, print publications, trainings, consultancy and advisory, advertisement during conferences, business consulting and analysis, on-line advertisement and marketing, and technical publications, etc.

5. By virtue of Delson's continuous and substantial use since 2001, the TENCENT mark has become the identifier of Delson's R&D service or research service in the field, and distinguishes Delson's goods/services from the goods/services of others. As a result, Delson has built up valuable goodwill and consumer recognition in its trademark.

6. On February 9, 2012, Delson filed trademark application for TENCENT for class 042 with Serial Number 85538374 (Exhibit 1). Though Delson had marketed the mark to the public since 2001, at the time of filing the application, Delson, represented by Prof. Lu, a technical expert in the wireless and mobile field, misunderstood the meaning of "commercial use date" in the application process and mistakenly thought that "commercial use" must be in the form of final commercial sale of products or services, a mistake that was corrected already.

B. THL and Its TECENT Application

7. Tencent Holdings Limited ("THL") is a corporation organized under the law of the Cayman Islands, with the address at Cricket Square Hutchins Dr., George Town, P.O. Box 2681 GT, Century Yard, Grand Cayman, Cayman Islands. THL's actual business headquarter and principal business operation centers are in the People's Republic of China.

8. THL's Application for the mark TENCENT ("THL's Application") was filed on May 18, 2015, with Serial Number 86633476, based on Sections 44(e) of the Trademark Act., *See* Exhibit 2.

9. On information and belief, THL's central and main data centers or servers for its Goods/Services of TENCENT have always been hosted and based in China as of its filing date of THL's Application.

10. On information and belief, THL's central and main data centers or servers for its Goods/Services of TENCENT have been fully open to, accessible by, and/or controlled by, a foreign government as of its filing date of THL's Application, for whatever reasons.

11. On information and belief, THL's central and main data centers or servers for its Goods/Services of THL's other trademark applications or registrations, including Serial Numbers 85455432, 85876114, 85767185, 85980053, 85687478, 85725040, 85888910, 85455475, etc were fully open to, accessible by, and/or controlled by, a foreign government as of the filing dates of THL's applications, for whatever reasons.

12. On information and belief, even though THL had Goods/Services of TENCENT in the U.S. market, it did not have U.S. export control permits required by U.S. laws before exporting technologies and information of related Goods/Services to certain countries including China, as of the filing date of THL's Application.

C. THL and Its Opposition to the TENCENT Application

13. On or about October 16, 2012, THL filed a Notice of Opposition to Delson's application for the TENCENT Mark, on the ground of likelihood confusion (Opposition No. 91207516).

14. On or about August 21, 2013, THL filed a motion for summary judgment, which the Board denied.

15. In its Opposition No. 91207516, THL has been unable to produce any U.S. commercial use materials related to its claimed goods/services in the U.S. markets except just the gaming or games only in the U.S. markets.

D. THL is in open contempt of the Board in other proceeding

16. In the consolidated proceeding No. 91207516, THL is in open contempt of the Board order to produce its U.S. Export Control Permit to export technology and information to its China headquarter. Also, THL is in open contempt of the Board order to admit its main server and central datacenter in China for U.S. national security concern., but with related services in U.S. markets by American citizens.

17. In the consolidated proceeding No. 91207516, the Board granted Delson's motion to compel David Wallerstein of THL.

E. THL's other conducts and facts

18. THL's chairman, founder and CEO Ma Huateng made false statement, declaration and non-U.S. use specimen before USPTO in order to obtain registration for THL's marks (Exhibit 3).

19. On information and belief, THL was involved in threatening Prof. Willie LU, a former member of U.S. federal FCC Technological Advisory Council and member of U.S. delegation for ITU mission, etc, and his family on his investigating THL's MAIN SERVER in China (with related services in U.S. markets by American citizens, such as THL's Wechat and Weixin services with American citizens but with MAIN servers or CENTRAL datacenters in China) for U.S. national security concern and U.S. homeland security protection.

20. In the consolidated proceeding No. 91207516, THL, one of the largest Internet companies in CHINA with assets over US\$200B, tried to use the lengthy and expensive TTAB proceedings including motions and requests, etc as a weapon, to

financially attack and harass American small business like Delson and American Inventor like Prof. Willie W. LU.

21. On information and belief, THL's Ma Huateng and David Wallerstein had direct personal knowledge about THL's commercial use of marks and business in U.S. markets through THL's offices or companies in Boston and Palo Alto, etc, from the evidences produced by THL in the discovery of the consolidated proceeding No. 91207516.

II. CLAIM ONE: LIKELIHOOD OF CONFUSION

22. Delson incorporates by reference the foregoing paragraphs as if they are fully set forth herein.

23. Delson's common law right in the TENCENT mark well predates both the filling date of and the use date of THL's TENCENT under Section 7(c) of Lanham Act, 15 U.S.C. § 1057(c). Delson's right in the TENCENT mark is superior to THL's right in TENCENT.

24. Delson and THL have the same or similar Goods/Services for paper, printed matter, printed publication, books, manuals, brochures, etc for ICT field including mobile gaming. Delson used TENCENT to market and promote its R&D and consulting services, technologies and service platforms in the ICT (information and communication technology) sector including research and development, on-line publications, print publications, trainings, consultancy and advisory, advertisement during conferences, business consulting and analysis, on-line advertisement and marketing, and technical publications, etc. These Delson business under TENCENT overlap considerably with TENCENT's scope of use.

25. Allowing THL to register TENCENT will create confusion among U.S. consumers to associate THL's TENCENT with Delson and its TENCENT mark. Customers would mistakenly believe that the Goods/Services offered by Delson and THL

are related, associated, co-branded or marketed in the same or similar channels of sales, channels of marketing and advertising. THL's application for TENCENT should be rejected based on Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

III. CLAIM TWO: DECEPTION AND FALSE CONNECTION

26. Delson incorporates by reference the foregoing paragraphs as if they are fully set forth herein.

27. Delson had established the association between TENCENT and itself in the relevant areas of goods and services prior to the filing and use dates of the THL Application.

28. By using TENCENT to mark its goods and services, THL misrepresents to the public that the goods and services are from the same source as those offered by Delson under the mark TENCENT, thus falsely suggesting a connection to the public between Delson and THL's goods and services, in violation of Section 2(a) of the Trademark Act, 15 U.S.C. 1052(a).

29. THL's application for TENCENT should be rejected under Section 2(a) of the Trademark Act, 15 U.S.C. 1052(a).

IV. PRAYER FOR RELIEF

The Board should sustain Delson's objection to U.S. Trademark Application Serial No. 86633476, and reject and strike the registration.

Respectfully submitted,

Date: January 4th, 2016

/willielu/
Prof. Willie W. LU
President
Delson Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing NOTICE OF OPPOSITION upon Applicant by depositing one copy thereof in the United States Mail, first-class postage prepaid on January 4th, 2016, address as follows:

Matthew J. Kuykendall
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304

/willielu/

Prof. Willie W. Lu, President

Delson Group Inc.

EXHIBIT 1



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Dec 14 03:20:49 EST 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

TENCENT

Word Mark TENCENT

Goods and Services IC 042. US 100 101. G & S: Scientific and technological services and research and design relating thereto, namely, research and development of computer software and communication software, research and development of system architecture and system hardware in the field of information and communication technology; scientific industrial analysis and research services; design and development of computer hardware and software; computer rental; rental of computer software and hardware; updating of computer software for others; computer software consultancy services; computer programming for others; technical computer systems analysis services; design of networks and telecommunication installations for others, namely, installation of computer software; providing temporary use on on-line non-downloadable computer software for use in management of a database, for use as a spreadsheet and computer search engine, for word processing, for computer aided design, for information retrieval in the field of information and communication technology; testing and research relating to telecommunication apparatus and instruments, electronic apparatus and instruments, their parts and fittings thereof, mobile telephones, computers and radio pagers; providing temporary use on on-line non-downloadable computer software for an automatically updating address book, a personal planner, a date reminder, a travel planner, alumni and professional group links and business and social networking for a consumer's business and personal use; cross-platform conversion of digital content into other forms of digital content; data encryption services; computer disaster recovery planning services; computer network security services, namely, compiling information about potential security threads, developing software for scanning and cleaning virus for handheld devices and computer systems; computer security system consultation services, providing electronic verification of on-line orders of digital content and generating electronic permission codes which then allow users to access said digital content; creating and maintaining web sites for others; providing search engines for the Internet; computer services, namely, creating an online community and social networking for registered users to participate in competitions, showcase their skills, get feedback from their peers, join discussion, share information, form virtual communities, engage in social networking and improve their talent; computer services, namely, designing, managing and monitoring websites for others featuring online forums for discussion; computer programming services for others; application service provider, namely, hosting computer software applications for others for mobile communications; hosting of digital content on the internet; hosting the websites of others on a computer server for a global computer network; computer services, namely, creating computer network-based indexes of information available on computer networks;

providing customized computer searching services, namely, searching and retrieving information at the customer's specific request via mobile devices and the global communication networks in the field of information technology; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; installation, maintenance and repair of computer software; engineering services, namely, technical project planning services related to telecommunications equipment; providing customized computer searching services, namely, searching and retrieving information at the customer's specific request in the field of wireless and mobile communications. computer technological consulting in the field of information technology, semiconductors, sensing and diagnostic electronics, distributed control devices, vehicle control and communication systems, vehicle navigation devices, electronic displays, robotics, cryptography and computer security electronics, information and data analysis, computer performance analysis, software applications development, software systems design, computer protocols design, computer terminal design and computer network design; scientific research and development services in the fields of information and communication technology, semiconductors, radio frequency transceivers, communications transmission devices, sensing and diagnostic electronics, distributed control devices, vehicle communication systems, vehicle control circuits, vehicle navigation device, vehicle safety and security systems, electronic displays, robotics, cryptography and security electronics, communications signal detection devices, compression and processing devices, antenna technology, information and data analysis, computer performance analysis, software applications development, software systems design, computer protocols design, computer terminal design and computer network design; providing a website featuring on-line non-downloadable software that enables users to upload, download, stream, post, display blog, link, share audio and video content, photographic images, text, graphics and data; computer services, namely, managing business, personal and social networking web sites among different service and application platforms of others; computer services for integrating different software service and application platforms in social, business, personal and community networking; research and development in the field of business, personal and social networking. FIRST USE: 20111015. FIRST USE IN COMMERCE: 20120204

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85538374

Filing Date February 9, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 19, 2012

Owner (APPLICANT) DELSON GROUP INC CORPORATION DELAWARE 2901 Tasman Dr., Suite 107 Santa Clara CALIFORNIA 95054

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

EXHIBIT 2



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Mon Dec 14 03:20:49 EST 2015

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Logout Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

TENCENT

Word Mark TENCENT

Goods and Services IC 016, US 002 005 022 023 029 037 038 050, G & S: paper, cardboard and goods made from these materials, not included in other classes, namely, paper bags, paper banners, paper boxes, paper dollies, paper labels, cardboard hang tags, cardboard signboards and cardboard tubes; cardboard boxes; cardboard packaging; printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of games; photographs; printers' type; adhesives for stationery or household purposes; photograph albums; greeting cards; gift boxes; appointment books; birthday books; calendars; business cards; note books; notepads; envelopes; erasing products, namely, chalk erasers, erasers, ink erasers, rubber erasers, wet eraser markers and whiteboard erasers; printed publications, namely, brochures, booklets and teaching materials in the field of games

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86633476
Filing Date May 18, 2015
Current Basis 44E
Original Filing Basis 44E
Published for Opposition September 8, 2015
Owner (APPLICANT) Tencent Holdings Limited limited company (Ltd.) CAYMAN ISLANDS Cricket Square, Hutchins Dr, George Town P.O. Box 2681 GT, Century Yard Grand Cayman CAYMAN ISLANDS
Attorney of Matthew J. Kuykendall

Record

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

[TESS HOME](#)

[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

EXHIBIT 3

THIRD REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 2.89
TO FILE STATEMENT OF USE, WITH DECLARATION

MARK: QQ Stylized
SERIAL NO.: 76/976639

TO THE ASSISTANT SECRETARY
AND COMMISSIONER OF PATENTS
AND TRADEMARKS:

Applicant's Name: Tencent (BVI) Limited
Notice of Allowance Mailing Date: December 31, 2002

Applicant requests a six-month extension of time to file the Statement of Use under 37 CFR 2.88.

Applicant has a continued bona fide intention to use the mark in commerce in connection with those goods identified in the notice of allowance in this application.

This is the Third Request for an Extension of Time following mailing of the Notice of Allowance. A fee in the amount of \$150.00 is enclosed.

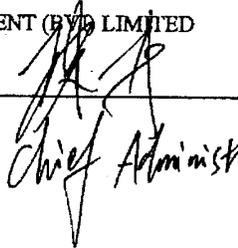
Applicant has not yet used the mark in commerce on all the goods specified in the Notice of Allowance; however, Applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of the goods. Applicant is still engaged in product development and market research.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Request for Extension of Time to File a Statement of Use on behalf of the applicant; he believes the applicant to be the owner of the trademark/servicemark sought to be registered; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

TENCENT (BVI) LIMITED

Date: 25/06/04

By:
Title:


Chief Administration Officer

Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	76976639
LAW OFFICE ASSIGNED	LAW OFFICE 104
NOTICE OF ALLOWANCE	YES
EXTENSION OF USE	NO
REQUEST TO DIVIDE	NO
MARK SECTION	
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	QQ
OWNER SECTION (no change)	
ATTORNEY SECTION (current)	
NAME	Leslie Bertagnolli
DOCKET NUMBER	01-2760
ATTORNEY SECTION (proposed)	
NAME	Leslie Bertagnolli
DOCKET NUMBER	04-0430
GOODS AND/OR SERVICES SECTION	

INTERNATIONAL CLASS	042
GOODS AND/OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	08/15/2000
FIRST USE IN COMMERCE DATE	11/15/2000
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT7\IMAGEOUT7\769\766\76976639\xml1\SOU0002.JPG
	\\TICRS\EXPORT7\IMAGEOUT7\769\766\76976639\xml1\SOU0003.JPG
SPECIMEN DESCRIPTION	web page
PAYMENT SECTION	
NUMBER OF CLASSES	1
SUBTOTAL AMOUNT	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
SIGNATORY FILE	Signature
SIGNATORY NAME	Ma Hua Teuos
SIGNATORY POSITION	CEO
FILING INFORMATION	
SUBMIT DATE	Thu Dec 29 11:34:26 EST 2005
TEAS STAMP	USPTO/SOU-63.85.72.242-20 051229113426810904-769766 39-3205d613438485bc958647 bbb5a93c45-DA-826-2005122 9113029100619

**Trademark/Service Mark Statement of Use
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

MARK: QQ (stylized and/or with design)
SERIAL NUMBER: 76976639

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, Tencent (BVI) Limited, having an address of P.O. Box 957 Offshore Incorporations Centre Road Town, Tortola, Virgin Island, British , is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class: 042, the applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/15/2000, and first used in commerce at least as early as 11/15/2000, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) web page.

[Specimen-1](#)
[Specimen-2](#)

The applicant hereby appoints Leslie Bertagnolli to submit this Trademark/Service Mark Statement of Use on behalf of the applicant. The attorney docket/reference number is 04-0430.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

Declaration

Signatory's Name: Ma Hua Teuos
Signatory's Position: CEO
Signatory File [Signature](#)

RAM Sale Number: 826
RAM Accounting Date: 12/29/2005

Serial Number: 76976639
Internet Transmission Date: Thu Dec 29 11:34:26 EST 2005
TEAS Stamp: USPTO/SOU-63.85.72.242-20051229113426810

904-76976639-3205d613438485bc958647bbb5a
93c45-DA-826-20051229113029100619

STATEMENT OF USE UNDER 37 CFR 2.88

MARK : Misc. Design

SERIAL NO.: 76/976639

TO THE ASSISTANT SECRETARY
AND COMMISSIONER OF PATENTS
AND TRADEMARKS:

Tencent (BVI) Limited

Notice of Allowance Issuance Date: December 31, 2002

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended). One (1) specimen showing the mark as used in commerce is submitted with this statement.

Applicant is using the mark on or in connection with: computer programming for others; computer software design for others; updating of computer software for others; leasing of computer facilities; leasing of computers; rental of computer software; maintenance of computer software; rental of CD-ROMS containing business and financial information; recovery of computer data; computer system analysis; computer hardware consultation; dress design; providing fashion information in Class 42

The mark was first used on the services in Class 42 on 15th Aug, 2000

The mark was first used in commerce on the services in Class 42 on 15th Nov, 2000

The mark is used on labels, packaging, brochures, advertising, literature and through other means customary in the trade with respect to the services.

The undersigned being, hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that she is properly authorized to execute this Statement of Use on behalf of the applicant; she believes the applicant to be the owner of the mark sought to be registered; the mark is now in use in commerce; and all statements made of her own knowledge are true and all statements made on information and belief are believed to be true.

A fee in the amount of \$100.00 per class is enclosed herewith.

Date: 22nd Dec, 2005

TENCENT (BVI) LIMITED

Name: MA HUA
Title: CEO

FEE RECORD SHEET

Serial Number: 76976639



RAM Sale Number: 826

Total Fees: \$100

RAM Accounting Date: 20051229

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20051229	\$100	1	\$100

Transaction Date: 20051229

