

ESTTA Tracking number: **ESTTA733706**

Filing date: **03/15/2016**

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	Geoffrey, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	One Geoffrey Way Wayne, NJ 07470 UNITED STATES		

Attorney information	Megan E. Spitz Blank Rome LLP One Logan Square Philadelphia, PA 19103 UNITED STATES spitz@blankrome.com, mhomyk@blankrome.com Phone:215-569-5745		
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### Applicant Information

Application No	86770213	Publication date	02/23/2016
Opposition Filing Date	03/15/2016	Opposition Period Ends	03/24/2016
Applicant	Nick Casale PO Box 16141 Albuquerque, NM 87191 UNITED STATES		

### Goods/Services Affected by Opposition

Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Dog day care services
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### Grounds for Opposition

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

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4783571	Application Date	09/24/2013
Registration Date	07/28/2015	Foreign Priority Date	NONE
Word Mark	PUPPIESRUS		

Design Mark	<b>PUPPIESRUS</b>
Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 2014/06/01 First Use In Commerce: 2014/06/01 pet toys; games for pets, namely, ball games for pets, tug games for pets, treat-dispensing games; non-edible pet chew toys

U.S. Registration No.	3895642	Application Date	06/18/2010
Registration Date	12/21/2010	Foreign Priority Date	NONE

Word Mark	BABIES "R" US
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Design Mark	<b>BABIES "R" US</b>
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Description of Mark	NONE
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Goods/Services	Class 025. First use: First Use: 2010/06/00 First Use In Commerce: 2010/06/00 Clothing for infants and children, namely, baby bibs not of paper, body suits, bonnets, booties, bottoms, caps, cardigans, coats, coordinating sets comprising tops and bottoms, coveralls, creepers, dresses, hats, jackets, jeans, jogging suits, jumpers, jumpsuits, layette sets comprising shortalls and tops, layette sets comprising tops and pants, layette sets comprising gowns and caps, layette sets comprising overalls and tops, layette sets comprising cardigans and pants, layette sets comprising creepers and pants, layette sets comprising cardigans, tops and pants, layettes, mittens, overall sets comprising overalls and tops, overalls, pants, rain coats, rain jackets, rainwear, rompers, sandals, shirts, shoes, soft shoes, short sets, shortall sets comprising shortalls and tops, shortalls, shorts, skirts, skorts, sleepwear, snow suits, socks, sweat shirts, sweat pants, sweaters, swimsuits, swimwear sets comprising swimsuits and coverups, swimwear sets comprising swim trunks and coverups, tee-shirts, tights, tops, and wind resistant jackets
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U.S. Registration No.	3895640	Application Date	05/28/2010
Registration Date	12/21/2010	Foreign Priority Date	NONE

Word Mark	SCOOPS R US
Design Mark	
Description of Mark	The mark consists of the following: the term "SCOOPS" in red and orange shades with an ice cream cone in shades of brown, white and blue with a red cherry protruding from the first letter "O", followed by a reverse letter "R" in red containing a white star design, followed by "US" in shades of orange.
Goods/Services	Class 030. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 confectionery products, namely, ice-cream, cookies, and pastries; coffee Class 032. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 beverages, namely, soda pop Class 035. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 retail store services featuring confectionery products, namely, ice-cream, cookies, and pastries, and beverages, namely, coffee and soda

U.S. Registration No.	4441518	Application Date	12/15/2011
Registration Date	11/26/2013	Foreign Priority Date	NONE

Word Mark	KIDSRUS
Design Mark	
Description of Mark	NONE
Goods/Services	Class 012. First use: First Use: 2012/04/00 First Use In Commerce: 2012/04/00 Booster seats for use in vehicles Class 020. First use: First Use: 2012/09/00 First Use In Commerce: 2012/09/00 Furniture; non-metal bins, crates and tote baskets for storage; bed rails; pillows; booster seats; non-metal step stools; table and chair sets; book racks; chairs; ottomans; rocking chairs; beds; bedheadboards; plastic bins for organizing Class 021. First use: First Use: 2012/09/00 First Use In Commerce: 2012/09/00 Dental care kits comprising toothbrushes, and floss; potties for infants, babies, toddlers and children; toothbrushes; laundry hampers for domestic or household use Class 024. First use: First Use: 2011/10/00 First Use In Commerce: 2011/10/00 Bedding, namely, sheets and mattress pads; pillow cases; comforters; dust ruffles; blankets, namely, children's blankets, bed blankets, thermal and fleece blankets, knit blankets and quilts; throws; bedding sets comprising quilts, blankets, bed skirts, non-metal valances made of fabrics, cotton and polyester,

	<p>and sheets; sheet sets; draperies; duvet covers; non-metal valances made of fabrics, cotton and polyester; fabric window treatments, namely, curtains and sheers</p> <p>Class 027. First use: First Use: 2012/10/00 First Use In Commerce: 2012/10/00 Rugs</p> <p>Class 028. First use: First Use: 2011/08/00 First Use In Commerce: 2011/08/00 Plush toys; toy boxes</p>
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U.S. Registration No.	4176651	Application Date	03/30/2011
Registration Date	07/17/2012	Foreign Priority Date	NONE
Word Mark	TOYS R US PETS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2012/05/07 First Use In Commerce: 2012/05/07 Pet toys		

U.S. Registration No.	4335245	Application Date	09/28/2010
Registration Date	05/14/2013	Foreign Priority Date	NONE
Word Mark	KIDSRUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2012/06/17 First Use In Commerce: 2012/06/17 apparel, namely, pants, shorts, skirts, skorts, capris, coveralls, overalls, shortalls, shirts, blouses, sweaters, sweat shirts, t-shirts, vests, sleepwear, underwear, socks, tights, hosiery, bathingsuits, cover-ups, dresses, outerwear, namely, coats, and jackets, ski bibs, rainwear, jackets, layettes, hats, belts, gloves, mittens, scarves, shoes, slippers, boots and sandals		

U.S. Registration No.	2981142	Application Date	06/09/2004
Registration Date	08/02/2005	Foreign Priority Date	NONE
Word Mark	SPORTS "R" US		
Design Mark	<p style="text-align: center;"><b>SPORTS "R" US</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/09/16 First Use In Commerce: 2003/09/16 ON-LINE RETAIL STORE SERVICES FEATURINGSPORTING GOODS, INFLATABLE POOLS, GAMES, TELESCOPES, APPAREL, WATCHES AND ACCESSORIES THEREFORE AND RETAIL DEPARTMENT STORE SERVICES		

U.S. Registration No.	2970366	Application Date	04/05/2004
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	GEOFFREY'S TOYS "R" US		
Design Mark	<p style="text-align: center;"><b>GEOFFREY'S TOYS "R" US</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/08/00 First Use In Commerce: 2003/08/00		

RETAIL DEPARTMENT STORE SERVICES			
U.S. Registration No.	3065294	Application Date	08/25/2004
Registration Date	03/07/2006	Foreign Priority Date	NONE
Word Mark	BIRTHDAYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2004/08/18 First Use In Commerce: 2004/08/18 Birthday party planning		
U.S. Registration No.	3003574	Application Date	07/09/2003
Registration Date	10/04/2005	Foreign Priority Date	NONE
Word Mark	TOYS "R" US TOY BOX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/08/09 First Use In Commerce: 2001/08/09 Retail store services in a section of a food store featuring a variety of consumer goods, namely, toys, games, sporting goods, arts and crafts goods, costumes, baskets, kites, musical toys, inflatable pools and bicycles		
U.S. Registration No.	2797686	Application Date	12/17/2002
Registration Date	12/23/2003	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1992/00/00 First Use In Commerce: 1992/00/00 Charitable fund raising and charitable grantmaking services		
U.S. Registration No.	3859459	Application Date	11/30/2009

Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	BABIESRUS		
Design Mark			
Description of Mark	The mark consists of the word "BABIESRUS" in purple lettering with a backwards letter "R" with a white star in the center.		
Goods/Services	<p>Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30</p> <p>Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>		
U.S. Registration No.	3849863	Application Date	02/09/2010
Registration Date	09/21/2010	Foreign Priority Date	NONE
Word Mark	BABIESRUS		

Design Mark	<b>BABIESRUS</b>
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Laundry detergent, baby wipes Class 005. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Infant formula and toddler formula Class 016. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Disposable diapers Class 032. First use: First Use: 2010/02/03 First Use In Commerce: 2010/02/03 Bottled water

U.S. Registration No.	3815634	Application Date	06/30/2009
Registration Date	07/06/2010	Foreign Priority Date	NONE

Word Mark	TOYSRUS
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Design Mark	<b>TOYSRUS</b>
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Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2009/11/30 First Use In Commerce: 2009/11/30 Batteries

U.S. Registration No.	3724926	Application Date	04/15/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE

Word Mark	BABIESRUS
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Design Mark			
Description of Mark	The mark consists of the word "BABIESRUS" with a backwards letter "R" with a star in the center.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services		

U.S. Registration No.	3724925	Application Date	04/15/2009
Registration Date	12/15/2009	Foreign Priority Date	NONE
Word Mark	TOYSRUS		
Design Mark			
Description of Mark	The mark consists of the words "TOYSRUS" with a backwards letter "R" with a star design in the center.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30		

Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services

U.S. Registration No.	3647541	Application Date	01/27/2009
Registration Date	06/30/2009	Foreign Priority Date	NONE
Word Mark	R US		
Design Mark			
Description of Mark	The mark consists of a backwards letter "R" with a star in the center and the word "US".		
Goods/Services	Class 035. First use: First Use: 2008/02/04 First Use In Commerce: 2008/02/04		

Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services

U.S. Registration No.	3859458	Application Date	11/30/2009
Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	TOYS R US		
Design Mark			
Description of Mark	The mark consists of the words "TOYSRUS" with a backwards letter "R" in blue with a white star design in the center with the letter "T" in red, the letter "O" in orange, the letter "Y" in green, the letter "S" in red, the letter "U" in green and the letter "S" in red.		
Goods/Services	Class 035. First use: First Use: 2007/09/30 First Use In Commerce: 2007/09/30 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy		

	computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travelsystems, play yards and beds for children, bed linen, comforters, pillow cases,rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
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U.S. Registration No.	3942695	Application Date	10/09/2009
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Registration Date	04/12/2011	Foreign Priority Date	NONE
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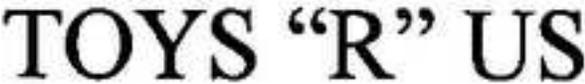
Word Mark	TOYSRUS HOLIDAY EXPRESS
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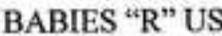


Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 2009/07/31 First Use In Commerce: 2009/07/31 Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figuresand play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys,educational toys, microscopes, telescopes, binoculars, science experiment kits,nature kits, magic sets, remote controlvehicles and toys; retail store and on-line retail store services all featuringdress-up sets, Halloween costumes, books, cassettes, videos, CDs, DVDs, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and haircare products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety nightlights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line
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	retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
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U.S. Registration No.	2758567	Application Date	09/27/2002
Registration Date	09/02/2003	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1963/00/00 First Use In Commerce: 1963/00/00 Truck hauling		

U.S. Registration No.	2494425	Application Date	11/09/2000
Registration Date	10/02/2001	Foreign Priority Date	NONE
Word Mark	BABIES "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/05/03 First Use In Commerce: 1996/05/03 Gift registry services		

U.S. Registration No.	2813374	Application Date	07/27/2000
Registration Date	02/10/2004	Foreign Priority Date	NONE
Word Mark	SPORTSRUS.COM		

Design Mark	<b>SPORTSRUS.COM</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/09/16 First Use In Commerce: 2003/09/16 On-line retailing in the field of sporting goods		

U.S. Registration No.	2587410	Application Date	07/20/2000
Registration Date	07/02/2002	Foreign Priority Date	NONE
Word Mark	1-888-BABYRUS		
Design Mark	<b>1-888-BABYRUS</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 Providing customer services and merchandising information for the goods of others by means of telephone information		

U.S. Registration No.	2362269	Application Date	08/26/1999
Registration Date	06/27/2000	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/07/00 First Use In Commerce: 1999/07/00 Retail department store services		

U.S. Registration No.	2467339	Application Date	12/20/1999
Registration Date	07/10/2001	Foreign Priority	NONE

		Date	
Word Mark	STICKERS "R" US		
Design Mark	<p style="text-align: center;">STICKERS "R" US</p>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/01/06 First Use In Commerce: 1997/01/06 Vending machines featuring stickers and tattoos		

U.S. Registration No.	2442370	Application Date	12/20/1999
Registration Date	04/10/2001	Foreign Priority Date	NONE
Word Mark	R US		
Design Mark	<p style="text-align: center;">"R" US</p>		
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1999/10/00 First Use In Commerce: 1999/10/00 Gift cards		

U.S. Registration No.	2691300	Application Date	08/10/1999
Registration Date	02/25/2003	Foreign Priority Date	NONE
Word Mark	BABIESRUS.COM		

Design Mark	<b>BABIESRUS.COM</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2000/06/27 First Use In Commerce: 2000/06/27 on-line retail store and retail store services featuring products ranging from books, cassettes, videos, tape recorders, monitors, humidifiers, vaporizers, laundry detergent, food, utensils and accessories, diapers, medicine, skin and hair-care products, bedding, gates, safety night lights, rear view mirror attachments, car seats, strollers, furniture, clothing and toys, and an on-line gift registry and information resources		

U.S. Registration No.	2364201	Application Date	03/18/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark	<b>TOYS "R" US</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 Retail department store services		

U.S. Registration No.	2370396	Application Date	02/11/1999
Registration Date	07/25/2000	Foreign Priority Date	NONE
Word Mark	TOYSRUS.COM		
Design Mark	<b>TOYSRUS.COM</b>		
Description of	NONE		

Mark	
Goods/Services	Class 035. First use: First Use: 1996/12/14 First Use In Commerce: 1996/12/14 ON-LINE RETAIL DEPARTMENT STORE SERVICES

U.S. Registration No.	2282394	Application Date	08/08/1996
Registration Date	10/05/1999	Foreign Priority Date	NONE
Word Mark	"R" US		
Design Mark	<b>“R” US</b>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 retail department store services		

U.S. Registration No.	2063369	Application Date	06/27/1996
Registration Date	05/20/1997	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 credit card services		

U.S. Registration No.	2019153	Application Date	11/22/1995
Registration Date	11/26/1996	Foreign Priority Date	NONE
Word Mark	TOYS "R" US		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/08/14 First Use In Commerce: 1995/08/14 on line retail store services featuring computer related products		

U.S. Registration No.	2046673	Application Date	11/13/1995
Registration Date	03/18/1997	Foreign Priority Date	NONE
Word Mark	BABIES "R" US		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1996/04/30 First Use In Commerce: 1996/04/30 retail department store services

U.S. Registration No.	1215353	Application Date	12/17/1980
Registration Date	11/02/1982	Foreign Priority Date	NONE

Word Mark	TOYS "R" US
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Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 Retail Department Store Services

U.S. Registration No.	902125	Application Date	03/19/1969
Registration Date	11/10/1970	Foreign Priority Date	NONE

Word Mark	TOYS "R" US
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Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 GENERAL LINE OF CHILDREN'S TOYS AND TOYNOVELTIES

Attachments	86976520#TMSN.png( bytes ) 85066530#TMSN.png( bytes ) 85050240#TMSN.png( bytes ) 85978819#TMSN.png( bytes ) 85280842#TMSN.png( bytes ) 85139917#TMSN.png( bytes ) 78432500#TMSN.png( bytes ) 78396219#TMSN.png( bytes ) 78473401#TMSN.png( bytes ) 77881927#TMSN.png( bytes ) 77931308#TMSN.png( bytes ) 77771324#TMSN.png( bytes ) 77714905#TMSN.png( bytes ) 77714904#TMSN.png( bytes )
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	77657237#TMSN.png( bytes ) 77881922#TMSN.png( bytes ) 77845209#TMSN.png( bytes ) 76453343#TMSN.png( bytes ) 76162515#TMSN.png( bytes ) 76097656#TMSN.png( bytes ) 76093058#TMSN.png( bytes ) 75786109#TMSN.png( bytes ) 75876242#TMSN.png( bytes ) 75876241#TMSN.png( bytes ) 75772393#TMSN.png( bytes ) 75662997#TMSN.png( bytes ) 75639021#TMSN.png( bytes ) 75147288#TMSN.png( bytes ) 73290146#TMSN.png( bytes ) 72320104#TMSN.png( bytes ) PAWS R US.pdf(53945 bytes ) Exhibits for R US Opposition.pdf(683024 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	/matthew homyk/
Name	Matthew A. Homyk
Date	03/15/2016

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

In re Application of Nick Casale  
Application No.: 86/770,213  
Filed: September 28, 2015  
Mark: PAWS R US

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Geoffrey, LLC,	:	
a Delaware limited liability	:	
company,	:	
	:	
Opposer,	:	Serial No.: 86/770,213
	:	
v.	:	Opposition No.: _____
	:	
Nick Casale	:	
a United States individual,	:	
	:	
Applicant.	:	

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

Attn.: Trademark Trial and Appeal Board

**NOTICE OF OPPOSITION**

Opposer, Geoffrey, LLC, a Delaware limited liability company with its principal place of business at One Geoffrey Way, Wayne, New Jersey 07470, believes that it would be damaged by the registration of the mark PAWS R US, shown in Application Serial No. 86/770,213, and hereby opposes the same under the

provision of Section 13 of the Trademark Act of July 5, 1946, as amended, 15 U.S.C. § 1063.

As grounds of opposition, it is alleged that:

**OPPOSER'S EXCLUSIVE RIGHTS**

1. Opposer, through its predecessors and related companies, has engaged in the marketing and sale of a wide variety of products, including but not limited to pet toys, games for pets, non-edible pet chew toys, pet products and accessories, toys, games, novelties, baby products, furniture, clothing, light fixtures, audio and visual products, fitness and sporting goods, school supplies, art supplies, science and other educational goods and equipment, safety products, electronics and technology related goods, digital media, musical instruments, eating and drinking utensils and apparatus, bedding and linens, home decor, medicine, first aid products, diapers, laundry products, party supplies, costumes, paper products, gift cards and various retail, credit card, gift registry and party planning services (the "Goods and Services") under the marks TOYS R US, TOYS R US PETS, PUPPIESRUS, BABIES R US, R US, "R" and "Я" ("the TOYS "R" US Marks"), both with and without quotation marks, alone and with other terms.

2. Opposer has made continuous and extensive use of its distinctive TOYS "R" US Marks, which use has developed widespread public recognition and appeal since at least as early

as 1960. Opposer is the world's biggest toy store and baby and children's products retailer, leading the industry with billions of dollars in sales annually. Opposer owns and operates over 1600 stores using its R Us family of brands, and currently sells merchandise in more than 800 stores nationwide, including Toys "R" Us and Babies "R" Us stores, and more than 740 international stores and 245 licensed stores in 38 countries and jurisdictions.

3. Opposer also provides shoppers with a broad online selection of products through its branded e-commerce websites; hosts interactive pages on a variety of social media websites; hosts an online weblog (or "blog") promoting deals and discounts at its stores and web properties; and sponsors branded mobile applications to allow consumers to shop and access information about toys and other products sold by Opposer virtually anywhere.

4. Opposer is the exclusive owner of all rights, title and interest in and to the TOYS "R" US Marks and common law rights therein in connection with the Goods and Services, and is the owner of United States Registrations and International Registrations for the TOYS "R" US Marks, which provide protection in the United States for the same, including without limitation, TOYS "R" US, U.S. Reg. No. 902,125, and many other registrations. See printouts from the United States Patent and

Trademark Office database attached as Exhibit A of many trademark and service mark registrations owned by Opposer.

5. As a result of Opposer's long and extensive promotion, marketing and use of various TOYS R US, R US, "R" and "Я" marks, both with and without quotation marks, including the advertising and promotion of third party products sold by Opposer, Opposer has established and owns a family of R US marks (hereinafter, the "R US Family of Marks").

6. Opposer's R US Family of Marks has been recognized by courts and other judicial and administrative bodies as a famous family of trademarks known to consumers. J. Thomas McCarthy, a leading scholar and expert on trademark law, recognizes the R US Family of Marks among a select group of famous trademark families in his well-known treatise on trademark law. See J. Thomas McCarthy, *McCarthy of Trademarks and Unfair Competition*, 4th Edition §23.61, pg. 23-302.

7. Federal courts, arbitration panels and the TTAB have regularly held that the use of any other mark containing a prefix in connection with the R US mark violates TRU's rights in its R US Family of Marks. Most recently, for example, a Federal court permanently enjoined another company's use of SMOKES R US, recognizing Opposer's R US Family of Marks as a "famous and inherently distinctive ... global superbrand." In so doing, the court recognized Opposer's "exclusive right to use the R US

Family of Marks in commerce in the United States." See Toys "R" Us, Inc., et al v. Smokes R Us of Pa Corp., et al, Case No. 11-cv-00820 (M.D. Pa. June 2011).

8. The fame of Opposer's R US Family of Marks is also reflected in market rankings. In 2014, STORES magazine includes Toys "R" Us in its Top 100 Retailers List. Deloitte also named Toys "R" Us as one of 2015's top "Global Powers of Retailing."

9. Opposer's registrations are valid and subsisting and are conclusive evidence of Opposer's exclusive right to use the TOYS "R" US Marks in commerce for the Goods and Services, including goods and services within its zone of natural expansion.

10. Through extensive and continuous use of the TOYS "R" US Marks, the TOYS "R" US Marks have acquired substantial goodwill in connection with the Goods and Services.

11. Opposer's extensive marketing, promotion and use of the TOYS "R" US Marks has caused customers, prospective purchasers, and the public generally to immediately associate the TOYS "R" US Marks with Opposer and to expect a wide variety of toys and related goods and services bearing the TOYS "R" US Marks to have a connection with, or association with, Opposer.

**APPLICANT'S MARK**

12. On September 28, 2015, Applicant filed U.S. Application No. 86/770,213 for registration of the mark PAWS R US (hereinafter "Applicant's Mark") listing its services as "Dog day care services." Applicant's Mark was published for opposition in the Official Gazette dated February 23, 2016. See printout from the United States Patent and Trademark Office database attached as Exhibit B.

13. Applicant's basis for filing Applicant's Mark is intent to use, pursuant to Section 1(b) of the Lanham Act.

14. Opposer's use of the TOYS "R" US Mark predates Applicant's application filing date by over 55 years.

15. Applicant's Mark is confusingly similar in sound, appearance, and meaning to Opposer's R US Family of Marks because the dominant portion of the mark incorporates Opposer's famous R US designation, which is pronounced as "are us."

16. In the application, Applicant declares that he intends to offer services in whole or in part to the same class of purchasers as Opposer.

17. The use and registration of Applicant's Mark to identify its services is likely to cause confusion, mistake and deception as to the source, origin, sponsorship, or association of the services, and is likely to mislead the public and/or potential clients into believing that Applicant is licensed or

controlled by Opposer or that Applicant is in some way related to or affiliated with Opposer.

18. Any defects, objections or faults found with the services sold by Applicant under Applicant's Mark, because of the false association with Opposer, would inflict upon and seriously injure the reputation of Opposer.

19. If Applicant is granted the registration herein opposed, it would thereby obtain at least a prima facie exclusive right to the use of the mark PAWS R US. Such registration would be a source of damage and injury to the Opposer, as well as confusion in the relevant marketplace.

20. The grant of a Certificate of Registration to Applicant for Applicant's Mark would be inconsistent with and in derogation of Opposer's prior rights and would therefore cause damage and injury to Opposer and deception of and confusion to the public.

**APPLICANT'S MARK IS LIKELY TO CAUSE CONFUSION  
AS TO SOURCE, ORIGIN, SPONSORSHIP, OR AFFILIATION**

21. In view of the similarity in overall commercial impression of the respective marks, the related nature of the goods and services of the respective parties, and Opposer's priority as to use of the mark, Opposer alleges that Applicant's mark PAWS R US so resembles Opposer's R US Family of Marks as to be likely to cause confusion, or mistake, or to deceive under

Trademark Act Sections 2(d), 15 U.S.C. Section 1052(d), and will cause damage to Opposer and its goodwill represented by its prior-used marks.

22. In addition, Opposer's rights and fame in its R US Family of Marks, including those based on its extensive use, registrations, and public recognition, were established long before Applicant filed its application for the mark PAWS R US. Thus, granting registration to Applicant would diminish and dilute the distinctive quality of Opposer's rights in its famous R US Family of Marks in violation of Trademark Act Section 43(c), 15 U.S.C. Section 1125(c), and could also in the event of any mishaps involving, or poor quality of, the services offered by Applicant, tarnish such distinctiveness.

**APPLICANT'S MARK IS LIKELY TO DILUTE THE DISTINCTIVE QUALITY OF OPPOSER'S FAMOUS MARKS**

23. At all times prior to both Applicant's application to register Applicant's Mark and any use of Applicant's Mark by Applicant, Opposer's TOYS R US Marks were distinctive and had already become famous.

24. The fame and high degree of recognition afforded to the TOYS R US Marks is evident in the significant duration, extent and geographic reach of advertising and publicity bearing the marks; widespread and extraordinary sales of the Goods and Services bearing the TOYS R US Marks; widespread recognition of

the TOYS R US Marks among the general consuming public; and the registrations of the TOYS R US Marks accorded on the Principal Register.

25. That Applicant's Mark is likely to cause dilution by blurring is evident in the high degree of similarity between Applicant's Mark and the TOYS R US Marks; the high degree of inherent and acquired distinctiveness of the TOYS R US Marks; the substantially exclusive use of the TOYS R US Marks on the Goods and Services; the extraordinary degree of recognition accorded to the TOYS R US Marks by the general consuming public; the apparent intent of Applicant to create an association with the TOYS R US Marks; and any actual association between Applicant's Mark and the TOYS R US Marks that would be established during discovery.

26. The use and registration of Applicant's Mark to identify its services, after the TOYS R US Marks had become famous, is therefore likely to cause dilution by blurring or dilution by tarnishment of the TOYS R US Marks, regardless of the presence or absence of actual or likely confusion, competition, or of actual economic injury, and will injure Opposer.

For the reasons set forth in the foregoing paragraphs one through twenty-six, Opposer believes that it would be damaged by

the registration of Applicant's Mark, and thus Applicant should be denied registration of the mark.

WHEREFORE, Opposer prays that this opposition be sustained and that Application Serial No. 86/770,213 be refused registration.

Respectfully submitted,

GEOFFREY, LLC

Date: March 15, 2016

By: /matthew homyk/  
Megan E. Spitz  
Matthew A. Homyk  
Its Attorneys

BLANK ROME LLP  
ONE LOGAN SQUARE  
PHILADELPHIA, PA 19103  
(215) 569-5745

CERTIFICATE OF SERVICE

I, Matthew A. Homyk, do hereby certify that I have on March 15, 2016, mailed via first class mail, the foregoing Notice of Opposition to the following:

DENNIS F. ARMIJO  
Dennis F Armijo P C  
4300 Rio Colorado Rd NW  
Albuquerque, NEW MEXICO 87120-5302

/matthew homyk/  
Matthew A. Homyk

# **EXHIBIT A**

**R US Marks**

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
TOYSRUS.COM  SN:75-639021 RN:2,370,396	Renewed July 25, 2010	(Int'l Class: 35) On-line retail department store services
TOYSRUS HOLIDAY EXPRESS and Design    SN:77-845209 RN:3,942,695 Disclaimer: "HOLIDAY"	Registered April 12, 2011	(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
TOYSRUS  SN:77-771324 RN:3,815,634	Registered July 6, 2010	(Int'l Class: 9) Batteries

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>TOYSRUS and Design</p>  <p>SN:77-714904 RN:3,724,925</p>	<p>Registered December 15, 2009</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>TOYS R US PETS</p> <p>TOYS R US PETS</p> <p>SN:85-280842 RN:4,176,651 Disclaimer: "PETS"</p>	<p>Registered July 17, 2012</p>	<p>(Int'l Class: 28) Pet toys</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>TOYS R US and Design</p>  <p>SN:77-881922 RN:3,859,458</p>	<p>Registered October 12, 2010</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>TOYS "R" US TOY BOX</p> <p>SN:78-272088 RN:3,003,574</p>	<p>Registered 8 &amp; 15 September 13, 2011</p>	<p>(Int'l Class: 35) Retail store services in a section of a food store featuring a variety of consumer goods, namely, toys, games, sporting goods, arts and crafts goods, costumes, baskets, kites, musical toys, inflatable pools and bicycles</p>
<p>TOYS "R" US</p> <p>SN:78-195423 RN:2,797,686</p>	<p>Registered 8 &amp; 15 November 16, 2009</p>	<p>(Int'l Class: 36) Charitable fund raising and charitable grantmaking services</p>
<p>TOYS "R" US</p> <p>SN:76-453343 RN:2,758,567</p>	<p>Registered 8 &amp; 15 July 30, 2009</p>	<p>(Int'l Class: 39) Truck hauling</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>TOYS "R" US and Design</p>  <p>SN:75-786109 RN:2,362,269 Disclaimer: "TOYS"</p>	<p>Renewed June 27, 2010</p>	<p>(Int'l Class: 35) Retail department store services</p>
<p>TOYS "R" US</p> <p>SN:75-662997 RN:2,364,201 Disclaimer: "TOYS"</p>	<p>Renewed July 4, 2010</p>	<p>(Int'l Class: 35) Retail department store services</p>
<p>TOYS "R" US</p> <p>SN:75-126558 RN:2,063,369</p>	<p>Renewed May 20, 2007</p>	<p>(Int'l Class: 36) Credit card services</p>
<p>TOYS "R" US</p> <p>SN:75-023624 RN:2,019,153</p>	<p>Renewed November 26, 2006</p>	<p>(Int'l Class: 42) On line retail store services featuring computer related products</p>
<p>TOYS "R" US (Stylized)</p>  <p>SN:73-290146 RN:1,215,353</p>	<p>Renewed November 2, 2002</p>	<p>(Int'l Class: 42) Retail department store services</p>
<p>TOYS "R" US (Stylized)</p>  <p>SN:72-320104 RN:902,125 Disclaimer: NO CLAIM OF EXCLUSIVE RIGHT IS MADE OF THE WORD "TOYS" APART FROM THE MARK AS SHOWN.</p>	<p>Renewed November 10, 2010</p>	<p>(Int'l Class: 28) General line of children's toys and toy novelties</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
STICKERS "R" US  SN:75-876242 RN:2,467,339 Disclaimer: "STICKERS"	Renewed July 10, 2011	(Int'l Class: 9) Vending machines featuring stickers and tattoos
SPORTSRUS.COM  SN:76-097656 RN:2,813,374	Registered 8 & 15 February 12, 2010	(Int'l Class: 35) On-line retailing in the field of sporting goods
SPORTS "R" US  SN:78-432500 RN:2,981,142	Registered 8 & 15 August 2, 2011	(Int'l Class: 35) On-line retail store services featuring sporting goods, inflatable pools, games, telescopes, apparel, watches and accessories therefore and retail department store services
SCOOPS R US and Design   SN:85-050240 RN:3,895,640	Registered December 21, 2010	(Int'l Class: 30) Confectionery products, namely, ice-cream, cookies, and pastries; coffee (Int'l Class: 32) Beverages, namely, soda pop (Int'l Class: 35) Retail store services featuring confectionery products, namely, ice-cream, cookies, and pastries, and beverages, namely, coffee and soda
R US and Design   SN:77-657237 RN:3,647,541	Registered June 30, 2009	(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services
R US  SN:75-876241 RN:2,442,370	Renewed April 10, 2011	(Int'l Class: 16) Gift cards

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>R RECYCLE RENEW REUSE RE-THINK and Design</p>  <p>SN:77-461061 RN:3,680,872</p>	<p>Registered September 8, 2009</p>	<p>(Int'l Class: 28) Toys, games and playthings, namely, natural wood toys, namely, wood alphabet blocks, wood toy cars, wood toy trains and wood toy fire trucks; natural plush toys and toy animals; organic cotton dolls</p>
<p>R MARKET and Design</p>  <p>SN:77-758019 RN:3,739,444 Disclaimer: "MARKET"</p>	<p>Registered January 19, 2010</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services featuring food, snacks, pretzels, chips, cookies, crackers, fruit snacks, breakfast cereals, nutrition bars, breakfast foods, drinks, beverages, non-perishable milk, bottled water, squeezable fruit products, apple sauce, health food, party supplies, disposable paper products, napkins, paper towels and toilet paper, cleaning supplies, laundry detergent, fabric softener, hand wipes, soap, baby products, baby food utensils, baby food and infant formula, diapers, baby wipes, baby changing products, health and beauty aids, skin and hair care products, personal care products, first aid and wellness products</p>
<p>R and Design</p>  <p>SN:77-655117 RN:3,647,537</p>	<p>Registered June 30, 2009</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>R and Design</p>  <p>SN:77-461047 RN:3,655,643</p>	<p>Registered July 14, 2009</p>	<p>(Int'l Class: 16) Gift cards and recyclable paper or plastic shopping bags (Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, furniture, clothing, outdoor toys, play sets, sandboxes, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toy race tracks, toy action figures and play sets, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, laundry detergent, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, playpens, portable playpens, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>R (Stylized)</p>  <p>SN:75-876240 RN:2,469,154</p>	<p>Renewed July 17, 2011</p>	<p>(Int'l Class: 35) Retail department store services</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>KIDS "R" US</p> <p><b>KIDS "R" US</b></p> <p>SN:85-496591 Disclaimer: "KIDS"</p>	<p>Allowed - Intent to Use Notice of Allowance Issued September 11, 2012</p>	<p>(Int'l Class: 3) Non-medicated toiletries; toothpaste; body wash, shampoo, hair detangling preparations, lip balm, cosmetic sunscreen preparations, all of the foregoing for infants, babies, toddlers and children; baby and toddler wipes (Int'l Class: 5) First-aid kits; adhesive bandages; infant food; baby food (Int'l Class: 11) Lamps (Int'l Class: 12) Booster seats for use in vehicles (Int'l Class: 16) Disposable paper seat covers for toilets and potties; disposable training pants (Int'l Class: 20) Furniture; non-metal bins, crates and tote baskets for storage; bed rails; pillows; booster seats; non-metal step stools; table and chair sets; book racks; chairs; ottomans; rocking chairs; beds; bed headboards; plastic bins for organizing (Int'l Class: 21) Dental care kits comprising toothbrushes, and floss; potties for infants, babies, toddlers and children; toothbrushes; laundry hampers for domestic or household use (Int'l Class: 24) Bedding, namely, sheets and mattress pads; pillow cases; comforters; dust ruffles; blankets, namely, children's blankets, bed blankets, thermal and fleece blankets, knit blankets and quilts; throws; bedding sets comprising quilts, blankets, bed skirts, non-metal valances made of fabrics, cotton and polyester, and sheets; sheet sets; draperies; duvet covers; non-metal valances made of fabrics, cotton and polyester; fabric window treatments, namely, curtains and sheers (Int'l Class: 27) Rugs (Int'l Class: 28) Plush toys; toy boxes (Int'l Class: 32) Fruit and vegetable juices for infants, babies, toddlers and children</p>
<p>KIDS "R" US</p> <p><b>KIDS "R" US</b></p> <p>SN:85-139917 Disclaimer: "KIDS"</p>	<p>Allowed - Intent to Use Statement of Use - Non-final Refusal Mailed September 9, 2012</p>	<p>(Int'l Class: 25) Apparel, namely, pants, shorts, skirts, skorts, capris, coveralls, overalls, shortalls, shirts, blouses, sweaters, sweat shirts, t-shirts, vests, sleepwear, underwear, socks, tights, hosiery, bathing suits, cover-ups, dresses, outerwear, namely, coats, and jackets, ski bibs, rainwear, jackets, layettes, hats, belts, gloves, mittens, scarves, shoes, slippers, boots and sandals</p>
<p>GEOFFREY'S TOYS "R" US</p> <p>SN:78-396219 RN:2,970,366 Disclaimer: "TOYS"</p>	<p>Registered 8 &amp; 15 July 16, 2011</p>	<p>(Int'l Class: 35) Retail department store services</p>
<p>BIRTHDAYS "R" US</p> <p>SN:78-473401 RN:3,065,294 Disclaimer: "BIRTHDAYS"</p>	<p>Registered 8 &amp; 15 March 22, 2012</p>	<p>(Int'l Class: 41) Birthday party planning</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIESRUS.COM  SN:75-772393 RN:2,691,300	Registered 8 & 15 July 31, 2009	(Int'l Class: 35) On-line retail store and retail store services featuring products ranging from books, cassettes, videos, tape recorders, monitors, humidifiers, vaporizers, laundry detergent, food, utensils and accessories, diapers, medicine, skin and hair care products, bedding, gates, safety night lights, rear view mirror attachments, car seats, strollers, furniture, clothing and toys, and an on-line gift registry and information resources
BABIESRUS  <b>BABIESRUS</b>  SN:77-931308 RN:3,849,863	Registered September 21, 2010	(Int'l Class: 3) Laundry detergent, baby wipes (Int'l Class: 5) Infant formula and toddler formula (Int'l Class: 16) Disposable diapers (Int'l Class: 32) Bottled water

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p data-bbox="77 226 285 285">BABIESRUS and Design</p>  <p data-bbox="77 420 253 478">SN:77-881927 RN:3,859,459</p>	<p data-bbox="386 226 599 285">Registered October 12, 2010</p>	<p data-bbox="662 226 1536 1230">(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, and utensils; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers. retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
<p>BABIESRUS and Design</p>  <p>SN:77-714905 RN:3,724,926</p>	<p>Registered December 15, 2009</p>	<p>(Int'l Class: 35) Retail store and on-line retail store services all featuring toys, games, playthings, natural wooden toys, natural plush animals, organic cotton dolls, dolls, doll houses, doll accessories, doll house furniture, furniture, clothing, baby clothing, children's clothing, maternity clothing, outdoor toys, play sets, sandboxes, play swimming pools, swimming aids, pool rings, life jackets and arm floats for recreational use, outdoor play sets, sporting goods and equipment, roller skates, in-line skates, toy cars, toys trucks, toy airplanes, toy vehicle play sets, toy race tracks, toy action figures and play sets, toy activity tables for children with storage, toy boxes, board games, hand-held electronic games, puzzles, dolls, doll accessories, plush toys, educational toys, microscopes, telescopes, binoculars, science experiment kits, nature kits, magic sets, remote control vehicles and toys; retail store and on-line retail store services all featuring dress-up sets, halloween costumes, books, cassettes, videos, cds, dvds, portable digital media players, musical instruments, toy musical instruments and microphones, computers, toy computers, educational computers, computer and video games, computer and video game consoles and accessories, home and car electronics, baby safety items, baby monitors, humidifiers, vaporizers, baby food and formula, food, beverages, utensils and accessories; retail store and on-line retail store services all featuring diapers, medicine, skin and hair care products, bedding and room decor, baby furniture, children's furniture, adult furniture, rocking chairs, lamps, light fixtures, safety gates, safety night lights, rear view mirror attachments, car seats, high chairs, step stools, booster seats, carriages and strollers; retail store and on-line retail store services all featuring bicycles, tricycles, toy motorized vehicles, ride-on toys, playpens, portable playpens, baby travel systems, play yards and beds for children, bed linen, comforters, pillow cases, rugs, wall paper, swings and bouncers, diaper bags and carriers, bath products and bibs; retail store and on-line retail store services all featuring, pens, paper, crayons, stationery, school supplies, artist supplies, stickers, coloring books, puzzle books, knapsacks, school bags, sports bags, gift cards and gift wrap; gift registry services</p>
<p>BABIES "R" US</p>  <p>SN:85-066530 RN:3,895,642</p>	<p>Registered December 21, 2010</p>	<p>(Int'l Class: 25) Clothing for infants and children, namely, baby bibs not of paper, body suits, bonnets, booties, bottoms, caps, cardigans, coats, coordinating sets comprising tops and bottoms, coveralls, creepers, dresses, hats, jackets, jeans, jogging suits, jumpers, jumpsuits, layette sets comprising shortalls and tops, layette sets comprising tops and pants, layette sets comprising gowns and caps, layette sets comprising overalls and tops, layette sets comprising cardigans and pants, layette sets comprising creepers and pants, layette sets comprising cardigans, tops and pants, layettes, mittens, overall sets comprising overalls and tops, overalls, pants, rain coats, rain jackets, rainwear, rompers, sandals, shirts, shoes, soft shoes, short sets, shortall sets comprising shortalls and tops, shortalls, shorts, skirts, skorts, sleepwear, snow suits, socks, sweat shirts, sweat pants, sweaters, swimsuits, swimwear sets comprising swimsuits and coverups, swimwear sets comprising swim trunks and coverups, tee-shirts, tights, tops, and wind resistant jackets</p>
<p>BABIES "R" US</p> <p>SN:76-162515 RN:2,494,425</p>	<p>Renewed October 2, 2011</p>	<p>(Int'l Class: 35) Gift registry services</p>

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIES "R" US  SN:75-017902 RN:2,046,673 Disclaimer: "BABIES"	Renewed March 18, 2007	(Int'l Class: 42) Retail department store services
1-888-BABYRUS  SN:76-093058 RN:2,587,410	Renewed July 2, 2012	(Int'l Class: 35) Providing customer services and merchandising information for the goods of others by means of telephone information
"R" IS FOR REWARDS! (Stylized)    SN:78-939787 RN:3,621,074	Registered May 12, 2009	(Int'l Class: 36) Financial services, namely, providing credit card services, charge card services, and issuing stored value prepaid and discount cards
"R" US  SN:75-147288 RN:2,282,394	Renewed October 5, 2009	(Int'l Class: 35) Retail department store services
"R" and Design    SN:76-386805 RN:2,715,408	Registered 8 & 15 May 29, 2008	(Int'l Class: 35) Retail department store services and on-line retail department store services
KIDS R US***  RN: NE 1281308 AN: 19500109  TOYS R US, INC. (CORP.); 395 W. PASSAIC ST. ROCHELLE PARK	NEBRASKA - Registered	(Int'l Class: 42) not available

TM/SN/RN/Disclaimer	Status/Status Date	Full Goods/Services
BABIES "R" US***  RN: NH 417190 AN: 63300181  TOYS R US, INC. (CORP.); 395 W. PASSAIC ST. ROCHELLE PARK	NEW HAMPSHIRE - Registered	(Int'l Class: 35) retail of infant clothing and accessories

\*\*\* Marks registered in U.S. states by Toys R Us, Inc

# **EXHIBIT B**

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 86770213

Filing Date: 09/28/2015

#### To the Commissioner for Trademarks:

**MARK:** PAWS R US (Standard Characters, see [mark](#))

The literal element of the mark consists of PAWS R US.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Nick Casale, a citizen of United States, having an address of

PO Box 16141

Albuquerque, New Mexico 87191

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

#### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 043: Dog day care services

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Dennis F. Armijo of DENNIS F. ARMIJO, P.C.

4300 Rio Colorado, NW

Albuquerque, New Mexico 87120

United States

The attorney docket/reference number is 2888-15.

The applicant's current Correspondence Information:

Dennis F. Armijo

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Albuquerque, New Mexico 87120

505-899-0269(phone)

505-899-0269(fax)

dennis@armijolawfirm.com;eclair@armijolawfirm.com (authorized)

**E-mail Authorization:** I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or applicant's attorney at the e-mail address provided above. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in an additional processing fee of \$50 per international class of goods/services.

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

#### Declaration

Signatory's Signature: [signatory file](#)

Signatory's Name: Nick Casale  
Signatory's Position: Owner

RAM Sale Number: 86770213  
RAM Accounting Date: 09/28/2015

Serial Number: 86770213  
Internet Transmission Date: Mon Sep 28 11:52:41 EDT 2015  
TEAS Stamp: USPTO/FTK-XX.XXX.XXX.XXX-201509281152411  
69728-86770213-5408db0945e35abe05af75416  
81f1f5ffc88ca491a16853fd3fccb163a212c20-  
ET-10572-20150928113458832917

**Declaration**

The signatory believes that: if the applicant is filing the application under 15 U.S.C. § 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant is using the mark in commerce on or in connection with the goods/services in the application; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

**Signature Section:**

Signature: \_\_\_\_\_

Signatory's Name: Nick Casale

Signatory's Position: Owner

Signatory's Phone Number: 505-255-5454

Date Signed: \_\_\_\_\_

**NOTE TO APPLICANT:** When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the boilerplate declaration language. Do **not** include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.