

ESTTA Tracking number: **ESTTA744339**

Filing date: **05/04/2016**

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                                  | J. Alexander's, LLC   |
| Granted to Date of previous extension | 05/04/2016  |
| Address                               | 3401 West End Avenue, Suite 260<br>Nashville, TN 37203<br>UNITED STATES |

|                      |   |
|----------------------|---|
| Attorney information | John B. Greenberg<br>Lewis Rice LLC<br>600 Washington Avenue, Suite 2500<br>St. Louis, MO 63101<br>UNITED STATES<br>jgreenberg@lewisrice.com, ipdept@lewisrice.com Phone:314-444-7600 |
|----------------------|---|

**Applicant Information**

|                        |  |                        |            |
|------------------------|--|------------------------|------------|
| Application No         | 86563398   | Publication date       | 01/05/2016 |
| Opposition Filing Date | 05/04/2016   | Opposition Period Ends | 05/04/2016 |
| Applicant              | Bell, Jason Alexander<br>211 Palmer Street<br>Elizabeth, NJ 07202<br>UNITED STATES |                        |            |

**Goods/Services Affected by Opposition**

|  |
|--|
| Class 025. First Use: 2015/02/20 First Use In Commerce: 2015/02/20<br>All goods and services in the class are opposed, namely: Crew neck sweaters; Headwear; Hooded pullovers; Hooded sweat shirts; Short-sleeved or long-sleeved t-shirts; Sweaters; T-shirts |
|--|

**Grounds for Opposition**

|                                      |                            |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act Section 2(d) |
|--------------------------------------|----------------------------|

**Marks Cited by Opposer as Basis for Opposition**

|                       |                           |                       |            |
|-----------------------|---------------------------|-----------------------|------------|
| U.S. Registration No. | 2179914                   | Application Date      | 09/03/1996 |
| Registration Date     | 08/11/1998                | Foreign Priority Date | NONE       |
| Word Mark             | J. ALEXANDER'S RESTAURANT |                       |            |

|                     |   |  |  |
|---------------------|---|--|--|
| Design Mark         |   |  |  |
| Description of Mark | NONE  |  |  |
| Goods/Services      | Class 042. First use: First Use: 1991/05/28 First Use In Commerce: 1992/12/14 restaurant services featuring food and both alcoholic and non-alcoholic beverages |  |  |

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4493778    | Application Date      | 03/15/2013 |
| Registration Date     | 03/11/2014 | Foreign Priority Date | NONE       |

Word Mark J. ALEXANDER'S RESTAURANTS

|             |  |  |  |
|-------------|--|--|--|
| Design Mark |  |  |  |
|-------------|--|--|--|

Description of Mark NONE

Goods/Services Class 043. First use: First Use: 2013/01/09 First Use In Commerce: 2013/01/09 Restaurant services featuring food and both alcoholic and non-alcoholic beverages

|                       |            |                       |            |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4859651    | Application Date      | 04/24/2015 |
| Registration Date     | 11/24/2015 | Foreign Priority Date | NONE       |

Word Mark J. ALEXANDER'S

|             |  |  |  |
|-------------|--|--|--|
| Design Mark |  |  |  |
|-------------|--|--|--|

Description of Mark NONE

Goods/Services Class 043. First use: First Use: 1992/00/00 First Use In Commerce: 1992/00/00

|  |                     |
|--|---------------------|
|  | Restaurant services |
|--|---------------------|

|             |   |
|-------------|---|
| Attachments | 75159444#TMSN.png( bytes )<br>85877602#TMSN.png( bytes )<br>86609065#TMSN.png( bytes )<br>Opposition .pdf(1859788 bytes )<br>Exhibit A Part 1 to Opposition.pdf(2814789 bytes )<br>Exhibit A Part 2 to Opposition.pdf(3721587 bytes ) |
|-------------|---|

### **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 | /John B. Greenberg/ |
| Name      | John B. Greenberg   |
| Date      | 05/04/2016          |



2. Among other marks, Opposer owns a family of trademarks and service marks that incorporate as their dominant element the term J. ALEXANDER'S for use in connection with Opposer's Goods/Services.

3. Opposer's family of J. ALEXANDER'S marks includes the following valid and subsisting federal registrations: J. ALEXANDER'S RESTAURANT® (Reg. No. 2,179,914); J. ALEXANDER'S RESTAURANTS® (Reg. No. 4,493,778); and J. ALEXANDER'S® (Reg. No. 4,859,651).

4. In accordance with 37 C.F.R. § 2.122(d), attached hereto as Exhibit A and incorporated herein by this reference are true and accurate photocopies of information from the U.S. Patent and Trademark Office's ("USPTO") electronic records database depicting each of the above-referenced federally registered marks and pending application, and each reflecting the applicable services, status and current title for each of the federal registrations and application therefor.

5. Opposer's family of J. ALEXANDER'S marks also includes a pending application for federal service mark registration for the mark J. ALEXANDER'S WINE CLUB (Ser. No. 86/885,042). Attached as part of Exhibit A are true and accurate photocopies of information from the USPTO's electronic database records depicting the mark that is the subject of the above-referenced application, and reflecting the applicable services, status and current title for such application.

6. In addition to the rights associated with Opposer's above-referenced registrations and application, Opposer owns common law rights in J. ALEXANDER and the above-referenced marks for use in connection with Opposer's Goods/Services.

7. Opposer's J. ALEXANDER'S marks that are the subject of its above-referenced registrations, application and common law use are referred to herein collectively as "Opposer's J. ALEXANDER'S Marks."

8. Opposer, or a predecessor in interest, has used this mark since at least 1992 and continues to use various of Opposer's J. ALEXANDER'S Marks in interstate commerce in connection with Opposer's Goods/Services.

9. Opposer's J. ALEXANDER'S Marks are valid, distinctive and protectable at common law.

10. As a result of sales and promotion of Opposer's Goods/Services described herein and offered in connection with Opposer's J. ALEXANDER'S Marks, Opposer has built up highly valuable goodwill in Opposer's J. ALEXANDER'S Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

11. As a further result of the extensive sales and promotion of Opposer's Goods/Services in connection with Opposer's J. ALEXANDER'S Marks, many, if not all, of Opposer's J. ALEXANDER'S Marks have acquired extraordinary distinctiveness such that they have become famous.

12. On or about March 13, 2015, Applicant filed the Third Party Application to register the mark J ALEXANDER (& Design) ("Applicant's Mark"), for "crew neck sweaters, headwear, hooded pullovers, hooded sweat shirts, short-sleeved or long-sleeved t-shirts, sweaters, t-shirts" in International Class 25, which Third Party Application has been assigned Serial No. 86/563,398.

13. Upon information and belief, Applicant did not use Applicant's Mark in commerce for services covered in the Third Party Application until on or after February 20, 2015, the date of first use listed in the Third Party Application.

14. Upon information and belief, Opposer, or a predecessor, has promoted and advertised the sale and/or distribution of Opposer's Goods/Services bearing or offered in connection with Opposer's J. ALEXANDER'S Marks prior to any usage by Applicant of Applicant's Mark, and prior to Applicant's filing of the Third Party Application. Thus, there is no issue of priority.

15. Applicant's Mark J ALEXANDER is confusingly similar in sight, sound, connotation and commercial impression to Opposer's J. ALEXANDER'S Marks, as it comprises the dominant element of Opposer's J. ALEXANDER'S Marks.

16. The goods covered by the Third Party Application are closely related to Opposer's Goods/Services offered in connection with Opposer's J. ALEXANDER'S Marks.

17. Applicant's Mark, when used in connection with Applicant's services, so resembles Opposer's J. ALEXANDER'S Marks, both registered and common law, as to be likely to cause confusion, to cause mistake or to deceive the trade and public, who are likely to believe that Applicant's goods have their origin with Opposer's family of businesses or that such goods are approved, endorsed or sponsored by Opposer's family of businesses or associated in some way with Opposer's family of businesses, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer, the public and the trade.

18. Further, Applicant's Mark is likely to dilute the distinctive qualities of Opposer's J. ALEXANDER'S Marks because Applicant is using Applicant's Mark in commerce and adopted such mark after Opposer's J. ALEXANDER'S Marks became famous, and Opposer's J. ALEXANDER'S Marks are being diluted by blurring such that consumers, upon seeing Applicant's Mark, are reminded of Opposer's famous marks and associate Applicant's use with Opposer, even if they do not believe the offered goods come from Opposer.

19. For the foregoing reasons, Opposer would be injured by the granting to Applicant of a certificate of registration for Applicant's Mark.

WHEREFORE, Opposer J. Alexander's, LLC believes that it will be damaged by registration of Applicant's mark, J ALEXANDER (& Design) and prays that Application Serial No. 86/563,398 be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposer.

Please recognize as attorneys for Opposer in the proceeding: John B. Greenberg (member of the Bars of the States of Missouri and Illinois) and the firm of Lewis Rice LLC, 600 Washington, Suite 2500, St. Louis, Missouri 63101.

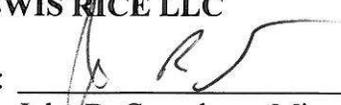
Please address all correspondence and telephonic communication concerning this Opposition to:

John B. Greenberg, Esq.  
Lewis Rice LLC  
Box IP Department  
600 Washington, Suite 2500  
St. Louis, Missouri 63101  
(314) 444-7600

Dated: May 4, 2016

Respectfully submitted,

**LEWIS RICE LLC**

By: 

John B. Greenberg, Missouri bar # 40242  
600 Washington Ave., Suite 2500  
St. Louis, MO 63101  
Phone: (314) 444-7600  
Fax: (314) 612-7682  
[jgreenberg@lewisrice.com](mailto:jgreenberg@lewisrice.com)

*Attorneys for the Opposer J. Alexander's, LLC*

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

In the matter of Application Serial No. 86/563,398  
Published in The *Official Gazette*, January 5, 2016

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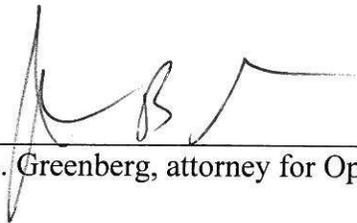
|                       |   |                            |
|-----------------------|---|----------------------------|
| J. ALEXANDER'S, LLC,  | ) |                            |
|                       | ) |                            |
| Opposer,              | ) |                            |
|                       | ) |                            |
| v.                    | ) | Opposition No. _____       |
|                       | ) |                            |
| JASON ALEXANDER BELL, | ) | Mark: J ALEXANDER & Design |
|                       | ) |                            |
| Applicant.            | ) |                            |
|                       | ) |                            |
|                       | ) |                            |
|                       | ) |                            |

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on May 4, 2016, I caused a true copy of the foregoing NOTICE OF OPPOSITION to be sent via First Class Mail, postage prepaid, to:

Jason Alexander Bell  
211 Palmer Street  
Elizabeth, New Jersey 07202

  
\_\_\_\_\_  
John B. Greenberg, attorney for Opposer

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

In the matter of Application Serial No. 86/563,398  
Published in The *Official Gazette*, January 5, 2016

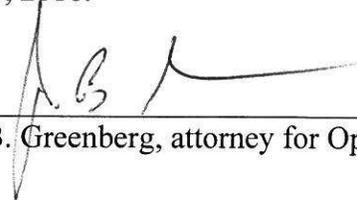
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|                       |   |                            |
|-----------------------|---|----------------------------|
| J. ALEXANDER'S, LLC,  | ) |                            |
|                       | ) |                            |
| Opposer,              | ) |                            |
|                       | ) |                            |
| v.                    | ) | Opposition No. _____       |
|                       | ) |                            |
| JASON ALEXANDER BELL, | ) | Mark: J ALEXANDER & Design |
|                       | ) |                            |
| Applicant.            | ) |                            |
|                       | ) |                            |
|                       | ) |                            |
|                       | ) |                            |

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**CERTIFICATE OF TRANSMITTAL**

This is to certify that the attached NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on May 4, 2016.

  
\_\_\_\_\_  
John B. Greenberg, attorney for Opposer

**EXHIBIT A**

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Amended

Reg. No. 2,179,914

Registered Aug. 11, 1998

OG Date Mar. 22, 2005

SERVICE MARK  
PRINCIPAL REGISTER

J. ALEXANDER'S RESTAURANT

J. ALEXANDER'S CORPORATION (TEN-  
NESSEE CORPORATION)  
3401 WEST END AVENUE  
SUITE 260  
NASHVILLE, TN 34202

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

FOR: RESTAURANT SERVICES FEAT-  
URING FOOD AND BOTH ALCOHOLIC  
AND NON-ALCOHOLIC BEVERAGES, IN  
CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 5-28-1991; IN COMMERCE  
12-14-1992.

SER. NO. 75-159,444, FILED 9-3-1996.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Mar. 22, 2005.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

On May 6, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link.

It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS DOCUMENTS MAINTENANCE

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Mark: J. ALEXANDER'S RESTAURANT



US Serial Number: 75159444

Application Filing Date: Sep. 03, 1996

US Registration Number: 2179914

Registration Date: Aug. 11, 1998

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Feb. 22, 2008

Publication Date: Apr. 14, 1998

**Mark Information**

Mark Literal Elements: J. ALEXANDER'S RESTAURANT

Standard Character Claim: No

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

Disclaimer: "RESTAURANT"

**Goods and Services**

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: restaurant services featuring food and both alcoholic and non-alcoholic beverages

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: May 28, 1991

Use in Commerce: Dec. 14, 1992

**Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use

Filed ITU: No

Currently ITU: No

Amended ITL

Filed 44D: No

Currently 44D: No

Amended 44E

**Filed 44E:** No **Currently 44E:** No **Amended 44E**  
**Filed 66A:** No **Currently 66A:** No  
**Filed No Basis:** No **Currently No Basis:** No

**Current Owner(s) Information**

**Owner Name:** J. ALEXANDER'S, LLC  
**Owner Address:** 3401 WEST END AVENUE  
 SUITE 260  
 NASHVILLE, TENNESSEE UNITED STATES 37203  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** TENNESSEE

**Attorney/Correspondence Information**

**Attorney of Record**

**Attorney Name:** PAIGE W. MILLS and ROBERT L. BREWER **Docket Number:** 071450-400  
**Attorney Primary Email Address:** [trademarks@bassberry.com](mailto:trademarks@bassberry.com) **Attorney Email Authorized:** Yes

**Correspondent**

**Correspondent Name/Address:** Paige W. Mills  
 Bass, Berry & Sims PLC  
 150 3rd Avenue South  
 Suite 2800  
 Nashville, TENNESSEE UNITED STATES 37201  
**Phone:** 615-742-7770 **Fax:** 615-742-0429  
**Correspondent e-mail:** [trademarks@bassberry.com](mailto:trademarks@bassberry.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

**Prosecution History**

| Date          | Description   | Proceeding Number |
|---------------|---|-------------------|
| Mar. 27, 2013 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP         |                   |
| Dec. 14, 2009 | TEAS CHANGE OF CORRESPONDENCE RECEIVED              |                   |
| Feb. 22, 2008 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)     | 69934             |
| Feb. 22, 2008 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED |                   |
| Feb. 15, 2008 | ASSIGNED TO PARALEGAL                               | 69934             |
| Feb. 13, 2008 | TEAS SECTION 8 & 9 RECEIVED                         |                   |
| Feb. 08, 2005 | AMENDMENT UNDER SECTION 7 - ISSUED                  |                   |
| Sep. 13, 2004 | SEC 7 REQUEST FILED                                 |                   |
| Sep. 13, 2004 | PAPER RECEIVED                                      |                   |
| Sep. 09, 2004 | FAX RECEIVED  |                   |
| Sep. 09, 2004 | FAX RECEIVED  |                   |

|               |  |       |
|---------------|--|-------|
| Aug. 24, 2004 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. |       |
| Jul. 20, 2004 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED         |       |
| Nov. 07, 2003 | TEAS CHANGE OF CORRESPONDENCE RECEIVED             |       |
| Aug. 11, 1998 | REGISTERED-PRINCIPAL REGISTER                      |       |
| Apr. 14, 1998 | PUBLISHED FOR OPPOSITION                           |       |
| Mar. 13, 1998 | NOTICE OF PUBLICATION                              |       |
| Jan. 29, 1998 | APPROVED FOR PUB - PRINCIPAL REGISTER              |       |
| Sep. 02, 1997 | CORRESPONDENCE RECEIVED IN LAW OFFICE              |       |
| Mar. 24, 1997 | NON-FINAL ACTION MAILED                            |       |
| Mar. 11, 1997 | ASSIGNED TO EXAMINER                               | 69222 |

**Maintenance Filings or Post Registration Information**

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

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

**Renewal Date:** Aug. 11, 2008

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** The drawing is amended to appear as follows: J. ALEXANDER'S RESTAURANT

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** POST REGISTRATION

**Date in Location:** Feb. 22, 2008

**Assignment Abstract Of Title Information - Click to Load**

**Proceedings - Click to Load**

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POST OFFICE BOX 24300

3401 WEST END AVENUE, SUITE 260

NASHVILLE, TENNESSEE 37202

**Correspondent:** BASS, BERRY & SIMS, PLC

DONALD L. ZACHARY, ESQ.

2700 FIRST AMERICAN CENTER

NASHVILLE, TN 37238-2700

**Domestic rep:** BASS, BERRY & SIMS, PLC

DONALD L. ZACHARY, ESQ.

2700 FIRST AMERICAN CENTER

NASHVILLE, TN 37238-2700

**Assignment: 2****Reel/Frame:** [2613/0599](#)**Recorded:** 11/04/2002**Pages:** 14**Conveyance:** LICENSE AGREEMENT**Assignor:** [J. ALEXANDER'S CORPORATION](#)**Exec Dt:** 10/29/2002**Entity Type:** CORPORATION**Citizenship:** TENNESSEE**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** NONE**Assignee:** [JAX REAL ESTATE, LLC](#)

3401 WEST END AVENUE, SUITE 260

NASHVILLE, TENNESSEE 37203

**Correspondent:** GE CAPITAL FRANCHISE FINANCE CORP.

ANDREW G. KENT

17207 NORTH PERIMETER DRIVE

SCOTTSDALE, AZ 85255

**Assignment: 3****Reel/Frame:** [2613/0626](#)**Recorded:** 11/04/2002**Pages:** 8**Conveyance:** COLLATERAL ASSIGNMENT OF LICENSE AGREEMENT**Assignor:** [JAX REAL ESTATE, LLC](#)**Exec Dt:** 10/29/2002**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** NONE

**Assignee:** GE CAPITAL FRANCHISE FINANCE CORPORATION

17207 NORTH PERIMETER DRIVE  
SCOTTSDALE, ARIZONA 85255

**Entity Type:** CORPORATION

**Citizenship:** DELAWARE

**Correspondent:** GE CAPITAL FRANCHISE FINANCE CORPORATION

ANDREW G. KENT  
17207 NORTH PERIMETER DR.  
SCOTTSDALE, AZ 85255

**Assignment: 4**

**Reel/Frame:** 4985/0593

**Recorded:** 03/19/2013

**Pages:** 7

**Conveyance:** CHANGE OF NAME

**Assignor:** J. ALEXANDER'S CORPORATION

**Exec Dt:** 10/30/2012

**Entity Type:** CORPORATION

**Citizenship:** TENNESSEE

**Entity Type:** LIMITED LIABILITY COMPANY

**Citizenship:** TENNESSEE

**Assignee:** J. ALEXANDER'S, LLC

3401 WEST END AVENUE  
SUITE 260  
NASHVILLE, TENNESSEE 37203

**Correspondent:** ROBERT L. BREWER AND PAIGE W. MILLS

150 3RD AVENUE SOUTH  
SUITE 2800  
NASHVILLE, TN 37201

Search Results as of: 05/04/2016 01:53 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.5

Web interface last modified: July 25, 2014 v2.5

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# United States of America

United States Patent and Trademark Office

## J. ALEXANDER'S RESTAURANTS

**Reg. No. 4,493,778**

**Registered Mar. 11, 2014**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

J. ALEXANDER'S, LLC (TENNESSEE LIMITED LIABILITY COMPANY)  
SUITE 260  
3401 WEST END AVENUE  
NASHVILLE, TN 37203

FOR: RESTAURANT SERVICES FEATURING FOOD AND BOTH ALCOHOLIC AND NON-ALCOHOLIC BEVERAGES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-9-2013; IN COMMERCE 1-9-2013.

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

OWNER OF U.S. REG. NO. 2,179,914.

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

THE NAME "J. ALEXANDER" DOES NOT IDENTIFY A LIVING INDIVIDUAL.

SER. NO. 85-877,602, FILED 3-15-2013.

KEVON CHISOLM, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***  
**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***  
**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

On May 6, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link.

It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

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**Mark:** J. ALEXANDER'S RESTAURANTS

J. ALEXANDER'S RESTAURANTS

**US Serial Number:** 85877602

**Application Filing Date:** Mar. 15, 2013

**US Registration Number:** 4493778

**Registration Date:** Mar. 11, 2014

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Mar. 11, 2014

**Publication Date:** Dec. 24, 2013

### Mark Information

**Mark Literal Elements:** J. ALEXANDER'S RESTAURANTS

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "RESTAURANTS"

**Name Portrait Consent:** The name "J. ALEXANDER" does not identify a living individual.

### Related Properties Information

**Claimed Ownership of US [2179914](#)**

**Registrations:**

### Goods and Services

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Restaurant services featuring food and both alcoholic and non-alcoholic beverages

**International Class(es):** 043 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

First Use: Jan. 09, 2013

Use in Commerce: Jan. 09, 2013

**Basis Information (Case Level)**

|                    |                        |              |
|--------------------|------------------------|--------------|
| Filed Use: Yes     | Currently Use: Yes     | Amended Use: |
| Filed ITU: No      | Currently ITU: No      | Amended ITL  |
| Filed 44D: No      | Currently 44D: No      | Amended 44C  |
| Filed 44E: No      | Currently 44E: No      | Amended 44E  |
| Filed 66A: No      | Currently 66A: No      |              |
| Filed No Basis: No | Currently No Basis: No |              |

**Current Owner(s) Information**

Owner Name: J. Alexander's, LLC

Owner Address: Suite 260  
3401 West End Avenue  
Nashville, TENNESSEE UNITED STATES 37203

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: TENNESSEE

**Attorney/Correspondence Information**

**Attorney of Record**

Attorney Name: Paige W. Mills

Attorney Primary Email Address: [trademarks@bassberry.com](mailto:trademarks@bassberry.com)

Docket Number: 071450-400

Attorney Email Authorized: Yes

**Correspondent**

Correspondent Name/Address: PAIGE W. MILLS  
BASS, BERRY & SIMS PLC  
150 3RD AVE S STE 2800  
NASHVILLE, TENNESSEE UNITED STATES 37201-2017

Phone: 615-742-7770

Correspondent e-mail: [trademarks@bassberry.com](mailto:trademarks@bassberry.com)

Fax: 615-742-0429

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

**Prosecution History**

| Date          | Description   | Proceeding Number |
|---------------|---|-------------------|
| Mar. 11, 2014 | REGISTERED-PRINCIPAL REGISTER                         |                   |
| Dec. 24, 2013 | OFFICIAL GAZETTE PUBLICATION<br>CONFIRMATION E-MAILED |                   |
| Dec. 24, 2013 | PUBLISHED FOR OPPOSITION                              |                   |
| Dec. 04, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION<br>E-MAILED     |                   |
| Nov. 21, 2013 | LAW OFFICE PUBLICATION REVIEW<br>COMPLETED            | 70138             |
| Nov. 19, 2013 | APPROVED FOR PUB - PRINCIPAL<br>REGISTER              |                   |

|               |  |       |
|---------------|--|-------|
| Nov. 19, 2013 | EXAMINER'S AMENDMENT ENTERED                         | 70138 |
| Nov. 19, 2013 | ASSIGNED TO LIE                                      | 70138 |
| Nov. 19, 2013 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED         | 6328  |
| Nov. 19, 2013 | EXAMINERS AMENDMENT E-MAILED                         | 6328  |
| Nov. 19, 2013 | EXAMINERS AMENDMENT -WRITTEN                         | 76502 |
| Jul. 01, 2013 | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 6325  |
| Jul. 01, 2013 | NON-FINAL ACTION E-MAILED                            | 6325  |
| Jul. 01, 2013 | NON-FINAL ACTION WRITTEN                             | 76502 |
| Jun. 24, 2013 | ASSIGNED TO EXAMINER                                 | 76502 |
| Mar. 21, 2013 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM |       |
| Mar. 19, 2013 | NEW APPLICATION ENTERED IN TRAM                      |       |

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Mar. 11, 2014

**Assignment Abstract Of Title Information - [Click to Load](#)**

**Proceedings - [Click to Load](#)**

**United States of America**  
United States Patent and Trademark Office

**J. ALEXANDER'S**

**Reg. No. 4,859,651**

**Registered Nov. 24, 2015**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

J. ALEXANDER'S, LLC (TENNESSEE LIMITED LIABILITY COMPANY)  
SUITE 260  
3401 WEST END AVENUE  
NASHVILLE, TN 37203

FOR: RESTAURANT SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 0-0-1992; IN COMMERCE 0-0-1992.

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

OWNER OF U.S. REG. NOS. 2,179,914 AND 4,493,778.

THE NAME IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

SER. NO. 86-609,065, FILED 4-24-2015.

KAREN K. BUSH, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***  
**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\*  
See 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***  
**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 86609065

Filing Date: 04/24/2015

*NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

| Input Field  | Entered  |
|--|--|
| <b>TEAS Plus</b>                                   | YES  |
| <b>MARK INFORMATION</b>                            |  |
| *MARK  | <u>J. ALEXANDER'S</u>  |
| *STANDARD CHARACTERS                               | YES  |
| USPTO-GENERATED IMAGE                              | YES  |
| LITERAL ELEMENT                                    | J. ALEXANDER'S   |
| *MARK STATEMENT                                    | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| <b>REGISTER</b>                                    | Principal  |
| <b>APPLICANT INFORMATION</b>                       |  |
| *OWNER OF MARK                                     | J. Alexander's, LLC  |
| INTERNAL ADDRESS                                   | Suite 260  |
| *STREET  | 3401 West End Avenue   |
| *CITY  | Nashville  |
| *STATE<br>(Required for U.S. applicants)           | Tennessee  |
| *COUNTRY   | United States  |
| *ZIP/POSTAL CODE<br>(Required for U.S. applicants) | 37203  |
| <b>LEGAL ENTITY INFORMATION</b>                    |  |
| *TYPE  | LIMITED LIABILITY COMPANY  |
| * STATE/COUNTRY WHERE LEGALLY ORGANIZED            | Tennessee  |
| <b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b> |  |
| *INTERNATIONAL CLASS                               | 043  |
| *IDENTIFICATION                                    | Restaurant services  |
| *FILING BASIS                                      | SECTION 1(a)   |
| FIRST USE ANYWHERE DATE                            | At least as early as 00/00/1992  |

|  |   |
|--|---|
| <b>FIRST USE IN COMMERCE DATE</b>                  | At least as early as 00/00/1992   |
| <b>SPECIMEN FILE NAME(S)</b>                       | <u>\\TICRS\EXPORT16\IMAGEOUT</u><br><u>16\866\090\86609065\xml1\FTK0003.JPG</u>   |
| <b>SPECIMEN DESCRIPTION</b>                        | web page  |
| <b>ADDITIONAL STATEMENTS SECTION</b>               |   |
| <b>*TRANSLATION (if applicable)</b>                |   |
| <b>*TRANSLITERATION (if applicable)</b>            |   |
| <b>*CLAIMED PRIOR REGISTRATION (if applicable)</b> | The applicant claims ownership of U.S. Registration Number(s) 2179914 and 4493778.  |
| <b>*CONSENT (NAME/LIKENESS) (if applicable)</b>    |   |
| <b>*CONCURRENT USE CLAIM (if applicable)</b>       |   |
| <b>ATTORNEY INFORMATION</b>                        |   |
| <b>NAME</b>  | John B. Greenberg   |
| <b>FIRM NAME</b>                                   | Lewis Rice LLC  |
| <b>INTERNAL ADDRESS</b>                            | Suite 2500  |
| <b>STREET</b>                                      | 600 Washington Avenue   |
| <b>CITY</b>  | St. Louis   |
| <b>STATE</b>                                       | Missouri  |
| <b>COUNTRY</b>                                     | United States   |
| <b>ZIP/POSTAL CODE</b>                             | 63101   |
| <b>PHONE</b>                                       | (314) 444-7600  |
| <b>EMAIL ADDRESS</b>                               | jgreenberg@lewisrice.com  |
| <b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>         | Yes   |
| <b>OTHER APPOINTED ATTORNEY</b>                    | Frank B. Janoski, Kirk A. Damman, Richard B. Walsh, Jr., Michael J. Hickey, Bridget Hoy, Benjamin J. Siders and Eric D. Block |
| <b>CORRESPONDENCE INFORMATION</b>                  |   |
| <b>*NAME</b>                                       | John B. Greenberg   |
| <b>FIRM NAME</b>                                   | Lewis Rice LLC  |
| <b>INTERNAL ADDRESS</b>                            | Suite 2500  |
| <b>*STREET</b>                                     | 600 Washington Avenue   |
| <b>*CITY</b>                                       | St. Louis   |
| <b>*STATE (Required for U.S. applicants)</b>       | Missouri  |
| <b>*COUNTRY</b>                                    | United States   |
| <b>*ZIP/POSTAL CODE</b>                            | 63101   |
| <b>PHONE</b>                                       | (314) 444-7600  |
| <b>*EMAIL ADDRESS</b>                              | jgreenberg@lewisrice.com; cvolz@lewisrice.com;  |

|   |                               |
|---|-------------------------------|
|   | ipdept@lewisrice.com          |
| <b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b> | Yes                           |
| <b>FEE INFORMATION</b>                      |                               |
| <b>APPLICATION FILING OPTION</b>            | TEAS Plus                     |
| <b>NUMBER OF CLASSES</b>                    | 1                             |
| <b>FEE PER CLASS</b>                        | 225                           |
| <b>*TOTAL FEE PAID</b>                      | 225                           |
| <b>SIGNATURE INFORMATION</b>                |                               |
| <b>* SIGNATURE</b>                          | /Goodloe Partee/              |
| <b>* SIGNATORY'S NAME</b>                   | Goodloe Partee                |
| <b>* SIGNATORY'S POSITION</b>               | General Counsel and Secretary |
| <b>SIGNATORY'S PHONE NUMBER</b>             | 615-782-6922                  |
| <b>* DATE SIGNED</b>                        | 04/24/2015                    |

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 86609065

Filing Date: 04/24/2015

#### To the Commissioner for Trademarks:

**MARK:** J. ALEXANDER'S (Standard Characters, see mark)

The literal element of the mark consists of J. ALEXANDER'S.

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

The applicant, J. Alexander's, LLC, a limited liability company legally organized under the laws of Tennessee, having an address of  
Suite 260,  
3401 West End Avenue  
Nashville, Tennessee 37203  
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: Restaurant services

In International Class 043, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 00/00/1992, and first used in commerce at least as early as 00/00/1992, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) web page.

[Specimen File 1](#)

#### Claim of Active Prior Registration(s)

The applicant claims ownership of U.S. Registration Number(s) 2179914 and 4493778.

#### The applicant's current Attorney Information:

John B. Greenberg and Frank B. Janoski, Kirk A. Damman, Richard B. Walsh, Jr., Michael J. Hickey, Bridget Hoy, Benjamin J. Siders and Eric D. Block of Lewis Rice LLC  
Suite 2500  
600 Washington Avenue  
St. Louis, Missouri 63101  
United States

#### The applicant's current Correspondence Information:

John B. Greenberg  
Lewis Rice LLC  
Suite 2500  
600 Washington Avenue  
St. Louis, Missouri 63101  
(314) 444-7600(phone)  
jgreenberg@lewisrice.com; cvolz@lewisrice.com; ipdept@lewisrice.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**

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; 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. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee 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 person has 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 person, 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. Section 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: /Goodloe Partee/ Date Signed: 04/24/2015  
Signatory's Name: Goodloe Partee  
Signatory's Position: General Counsel and Secretary

RAM Sale Number: 86609065  
RAM Accounting Date: 04/27/2015

Serial Number: 86609065  
Internet Transmission Date: Fri Apr 24 14:39:41 EDT 2015  
TEAS Stamp: USPTO/FTK-XXX.XX.XXX.XX-2015042414394101  
5085-86609065-530af1e964452a3ccd24ff7b36  
bb482d79b9b5276a206f8ca297ac35176d21ce-C  
C-9111-20150424124404549721

J. ALEXANDER'S

On May 6, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link.

It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS DOCUMENTS MAINTENANCE

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**Mark:** J. ALEXANDER'S

## J. ALEXANDER'S

**US Serial Number:** 86609065

**Application Filing Date:** Apr. 24, 2015

**US Registration Number:** 4859651

**Registration Date:** Nov. 24, 2015

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Nov. 24, 2015

**Publication Date:** Sep. 08, 2015

### Mark Information

**Mark Literal Elements:** J. ALEXANDER'S

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Name Portrait Consent:** The name in the mark does not identify a particular living individual.

### Related Properties Information

**Claimed Ownership of US** [2179914](#), [4493778](#)

**Registrations:**

### Goods and Services

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Restaurant services

**International Class(es):** 043 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

First Use: 1992

Use in Commerce: 1992

**Basis Information (Case Level)**

|                    |                        |              |
|--------------------|------------------------|--------------|
| Filed Use: Yes     | Currently Use: Yes     | Amended Use: |
| Filed ITU: No      | Currently ITU: No      | Amended ITL  |
| Filed 44D: No      | Currently 44D: No      | Amended 44E  |
| Filed 44E: No      | Currently 44E: No      | Amended 44E  |
| Filed 66A: No      | Currently 66A: No      |              |
| Filed No Basis: No | Currently No Basis: No |              |

**Current Owner(s) Information**

Owner Name: J. Alexander's, LLC

Owner Address: Suite 260  
3401 West End Avenue  
Nashville, TENNESSEE UNITED STATES 37203

Legal Entity Type: LIMITED LIABILITY COMPANY      State or Country Where Organized: TENNESSEE

**Attorney/Correspondence Information**

**Attorney of Record**

Attorney Name: John B. Greenberg

Attorney Primary Email Address: [jgreenberg@lewisrice.com](mailto:jgreenberg@lewisrice.com)      Attorney Email Authorized: Yes

**Correspondent**

Correspondent Name/Address: JOHN B. GREENBERG  
Lewis Rice Llc  
600 Washington Ave Ste 2500  
Saint Louis, MISSOURI UNITED STATES 63101-1311

Phone: (314) 444-7600

Correspondent e-mail: [jgreenberg@lewisrice.com](mailto:jgreenberg@lewisrice.com)      Correspondent e-mail Authorized: Yes  
[cvolz@lewisrice.com](mailto:cvolz@lewisrice.com) [ipdept@lewisrice.com](mailto:ipdept@lewisrice.com)

Domestic Representative - Not Found

**Prosecution History**

| Date          | Description   | Proceeding Number |
|---------------|---|-------------------|
| Nov. 24, 2015 | REGISTERED-PRINCIPAL REGISTER                         |                   |
| Sep. 08, 2015 | OFFICIAL GAZETTE PUBLICATION<br>CONFIRMATION E-MAILED |                   |
| Sep. 08, 2015 | PUBLISHED FOR OPPOSITION                              |                   |
| Aug. 19, 2015 | NOTIFICATION OF NOTICE OF PUBLICATION<br>E-MAILED     |                   |
| Aug. 01, 2015 | LAW OFFICE PUBLICATION REVIEW<br>COMPLETED            | 76568             |
| Jul. 31, 2015 | ASSIGNED TO LIE                                       | 76568             |

|               |  |       |
|---------------|--|-------|
| Jul. 21, 2015 | APPROVED FOR PUB - PRINCIPAL REGISTER                |       |
| Jul. 21, 2015 | EXAMINER'S AMENDMENT ENTERED                         | 88888 |
| Jul. 21, 2015 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED         | 6328  |
| Jul. 21, 2015 | EXAMINERS AMENDMENT E-MAILED                         | 6328  |
| Jul. 21, 2015 | EXAMINERS AMENDMENT -WRITTEN                         | 67516 |
| Jul. 20, 2015 | ASSIGNED TO EXAMINER                                 | 67516 |
| May 05, 2015  | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM |       |
| Apr. 28, 2015 | NEW APPLICATION ENTERED IN TRAM                      |       |

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 24, 2015

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On May 6, 2016 TSDR will update the XML schema from version ST-96 1\_D3 to version ST-96 2.2.1. Consequently, 3rd party applications that utilize TSDR XML may not function as intended after that date. Therefore, the USPTO will make available the current XML schema at the following link: [https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/v1/info.xml](https://tsdrsec.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/v1/info.xml) for a period of not less than 6 months. Any 3rd party applications that currently make calls to USPTO XML should be changed to point to that link.  
 It is highly recommended that 3rd party applications be upgraded to utilize the USPTO API's rather than the XML schema, which may change at any time rendering the 3rd party application inoperable. The link to the current API is [https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL\\_OR\\_REG\\_NUMBER/info.xml](https://tsdrapi.uspto.gov/ts/cd/casestatus/SERIAL_OR_REG_NUMBER/info.xml). Questions may be directed to [the TSDR Mailbox](#).

STATUS DOCUMENTS

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Mark: J. ALEXANDER'S WINE CLUB

J. ALEXANDER'S WINE CLUB

US Serial Number: 86885042

Application Filing Date: Jan. 25, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date: Jan. 29, 2016

**Mark Information**

Mark Literal Elements: J. ALEXANDER'S WINE CLUB

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "WINE CLUB"

**Related Properties Information**

Claimed Ownership of US [2179914](#), [4493778](#), [4859651](#)

Registrations:

**Goods and Services**

**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Administration of a discount program for enabling participants to obtain discounts on wine and related goods and ser

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

**Basis Information (Case Level)**

|                           |                               |                     |
|---------------------------|-------------------------------|---------------------|
| <b>Filed Use:</b> No      | <b>Currently Use:</b> No      | <b>Amended Use:</b> |
| <b>Filed ITU:</b> Yes     | <b>Currently ITU:</b> Yes     | <b>Amended ITU:</b> |
| <b>Filed 44D:</b> No      | <b>Currently 44D:</b> No      | <b>Amended 44E:</b> |
| <b>Filed 44E:</b> No      | <b>Currently 44E:</b> No      | <b>Amended 44E:</b> |
| <b>Filed 66A:</b> No      | <b>Currently 66A:</b> No      |                     |
| <b>Filed No Basis:</b> No | <b>Currently No Basis:</b> No |                     |

**Current Owner(s) Information**

**Owner Name:** J. Alexander's, LLC

**Owner Address:** Suite 260  
3401 West End Avenue  
Nashville, TENNESSEE UNITED STATES 37203

**Legal Entity Type:** LIMITED LIABILITY COMPANY      **State or Country Where Organized:** TENNESSEE

**Attorney/Correspondence Information**

**Attorney of Record**

**Attorney Name:** John B. Greenberg

**Attorney Primary Email Address:** [jgreenberg@lewisrice.com](mailto:jgreenberg@lewisrice.com)      **Attorney Email Authorized:** Yes

**Correspondent**

**Correspondent Name/Address:** JOHN B. GREENBERG  
LEWIS RICE LLC  
600 WASHINGTON AVENUE  
SUITE 2500  
ST. LOUIS, MISSOURI UNITED STATES 63101

**Phone:** (314) 444-7600      **Fax:** (314) 612-7682

**Correspondent e-mail:** [jgreenberg@lewisrice.com](mailto:jgreenberg@lewisrice.com)      **Correspondent e-mail Authorized:** Yes  
[ipdept@lewisrice.com](mailto:ipdept@lewisrice.com) [cvolz@lewisrice.com](mailto:cvolz@lewisrice.com)

Domestic Representative - Not Found

**Prosecution History**

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| Jan. 29, 2016 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM |                   |
| Jan. 28, 2016 | NEW APPLICATION ENTERED IN TRAM                      |                   |

**TM Staff and Location Information**

TM Staff Information - None

**File Location**

**Current Location:** NEW APPLICATION PROCESSING      **Date in Location:** Jan. 29, 2016

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