

ESTTA Tracking number: **ESTTA744385**

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	eBay Inc.
Granted to Date of previous extension	05/04/2016
Address	2145 Hamilton Avenue San Jose, CA 95125 UNITED STATES

Attorney information	Hope Hamilton Holland & Hart LLP PO Box 8749 __ Attn: Trademark Docketing Denver, CO 80201 UNITED STATES docket@hollandhart.com, HIHamilton@hollandhart.com, RTLawrence@hollandhart.com, mamooore@hollandhart.com, eBay@hollandhart.com
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Applicant Information

Application No	86620368	Publication date	01/05/2016
Opposition Filing Date	05/04/2016	Opposition Period Ends	05/04/2016
Applicant	Hegazy, Ahmed Discovery Gardens 411 Dubai, 4354 UNITED ARAB EMIRATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2015/04/02 First Use In Commerce: 2015/04/02 All goods and services in the class are opposed, namely: On-line professional networking services

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2218732	Application Date	11/17/1997
Registration Date	01/19/1999	Foreign Priority Date	NONE

Word Mark	EBAY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1995/09/04 First Use In Commerce: 1995/09/04 on-line trading services in which seller posts items to be auctioned and bidding is done electronically, and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith

U.S. Registration No.	2367932	Application Date	01/13/1999
Registration Date	07/18/2000	Foreign Priority Date	NONE

Word Mark	EBAY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 1998/12/15 First Use In Commerce: 1998/12/15 Christmas tree ornaments and soft sculpture toys

U.S. Registration No.	2501043	Application Date	01/13/1999
Registration Date	10/23/2001	Foreign Priority Date	NONE

Word Mark	EBAY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 1998/05/13 First Use In Commerce: 1998/05/13 clocks and watches

U.S. Registration No.	2518652	Application Date	01/20/1999
Registration Date	12/11/2001	Foreign Priority Date	NONE

Word Mark	EBAY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1998/05/13 First Use In Commerce: 1998/12/00

	Clothing, namely, t-shirts, caps and sweatshirts		
U.S. Registration No.	2522630	Application Date	06/06/2001
Registration Date	12/25/2001	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 2000/07/00 First Use In Commerce: 2000/07/00 plastic key chain tags and plastic novelty license plate frames		
U.S. Registration No.	2578260	Application Date	06/12/2001
Registration Date	06/11/2002	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 [duffel bags,] tote bags, backpacks [and briefcases]		
U.S. Registration No.	2592515	Application Date	04/10/2000
Registration Date	07/09/2002	Foreign Priority Date	NONE

Word Mark	EBAY		
Design Mark	EBAY		
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1999/05/15 First Use In Commerce: 1999/05/15 Telecommunications services, namely, the electronic transmission of data and information; paging services		

U.S. Registration No.	2604374	Application Date	06/12/2001
Registration Date	08/06/2002	Foreign Priority Date	NONE

Word Mark	EBAY		
Design Mark	EBAY		
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 1999/04/00 First Use In Commerce: 1999/04/00 mugs, tumblers, and water bottles sold empty; containers for food or beverages, namely, lunch containers made of vinyl or nylon		

U.S. Registration No.	2666767	Application Date	01/20/1999
Registration Date	12/24/2002	Foreign Priority Date	NONE

Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2000/11/28 First Use In Commerce: 2000/11/28 Clothing, namely, jackets		

U.S. Registration	2700675	Application Date	01/13/1999
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No.			
Registration Date	03/25/2003	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2001/03/01 First Use In Commerce: 2001/03/01 Computer e-commerce software to allow users to perform electronic business transactions conducted in the form of an auction via a global computer network and computer database software featuring information in the field of hobbies, collectibles and a wide variety of products		

U.S. Registration No.	2700836	Application Date	01/13/1999
Registration Date	03/25/2003	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1999/11/00 First Use In Commerce: 1999/11/00 PUBLICATIONS, NAMELY, A SERIES OF NONFICTION BOOKS, CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS, FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, MEMO PADS, [PAPERPOSTCARDS, BUMPER STICKERS, CALENDARS, DECORATIVE STICKERS AND DECALS]		

U.S. Registration No.	2744717	Application Date	04/10/2000
Registration Date	07/29/2003	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1996/05/00 First Use In Commerce: 1996/05/00		

	Providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of items via a global computer network
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U.S. Registration No.	2810863	Application Date	01/13/1999
Registration Date	02/03/2004	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2002/12/10 First Use In Commerce: 2002/12/10 PUBLICATIONS, namely, A SERIES OF NONFICTION BOOKS CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART, LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS, FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, [GREETING CARDS,] MEMORANDUM BOARDS, MEMO PADS, PAPER [POSTCARDS], STATIONERY, PENS, [BUMPER STICKERS,] CALENDARS AND DECORATIVE STICKERS [AND DECALS]		

U.S. Registration No.	2913401	Application Date	03/15/2004
Registration Date	12/21/2004	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1999/01/00 First Use In Commerce: 1999/01/00		

	Providing sweepstakes, games of chance and contests via the internet		
U.S. Registration No.	2926481	Application Date	04/10/2000
Registration Date	02/15/2005	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2003/06/26 First Use In Commerce: 2003/06/26 Entertainment services, namely, providing a radio program in the fields of hobbies, collectibles, trading and auctions		

U.S. Registration No.	4408423	Application Date	09/12/2012
Registration Date	09/24/2013	Foreign Priority Date	NONE
Word Mark	EBAY		
Design Mark			
Description of Mark	The mark consists of the letters "ebay"all in lower case, each in the color red, blue, yellow and green respectively.		
Goods/Services	Class 035. First use: First Use: 2012/10/10 First Use In Commerce: 2012/10/10 Online trading services, namely, operating online marketplaces for sellers and buyers of goods and services; online trading services in which sellers post products or services to be offered for sale,and purchasing or bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network; providing evaluativefeedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; providing a searchable online advertising guide featuring the goods and services of online vendors; providing a searchable online evaluation database forbuyers and sellers; advertising and advertisement services; business services in the nature of intellectual property claims management, namely, pro-		

	<p>cessing and administration of claims of intellectual property owners against third party sellers; identification verification services, namely, confirming authenticity of environmentally friendly products, producers and sellers for the purposes of helping consumers make informed purchasing decisions</p> <p>Class 036. First use: First Use: 2012/10/10 First Use In Commerce: 2012/10/10 Real estate listing services; classified real estate listings of apartment rentals, housing rentals and vacation rentals; providing purchase protection services in the field of online trading of goods and services by others via a global computer network; charitable fundraising services</p> <p>Class 038. First use: First Use: 2012/10/10 First Use In Commerce: 2012/10/10 Telecommunications services, namely, the electronic transmission of data and information; electronic messaging; providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of goods and services via a global computer network</p>
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U.S. Application No.	85727672	Application Date	09/12/2012
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	EBAY
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Description of Mark	The mark consists of the letters "ebay" all in lower case, each in the color red, blue, yellow and green respectively.
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Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Mouse pads; computer e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; computer database software featuring information in the field of hobbies, collectibles and a wide variety of products; computer software and software development tools for use in developing further software and software applications in the field of e-commerce</p> <p>Class 014. First use: First Use: 0 First Use In Commerce: 0 Clocks; watches; jewellery</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Publications, namely, a series of nonfiction books concerning hobbies, collectibles, auctions, online marketplaces, and a wide variety of products relating to antiques, art, literature, culture, technology, travel, sports, entertainment, home furnishings, garden items, musical instruments, motor vehicles, toys and games, fashion, jewelry, electronics, photography, holiday related items, film and video; paper and stationery items, namely, greeting cards, memo boards, memo pads, paper postcards, stationery, pens and pencils; bumper stickers, calendars, decorative stickers and decals; playing cards; lunch bags</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0 Duffel bags, tote bags, backpacks and briefcases</p>
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	<p>Class 020. First use: First Use: 0 First Use In Commerce: 0 Plastic key chain tags</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0 Mugs; tumblers; water bottles sold empty; lunch boxes; personal dispensers for candy for domestic use</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, t-shirts, sweatshirts, caps, jackets, and visors</p> <p>Class 028. First use: First Use: 0 First Use In Commerce: 0 Christmas tree ornaments; soft sculpture toys; plush toys; toy miniature cars; bean bag toys; toy candy dispensers</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 Candy</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Providing sweepstakes, games of chance and contests via the internet; entertainment services, namely, providing an ongoing radio program in the fields of hobbies, collectibles, trading, buying, selling, and online auctions and marketplaces; educational services, namely, conducting classes in the field of information security and providing corporate education courses in the field of information security; educational services, namely, providing courses, classes and seminars in the fields of buying and selling via online marketplaces, as well as establishing and operating online marketplace businesses</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Design and development of computer software, software applications, and application programming interfaces; providing temporary use of on-line, non-downloadable computer software and software development tools for use in developing further software and software applications in the field of e-commerce; providing temporary use of online, non-downloadable e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; maintenance and updating of computer software for others; providing a website that gives users the ability to create customized web pages featuring user-defined information in the field of intellectual property rights and intellectual property enforcement policies, in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace</p> <p>Class 045. First use: First Use: 0 First Use In Commerce: 0 Online social networking services; providing information regarding intellectual property owners and their enforcement policies, all in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace</p>
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U.S. Registration No.	4105599	Application Date	07/20/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	WHEN IT'S ON YOUR MIND, IT'S ON EBAY		

Design Mark	<p style="text-align: center;">WHEN IT'S ON YOUR MIND, IT'S ON EBAY</p>
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 2011/09/14 First Use In Commerce: 2011/09/14 On-line trading services, namely, operating on-line marketplaces for sellers of goods and/or services; online trading services in which seller posts products to be offered for sale and bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; advertising and advertisement services; classified advertising services; on-line advertising on computer communications networks</p>

U.S. Registration No.	4338835	Application Date	11/13/2012
Registration Date	05/21/2013	Foreign Priority Date	NONE

Word Mark	EBAY CLASSIFIEDS GROUP
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Design Mark	
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Description of Mark	<p>The mark consists of the stylized colormark "EBAY" comprised of a red "E", a blue "B", a yellow "A", and a green "Y", and the words "CLASSIFIEDS GROUP" appearing in gray and partially surrounded by a gray border. All of the foregoing appears on a white background.</p>
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Goods/Services	<p>Class 035. First use: First Use: 2012/11/10 First Use In Commerce: 2012/11/10 On line advertising on computer communication networks; classified advertising services</p>
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Hope Hamilton/
Name	Hope Hamilton
Date	05/04/2016

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

EBAY, INC., Opposer, v. AHMED HEGAZY, Applicant.	Opposition No.: Trademark: CONSULTANTS BAY Serial No.: 86/620,368
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NOTICE OF OPPOSITION

eBay, Inc. (“eBay”), a Delaware corporation with its principal place of business at 2145 Hamilton Avenue, San Jose, California 95125, believes that it will be damaged by the registration of the mark CONSULTANTS BAY shown in U.S. Trademark Application Serial No. 86/620,368 for “on-line professional networking services,” in International Class 35 (“the Application”), and hereby opposes it.

As grounds for its opposition, eBay alleges that, upon actual knowledge with respect to itself and its own actions, and upon information and belief as to other matters:

EBAY’S BUSINESS

1. eBay is the world’s leading online marketplace. Since its inception, eBay has registered over 450 million user accounts worldwide and hosts an online service featuring over 100 million items offered for sale on its website at www.ebay.com at any given time. Each day, millions of new items are listed for sale in hundreds of different categories of consumer goods and services, including telecommunications equipment, software, computers, coins, collectibles, art, clothing, cars, travel packages, cruise tickets, and real estate. eBay’s website

generates 1 billion page views per day. In 2014 alone, these page views generated over \$2,400 in transactions per second (or over \$140,000 per minute) on eBay, amounting to a grand total of over \$75 billion in goods sold on eBay worldwide.

EBAY'S MARKS

2. Since its online marketplace was launched in September 1995, eBay has continuously used the mark EBAY in interstate commerce in the United States and in commerce between the United States and foreign countries in connection with its goods and services.

3. eBay is the owner of numerous U.S. registrations for the mark EBAY on the Principal Register (in word form and in design form), the earliest of which was issued on January 19, 1999. See Exhibit A. These registrations cover various goods and services. Each of these registrations is valid and subsisting, and many are now incontestable under the provisions of 15 U.S.C. § 1065. eBay's registrations include the following (*see* Exhibit A):

TRADEMARK	REG. NO.	REG. DATE	CLASS(ES)
EBAY	2,218,732	January 19, 1999	35
EBAY	2,367,932	July 18, 2000	28
EBAY	2,501,043	October 23, 2001	14
EBAY	2,518,652	December 11, 2001	25
EBAY	2,522,630	December 25, 2001	20
EBAY	2,578,260	June 11, 2002	18
EBAY	2,592,515	July 9, 2002	38
EBAY	2,604,374	August 6, 2002	21
EBAY	2,666,767	December 24, 2002	25
EBAY	2,700,675	March 25, 2003	9
EBAY	2,700,836	March 25, 2003	16

EBAY	2,744,717	July 29, 2003	38
EBAY	2,810,863	February 3, 2004	16
EBAY	2,913,401	December 21, 2004	41
EBAY	2,926,481	February 15, 2005	41
EBAY (Stylized)	4,408,423	Sept. 24, 2013	35, 36, 38

4. eBay also has extensive common law rights in its EBAY and EBAY (Stylized) marks, and uses these marks in connection with a wide variety of goods and services throughout the United States and abroad.

5. In addition to the EBAY and EBAY (Stylized) marks noted above, eBay owns a number of U.S. registrations and pending U.S. applications to register marks that extend its family of EBAY marks, including the following (*see* Exhibit B):

TRADEMARK	APPL. NO. OR REG. NO.	APPL. OR REG. DATE	CLASS(ES)
EBAY (Stylized)	85/727,672	September 12, 2012	9, 14, 16, 18, 20, 21, 25, 28, 30, 41, 42, 45
WHEN IT'S ON YOUR MIND, IT'S ON EBAY	4,105,599	February 28, 2012	35
EBAY CLASSIFIEDS GROUP & Design	4,338,835	May 21, 2013	35

The registrations listed above are valid and subsisting. All of eBay's marks that consist of or incorporate the term EBAY are hereafter referred to as the "EBAY Marks."

6. EBAY is an invented, fanciful mark that is highly distinctive. The term EBAY has no descriptive meaning as applied to marketplace, auction, listing, advertising, marketing or

online trading services, or to any of the other goods and services covered by eBay's registrations or in connection with which it uses the EBAY Marks.

7. eBay has expended considerable money and effort in promoting the EBAY Marks, and goods and services offered in connection with these marks, both in the United States and internationally. For example, from the beginning of 2013 to the end of 2014, eBay's advertising and promotion expenditures around the world totaled over \$3 billion.

8. In addition to its own advertising efforts, eBay has been the subject of thousands of unsolicited stories in television, radio, and print media that highlight eBay's innovative and successful efforts in online person-to-person trading and sales.

9. eBay and its brand have also received numerous awards and recognitions and been acclaimed by the media worldwide. In 2012, eBay ranked 36th in the Interbrand survey of the 100 Best Global Brands. In both 2013 and 2014, this ranking moved up to 28th with an estimated value of \$13.16 billion in 2013, and \$14.35 billion in 2014, coming ahead of other well-known brands such as FACEBOOK, VOLKSWAGEN, FORD, GUCCI, NESTLÉ, AUDI, ADIDAS, and VISA. The EBAY mark has also been consistently ranked by *Business Week* as one of the Top 50 "Best Global Brands." eBay itself has garnered many other accolades, including the 2007 National Medal of Technology and Innovation award by the President of the United States; *Fortune* magazine's "Top 100 Fastest Growing Companies" (ranking eBay as 8th) in August 2003; *Red Herring* magazine's "The Top 100 Companies Most Likely to Change the World" in May 2001; Harvard Business School's "Entrepreneurial Company of the Year" in May 2000; *Forbes* magazine's "Favorite Auction Site" in December 1999; *Business Week*

magazine's "Info Tech 100" in July 1999; *Ad Week* magazine's "Top Marketers of the Year" in May 1999; and The Webby Award's "Top E-Commerce Site" in March 1999.

10. The enthusiasm for eBay's goods and services abroad has been so overwhelming that eBay maintains separate, country-specific websites for Australia, Austria, Belgium, Canada, France, Germany, Hong Kong, India, Ireland, Italy, Malaysia, the Netherlands, New Zealand, Singapore, Spain, Sweden, Switzerland, and the U.K., and it has related websites in Argentina, Brazil, Chile, China, Colombia, Costa Rica, Dominica, Ecuador, South Korea, Mexico, Panama, Peru, Taiwan, Uruguay, and Venezuela. eBay also serves customers and has registered users in many additional countries.

11. As a result of eBay's widespread use of the EBAY Marks worldwide, extensive Internet, television, and print advertising and promotion, continuous and unsolicited media coverage, the high degree of consumer recognition of the EBAY Marks, the large base of loyal customers that eBay enjoys for its services, numerous trademark registrations, and the absence of any material use of any highly similar mark by others, among other factors, the EBAY Marks are famous within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

DISTINCTIVENESS OF THE TERM "BAY"

12. The dominant component of the famous EBAY Marks is the term BAY, which is arbitrary and highly distinctive of the goods and services covered by eBay's registrations and in connection with which it uses the EBAY Marks.

13. Following on the fame and success of eBay, a number of entities have attempted to adopt names and marks that combine the generic or descriptive term for what the particular service or website offers or provides with the distinctive BAY suffix of the EBAY Marks, to

create a “generic/descriptive term plus BAY” mark. Examples of such marks, the use of which eBay has successfully stopped, include: REALBAY (online real estate listing, marketplace and auction website), ALTERNABAY (site offering goods related to alternative lifestyles), AUTOBAY (site advertising automobiles for sale), BOATBAY (site offering a “nautical search portal”), BRICKBAY (site offering Lego® bricks), CARBAY (site advertising automobiles for sale), EGGBAY (site offering items for egg farmers), COINBAY.BIZ (site offering auctions of collectible coins), EMERGENCYBAY (site offering emergency rescue goods), EVENTS BAY (online events guide), JEWELRYBAY (site offering diamonds and fine jewelry), MILITARYBAY (site offering military goods), NAZIBAY (site offering Nazi memorabilia), NIXBAY (an online auction and classified website that charged “nix” or nothing to list items), SELLINGBAY (site listing auctions, classifieds, and want ads), and XBAY (site offering sexually-oriented material), among others.

14. The United States Patent and Trademark Office (“PTO”) has recognized that the dominant component of the EBAY Marks is the term BAY, refusing third-party registrations on the ground that the use of BAY combined with a generic or descriptive term is likely to cause confusion with the EBAY Marks.

15. For example, the PTO refused registration of Application Serial No. 78/516,920 for the mark FLEABAY for “flea markets” because “applicant’s mark, when used on or in connection with the identified goods or services, so resembles the marks in U.S. Registration Nos. 2218732, 2420512, 2218732, 2514362, 2555505 and 2913227 (all owned by [eBay]) as to be likely to cause confusion, to cause mistake, or to deceive.”

16. Similarly, the PTO refused registration of Application Serial No. 78/552,094 for the mark BAY BAZAAR for “[b]usiness management assistance and particularly carrying out tasks necessary for the smooth conduct of sales by auction” because of a “likelihood of confusion with the marks in U.S. Registration Nos. 2555505, 2218732, 2410023 and 2420512,” all of which similarly are owned by eBay.

17. The PTO has also recognized the distinctiveness of the BAY component in refusing registration of the following marks in light of the EBAY Marks: BAYRU & Design (Serial No. 85/075,519), BAYRU (Serial No. 85/086,853), IBAY (Serial No. 76/195,016) and TBAY AUCTION (Serial No. 78/059,732). Likewise, the Ninth Circuit in *Perfumebay.com Inc. v. eBay Inc.*, 506 F.3d 1165 (9th Cir. 2007), recognized the distinctiveness of the BAY component of the EBAY Marks, held that the term “BAY” is the dominant aspect of the EBAY Marks, and found that use of the mark PERFUMEBAY in connection with an online marketplace specializing in perfume would dilute the EBAY Marks. The Court noted that use of the mark PERFUMEBAY may cause consumers to “no longer associate the usage of the “Bay” suffix with eBay’s unique services, specifically the sale of products on an internet-based marketplace. The uniqueness of eBay’s mark is diluted in direct proportion to the extent consumers, particularly internet users, disassociate the eBay mark with eBay’s services.” *Perfumebay.com*, 506 F.3d at 1181.

18. If others could freely use “generic/descriptive term plus BAY” marks to offer or advertise their goods or services, the term BAY could become generic for “marketplace” or “location providing items for sale” or “location where goods and services are offered online,”

diluting the distinctiveness of the famous EBAY Marks to the point that they cease to function as unique and distinctive identifiers of eBay's goods or services, to eBay's severe detriment.

APPLICANT AND ITS PENDING APPLICATION

19. Applicant seeks to register the word mark CONSULTANTS BAY in connection with “[o]nline professional networking services” in International Class 35. This application was published in the Official Gazette of the PTO on January 5, 2016.

20. On information and belief, the Applicant is using the CONSULTANTS BAY mark for the purposes of connecting buyers and sellers of consulting services through an online platform. (See Exhibit C, containing website printouts of Applicant's website www.consultantsbay.com).

21. The CONSULTANTS BAY mark is highly similar to the EBAY Marks and follows the same pattern as the many “descriptive/generic term plus BAY” marks that surfaced following the success of eBay. Specifically, CONSULTANTS is descriptive in that it describes a feature of Applicant's goods and services (*i.e.*, the consumers of its online networking services), while the term BAY is arbitrary as applied to these services. By combining the descriptive term CONSULTANTS with the dominant, arbitrary, and distinctive term BAY, Applicant has created a “descriptive term plus BAY” mark that emulates and calls to mind EBAY.

22. In addition, the goods and services identified in the Application for CONSULTANTS BAY overlap with eBay's goods and services. Specifically, eBay offers and provides online advertising, listing, marketing, auction, trading, and marketplace services for a large variety of goods and services, including but not limited to consulting services. Applicant's

claimed online networking services for consultants are therefore subsumed within and are highly related to eBay's goods and services, and are marketed in the same manner, to the same customers and through the same channels of trade.

23. Upon information and belief, Applicant selected the CONSULTANTS BAY mark with knowledge of and intent to cause confusion with, and/or create a purposeful association with, the EBAY Marks.

24. eBay is not affiliated or connected with Applicant or its goods and services, nor has eBay endorsed or sponsored Applicant or its goods and services.

25. There is no issue as to priority of use. eBay began using its EBAY mark, and enjoys priority as a result of the filing dates of its trademark registrations, well prior to the May 5, 2015 filing date of the application for the CONSULTANTS BAY mark, and upon information and belief, well prior to any use by Applicant of the CONSULTANTS BAY mark.

COUNT I
Likelihood of Confusion
15 U.S.C. § 1052(d)

26. eBay realleges and incorporates by reference the preceding allegations of this Notice of Opposition.

27. Registration of the CONSULTANTS BAY mark will injure eBay by causing the public to be confused or to believe, erroneously, that the goods and services provided by Applicant are endorsed or sponsored by eBay. eBay has no control over the nature and quality of the goods and services offered by Applicant under the confusingly similar CONSULTANTS BAY mark, and eBay's reputation and goodwill will be damaged and the value of the EBAY Marks jeopardized, all to eBay's detriment.

28. Since well prior to the filing date of the Application, Applicant's first use of the CONSULTANTS BAY mark, or any priority date upon which Applicant may rely, eBay has used one or more of the EBAY Marks.

29. Registration of the mark herein opposed will damage eBay because the CONSULTANTS BAY mark is likely, when used on or in connection with the goods and services described in the Application, to cause confusion, or to cause mistake or to deceive. Thus the CONSULTANTS BAY mark is unregistrable under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), and should be refused registration.

COUNT II
Likelihood of Dilution
15 U.S.C. § 1125(c)

30. eBay realleges and incorporates by reference the preceding allegations of this Notice of Opposition.

31. EBAY is a fanciful mark and is thus highly distinctive of eBay's goods and services.

32. eBay has used the EBAY Marks since at least September 1995 for online trading services and associated goods and services, and has expanded use of the EBAY Marks to many other goods and services. eBay has used and continues to use the EBAY Marks throughout the United States and many countries around the world.

33. eBay has advertised and promoted the EBAY Marks through extensive internet, radio, television, and print advertising and promotion. eBay and the EBAY Marks have enjoyed extensive media attention. As a result of the considerable publicity afforded the EBAY Marks,

and the large base of loyal customers that eBay enjoys for its goods and services, the EBAY Marks have an extremely high degree of consumer recognition.

34. Apart from unauthorized infringing uses of such marks, which eBay actively and diligently polices through its enforcement program, there is no material use of any highly similar mark by others.

35. Accordingly, when the public encounters the term EBAY, it immediately associates the term with eBay.

36. The EBAY Marks are therefore famous and well known under 15 U.S.C. § 1125(c), and the EBAY Marks were famous and well known well prior to the filing date of the Application, Applicant's first use of the CONSULTANTS BAY mark, or any priority date upon which Applicant could rely.

37. The CONSULTANTS BAY mark incorporates the distinctive and dominant part of the EBAY Marks, the "BAY" suffix, and its use is likely to cause dilution of the famous EBAY Marks. If Applicant and others are permitted to register marks similar to the EBAY Marks, the proliferation of such marks will blur and weaken the connection in consumers' minds between the EBAY Marks and eBay's goods and services.

38. Thus, registration of the mark herein opposed is likely to dilute the distinctive quality of eBay's famous EBAY Marks. The CONSULTANTS BAY mark is therefore unregistrable under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), and should be refused registration.

WHEREFORE, eBay believes that it will be damaged by registration of the mark shown in the Application and requests that Application Serial No. 86/620,368 be rejected, that no

registration be issued in connection with the Application and that this Opposition be sustained in favor of eBay.

The filing fee in the amount of \$300 is being transmitted electronically with this submission. Any deficiency in the fee should be charged to Deposit Account No. 08-2623.

Dated this 4th day of May, 2016.

Respectfully submitted,

/s/ Hope Hamilton

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docket@hollandhart.com

**Attorneys for Opposer
eBay, Inc.**

CERTIFICATE OF SERVICE

I certify that on May 4, 2016, I served a true and complete copy of the above NOTICE OF OPPOSITION to the following by:

- Overnight mail, postage prepaid
- Hand Delivery
- Fax
- Email

Mr. Ahmed Nabil Hegazy
Discovery Gardens 411
59 Building Street Number 5
Dubai, United Arab Emirates 4354

Mr. Ahmed Nabil Hegazy
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Egypt

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Richard Appert
TMdomesticrep@legalzoom.com

/Barbara A. Adams/
Barbara A. Adams

Exhibit A



Trademarks > Trademark Electronic Search System (TESS)

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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 035. US 100 101 102. G & S: on-line trading services in which seller posts items to be auctioned and bidding is done electronically, and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith. FIRST USE: 19950904. FIRST USE IN COMMERCE: 19950904
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75391661
Filing Date	November 17, 1997
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 27, 1998
Registration Number	2218732
Registration Date	January 19, 1999
Owner	(REGISTRANT) eBay Inc. CORPORATION CALIFORNIA 2005 Hamilton Avenue, Suite 350 San Jose CALIFORNIA 95125 (LAST LISTED OWNER) EBAY INC. CORPORATION DELAWARE 2145 HAMILTON AVENUE SAN JOSE CALIFORNIA 95125
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Ester Martin Maillaro
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080902.

Renewal 1ST RENEWAL 20080902
Live/Dead Indicator LIVE

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Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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EBAY

Word Mark	EBAY
Goods and Services	IC 028. US 022 023 038 050. G & S: Christmas tree ornaments and soft sculpture toys. FIRST USE: 19981215. FIRST USE IN COMMERCE: 19981215
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75621219
Filing Date	January 13, 1999
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 25, 2000
Registration Number	2367932
Registration Date	July 18, 2000
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100703.
Renewal	1ST RENEWAL 20100703
Live/Dead Indicator	LIVE

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[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 014. US 002 027 028 050. G & S: clocks and watches. FIRST USE: 19980513. FIRST USE IN COMMERCE: 19980513
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75981055
Filing Date	January 13, 1999
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	November 23, 1999
Registration Number	2501043
Registration Date	October 23, 2001
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20111215.
Renewal	1ST RENEWAL 20111215
Live/Dead Indicator	LIVE

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Typed Drawing

Word Mark EBAY
Goods and Services IC 025. US 022 039. G & S: Clothing, namely, t-shirts, caps and sweatshirts. FIRST USE: 19980513. FIRST USE IN COMMERCE: 19981200
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75981021
Filing Date January 20, 1999
Current Basis 1A
Original Filing Basis 1B
Published for Opposition April 11, 2000
Registration Number 2518652
Registration Date December 11, 2001
Owner (REGISTRANT) eBay Inc. CORPORATION CALIFORNIA 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record Ester Martin Maillaro
Prior Registrations 2218732
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20111214.
Renewal 1ST RENEWAL 20111214
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Trademarks > Trademark Electronic Search System (TESS)

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EBAY

Word Mark	EBAY
Goods and Services	IC 020. US 002 013 022 025 032 050. G & S: plastic key chain tags and plastic novelty license plate frames. FIRST USE: 20000700. FIRST USE IN COMMERCE: 20000700
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76267752
Filing Date	June 6, 2001
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 2, 2001
Registration Number	2522630
Registration Date	December 25, 2001
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20111216.
Renewal	1ST RENEWAL 20111216
Live/Dead	LIVE

Indicator

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[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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EBAY

Word Mark	EBAY
Goods and Services	IC 018. US 001 002 003 022 041. G & S: [duffel bags,] tote bags, backpacks [and briefcases]. FIRST USE: 19990400. FIRST USE IN COMMERCE: 19990400
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76271424
Filing Date	June 12, 2001
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 19, 2002
Registration Number	2578260
Registration Date	June 11, 2002
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120614.
Renewal	1ST RENEWAL 20120614
Live/Dead Indicator	LIVE

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[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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

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Record 1 out of 1

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EBAY

Word Mark	EBAY
Goods and Services	IC 038. US 100 101 104. G & S: Telecommunications services, namely, the electronic transmission of data and information; paging services. FIRST USE: 19990515. FIRST USE IN COMMERCE: 19990515
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76022871
Filing Date	April 10, 2000
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	December 5, 2000
Registration Number	2592515
Registration Date	July 9, 2002
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2125 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120706.
Renewal	1ST RENEWAL 20120706

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[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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

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Record 1 out of 1

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EBAY

Word Mark	EBAY
Goods and Services	IC 021. US 002 013 023 029 030 033 040 050. G & S: mugs, tumblers, and water bottles sold empty; containers for food or beverages, namely, lunch containers made of vinyl or nylon. FIRST USE: 19990400. FIRST USE IN COMMERCE: 19990400
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76271411
Filing Date	June 12, 2001
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 14, 2002
Registration Number	2604374
Registration Date	August 6, 2002
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120806.
Renewal	1ST RENEWAL 20120806

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Indicator

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[TESS HOME](#)

[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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

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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 025. US 022 039. G & S: Clothing, namely, jackets. FIRST USE: 20001128. FIRST USE IN COMMERCE: 20001128
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75625390
Filing Date	January 20, 1999
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 11, 2000
Registration Number	2666767
Registration Date	December 24, 2002
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121116.
Renewal	1ST RENEWAL 20121116
Live/Dead Indicator	LIVE

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TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer e-commerce software to allow users to perform electronic business transactions conducted in the form of an auction via a global computer network and computer database software featuring information in the field of hobbies, collectibles and a wide variety of products. FIRST USE: 20010301. FIRST USE IN COMMERCE: 20010301
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75620479
Filing Date	January 13, 1999
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	January 9, 2001
Registration Number	2700675
Registration Date	March 25, 2003
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130312.
Renewal	1ST RENEWAL 20130312
Live/Dead Indicator	LIVE

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[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: PUBLICATIONS, NAMELY, A SERIES OF NONFICTION BOOKS, CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS, FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, MEMO PADS, [PAPER POSTCARDS, BUMPER STICKERS, CALENDARS, DECORATIVE STICKERS AND DECALS]. FIRST USE: 19991100. FIRST USE IN COMMERCE: 19991100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75983141
Filing Date	January 13, 1999
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 15, 2000
Registration Number	2700836
Registration Date	March 25, 2003
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130312.
Renewal 1ST RENEWAL 20130312
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[| HOME](#) [| SITE INDEX](#) [| SEARCH](#) [| eBUSINESS](#) [| HELP](#) [| PRIVACY POLICY](#)



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Record 1 out of 1

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EBAY

Word Mark	EBAY
Goods and Services	IC 038. US 100 101 104. G & S: Providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of items via a global computer network. FIRST USE: 19960500. FIRST USE IN COMMERCE: 19960500
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76975318
Filing Date	April 10, 2000
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	May 15, 2001
Registration Number	2744717
Registration Date	July 29, 2003
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732;2367895;2367932
Type of Mark	SERVICE MARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130621.
Renewal 1ST RENEWAL 20130621
Live/Dead Indicator LIVE

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



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Typed Drawing

Word Mark	EBAY
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: PUBLICATIONS, namely, A SERIES OF NONFICTION BOOKS CONCERNING HOBBIES, COLLECTIBLES, AUCTIONS, AND A WIDE VARIETY OF PRODUCTS RELATING TO ANTIQUES, ART, LITERATURE, CULTURE, TECHNOLOGY, TRAVEL, SPORTS, ENTERTAINMENT, HOME FURNISHINGS, GARDEN ITEMS, MUSICAL INSTRUMENTS, MOTOR VEHICLES, TOYS AND GAMES, FASHION, JEWELRY, ELECTRONICS, PHOTOGRAPHY, HOLIDAY RELATED ITEMS, FILM AND VIDEO; PAPER AND STATIONERY ITEMS, NAMELY, [GREETING CARDS,] MEMORANDUM BOARDS, MEMO PADS, PAPER [POSTCARDS], STATIONERY, PENS, [BUMPER STICKERS,] CALENDARS AND DECORATIVE STICKERS [AND DECALS]. FIRST USE: 20021210. FIRST USE IN COMMERCE: 20021210
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75620500
Filing Date	January 13, 1999
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	August 15, 2000
Registration Number	2810863
Registration Date	February 3, 2004
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732
Type of Mark	TRADEMARK
Register	PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140612.
Renewal 1ST RENEWAL 20140612
Live/Dead Indicator LIVE

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



Trademarks > Trademark Electronic Search System (TESS)

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Word Mark EBAY

Goods and Services IC 041. US 100 101 107. G & S: Providing sweepstakes, games of chance and contests via the internet. FIRST USE: 19990100. FIRST USE IN COMMERCE: 19990100

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78384624

Filing Date March 15, 2004

Current Basis 1A

Original Filing Basis 1A

Published for Opposition September 28, 2004

Registration Number **2913401**

Registration Date December 21, 2004

Owner (REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125

Attorney of Record Ester Martin Maillaro

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20141212.

Renewal 1ST RENEWAL 20141212

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TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Record 1 out of 1

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EBAY

Word Mark	EBAY
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services, namely, providing a radio program in the fields of hobbies, collectibles, trading and auctions. FIRST USE: 20030626. FIRST USE IN COMMERCE: 20030626
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76022893
Filing Date	April 10, 2000
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 24, 2001
Registration Number	2926481
Registration Date	February 15, 2005
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Prior Registrations	2218732;2367895;2367932
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20141218.

Renewal
Live/Dead
Indicator

1ST RENEWAL 20141218
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[TESS HOME](#)

[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

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Word Mark EBAY

Goods and Services IC 035. US 100 101 102. G & S: Online trading services, namely, operating online marketplaces for sellers and buyers of goods and services; online trading services in which sellers post products or services to be offered for sale, and purchasing or bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network; providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; providing a searchable online advertising guide featuring the goods and services of online vendors; providing a searchable online evaluation database for buyers and sellers; advertising and advertisement services; business services in the nature of intellectual property claims management, namely, processing and administration of claims of intellectual property owners against third party sellers; identification verification services, namely, confirming authenticity of environmentally friendly products, producers and sellers for the purposes of helping consumers make informed purchasing decisions. FIRST USE: 20121010. FIRST USE IN COMMERCE: 20121010

IC 036. US 100 101 102. G & S: Real estate listing services; classified real estate listings of apartment rentals, housing rentals and vacation rentals; providing purchase protection services in the field of online trading of goods and services by others via a global computer network; charitable fundraising services. FIRST USE: 20121010. FIRST USE IN COMMERCE: 20121010

IC 038. US 100 101 104. G & S: Telecommunications services, namely, the electronic transmission of data and information; electronic messaging; providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of goods and services via a global computer network. FIRST USE: 20121010. FIRST USE IN COMMERCE: 20121010

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85727676
Filing Date September 12, 2012
Current Basis 1A
Original Filing Basis 1B
Published for Opposition March 12, 2013
Registration Number 4408423
Registration Date September 24, 2013
Owner (REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record Ester Martin Maillaro
Prior Registrations 2218732;2410023;2744717;AND OTHERS
Description of Mark The color(s) red, blue, yellow and green is/are claimed as a feature of the mark. The mark consists of the letters "ebay" all in lower case, each in the color red, blue, yellow and green respectively.
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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

Exhibit B



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TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Record 1 out of 1

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



Word Mark
Goods and Services

EBAY

IC 009. US 021 023 026 036 038. G & S: Mouse pads; computer e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; computer database software featuring information in the field of hobbies, collectibles and a wide variety of products; computer software and software development tools for use in developing further software and software applications in the field of e-commerce

IC 014. US 002 027 028 050. G & S: Clocks; watches; jewellery

IC 016. US 002 005 022 023 029 037 038 050. G & S: Publications, namely, a series of nonfiction books concerning hobbies, collectibles, auctions, online marketplaces, and a wide variety of products relating to antiques, art, literature, culture, technology, travel, sports, entertainment, home furnishings, garden items, musical instruments, motor vehicles, toys and games, fashion, jewelry, electronics, photography, holiday related items, film and video; paper and stationery items, namely, greeting cards, memo boards, memo pads, paper postcards, stationery, pens and pencils; bumper stickers, calendars, decorative stickers and decals; playing cards; lunch bags

IC 018. US 001 002 003 022 041. G & S: Duffel bags, tote bags, backpacks and briefcases

IC 020. US 002 013 022 025 032 050. G & S: Plastic key chain tags

IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs; tumblers; water bottles sold empty; lunch boxes; personal dispensers for candy for domestic use

IC 025. US 022 039. G & S: Clothing, namely, t-shirts, sweatshirts, caps, jackets, and visors

IC 028. US 022 023 038 050. G & S: Christmas tree ornaments; soft sculpture toys; plush toys; toy

miniature cars; bean bag toys; toy candy dispensers

IC 030. US 046. G & S: Candy

IC 041. US 100 101 107. G & S: Providing sweepstakes, games of chance and contests via the internet; entertainment services, namely, providing an ongoing radio program in the fields of hobbies, collectibles, trading, buying, selling, and online auctions and marketplaces; educational services, namely, conducting classes in the field of information security and providing corporate education courses in the field of information security; educational services, namely, providing courses, classes and seminars in the fields of buying and selling via online marketplaces, as well as establishing and operating online marketplace businesses

IC 042. US 100 101. G & S: Design and development of computer software, software applications, and application programming interfaces; providing temporary use of on-line, non-downloadable computer software and software development tools for use in developing further software and software applications in the field of e-commerce; providing temporary use of online, non-downloadable e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; maintenance and updating of computer software for others; providing a website that gives users the ability to create customized web pages featuring user-defined information in the field of intellectual property rights and intellectual property enforcement policies, in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace

IC 045. US 100 101. G & S: Online social networking services; providing information regarding intellectual property owners and their enforcement policies, all in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85727672

Filing Date September 12, 2012

Current Basis 1B

Original Filing Basis 1B

Published for Opposition March 12, 2013

Owner (APPLICANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125

Attorney of Record Ester Martin Maillaro

Prior Registrations 2367932;2518652;2700836;AND OTHERS

Description of Mark The color(s) color red, blue, yellow and green is/are claimed as a feature of the mark. The mark consists of the letters "ebay" all in lower case, each in the color red, blue, yellow and green respectively.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Record 1 out of 1

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

WHEN IT'S ON YOUR MIND, IT'S ON EBAY

Word Mark WHEN IT'S ON YOUR MIND, IT'S ON EBAY
Goods and Services IC 035. US 100 101 102. G & S: On-line trading services, namely, operating on-line marketplaces for sellers of goods and/or services; online trading services in which seller posts products to be offered for sale and bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; advertising and advertisement services; classified advertising services; on-line advertising on computer communications networks.
 FIRST USE: 20110914. FIRST USE IN COMMERCE: 20110914

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85376647
Filing Date July 20, 2011
Current Basis 1A
Original Filing Basis 1B
Published for Opposition December 13, 2011
Registration Number 4105599
Registration Date February 28, 2012
Owner (REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose

CALIFORNIA 95125

Attorney of Record

Ester Martin Maillaro

Prior Registrations

2218732;2420512;3299409;AND OTHERS

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

[TESS HOME](#)

[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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



Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue May 3 03:21:40 EDT 2016

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Record 1 out of 1

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



Word Mark	EBAY CLASSIFIEDS GROUP
Goods and Services	IC 035. US 100 101 102. G & S: On line advertising on computer communication networks; classified advertising services. FIRST USE: 20121110. FIRST USE IN COMMERCE: 20121110
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.15.01 - Polygons as carriers or as single or multiple line borders
Serial Number	85778230
Filing Date	November 13, 2012
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 5, 2013
Registration Number	4338835
Registration Date	May 21, 2013
Owner	(REGISTRANT) eBay Inc. CORPORATION DELAWARE 2145 Hamilton Avenue San Jose CALIFORNIA 95125
Attorney of Record	Ester Martin Maillaro
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CLASSIFIEDS GROUP" APART FROM THE MARK AS SHOWN
Description of	The color(s) red, blue, yellow, green, white and gray is/are claimed as a feature of the mark. The

Mark mark consists of the stylized color mark "EBAY" comprised of a red "E", a blue "B", a yellow "A", and a green "Y", and the words "CLASSIFIEDS GROUP" appearing in gray and partially surrounded by a gray border. All of the foregoing appears on a white background.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

[TESS HOME](#)

[NEW USER](#)

[STRUCTURED](#)

[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

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

Exhibit C

Welcome to Consultants Bay

Online Professional Social Network

Consultants Bay for Professionals

- Promote Yourself
- Connect with Consultants,Employers
- Find & Apply for Job
- Manage Your Schedule Meeting, interviews, Events
- Find Companies, Analyze Markets

Consultants Bay for Business

- Promote Your Business
- Recruit Consultants
- Post Jobs
- Manage Your Schedule Meeting, interviews, Events
- Find Competitors, Markets Analytics

Register

Login

User name

Password

Remeber me

Sign In

Forgot password?

About Consultants Bay

Consultants Bay is an Online Professional Social Network, Consultants Bay founded and owned by Ahmed, Hegazy. The website was officially launched on April 2, 2015.

For more information [Contact us](#)

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For any inquiries, Suggestions, Complaints, Feedbacks

For further inquiries you can also contact us at info@consultantsbay.com

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Mobile :

Email :

Inquiry type :

Description :

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