

ESTTA Tracking number: **ESTTA752612**

Filing date: **06/15/2016**

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

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Monster Energy Company
Granted to Date of previous extension	06/15/2016
Address	1 Monster Way Corona, CA 92879 UNITED STATES

Attorney information	Diane M. Reed, Jonathan Menkes KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN ST., 14TH FLOOR IRVINE, CA 92614 UNITED STATES efiling@knobbe.com, francie.leonguerrero@knobbe.com, doreen.buluran@knobbe.com Phone:949-760-0404
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**Applicant Information**

Application No	86641393	Publication date	02/16/2016
Opposition Filing Date	06/15/2016	Opposition Period Ends	06/15/2016
Applicant	NBA Properties, Inc. Olympic Tower - 645 Fifth Avenue New York, NY 10022 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Entertainment and educational services in the nature of ongoing television and radio programs in the field of basketball and rendering live basketball games and basketball exhibitions; the production and distribution of radio and television shows featuring basketball games, basketball events and programs in the field of basketball; conducting and arranging basketball clinics and camps, coaches clinics and camps, dance team clinics and camps and basketball games; entertainment services in the nature of personal appearances by a costumed mascot or dance team at basketball games and exhibitions, clinics, camps, promotions, and other basketball-related events, special events and parties; fan club services; entertainment services, namely, providing a website featuring multimedia material in the nature of television highlights, interactive television highlights, video recordings, video stream recordings, interactive video highlight selections, radio programs, radio highlights, and audio recordings in the field of basketball; providing news and information in the nature of statistics and trivia in the field of basketball; on-line non-downloadable games, namely, computer games, video games, interactive video games, action skill games, arcade games, adults' and children's party games, board games, puzzles, and trivia games; electronic publishing services, namely, publication of magazines, guides, newsletters, coloring books, and game schedules of others on-line through the Internet, all in the field of basketball;</p>
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providing an online computerdatabase in the field of basketball

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
Other	common law rights as asserted in the Notice of Opposition

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4721432	Application Date	03/12/2014
Registration Date	04/14/2015	Foreign Priority Date	NONE
Word Mark	M		
Design Mark			
Description of Mark	The mark consists of the letter "M" in the form of a claw.		
Goods/Services	Class 035. First use: First Use: 2003/01/04 First Use In Commerce: 2003/01/04 Promoting goods and services in the sports, motorsports, electronic sports, and music industries through the distribution of printed, audio and visual promotional materials; promoting sports and music events and competitions for others		

U.S. Registration No.	4051650	Application Date	07/28/2010
Registration Date	11/08/2011	Foreign Priority Date	NONE
Word Mark	M		

Design Mark	
Description of Mark	The mark consists of a stylized letter M in the form of a claw.
Goods/Services	Class 025. First use: First Use: 2002/05/24 First Use In Commerce: 2002/06/30 Clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts,jackets, pants, bandanas, sweat bands and gloves; headgear, namely hats and beanies

U.S. Registration No.	3908601	Application Date	04/02/2009
Registration Date	01/18/2011	Foreign Priority Date	NONE

Word Mark	M MONSTER ENERGY
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Design Mark	
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Description of Mark	The mark consists of a stylized letter "M" and stylized words "MONSTER ENERGY".
Goods/Services	Class 025. First use: First Use: 2002/05/24 First Use In Commerce: 2002/06/30 Clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas, sweat bands and gloves; headgear, namely, hats and beanies

U.S. Registration No.	3914828	Application Date	04/02/2009
Registration Date	02/01/2011	Foreign Priority Date	NONE

Word Mark	M MONSTER ENERGY
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Description of Mark	The mark consists of a stylized letter "M" and the stylized words "MONSTER ENERGY".
Goods/Services	Class 009. First use: First Use: 2006/01/00 First Use In Commerce: 2006/01/00 Sports helmets

U.S. Registration No.	4011301	Application Date	07/27/2010
Registration Date	08/16/2011	Foreign Priority Date	NONE

Word Mark	M
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Design Mark	
Description of Mark	The mark consists of a stylized letter "M" in the form of a claw.
Goods/Services	Class 009. First use: First Use: 2002/05/24 First Use In Commerce: 2002/06/30 sports helmets; video recordings featuring sports, extreme sports, and motor sports

U.S. Registration No.	3908600	Application Date	04/02/2009
Registration Date	01/18/2011	Foreign Priority Date	NONE

Word Mark	M MONSTER ENERGY
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Design Mark	
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Description of Mark	The mark consists of a stylized letter "M" and stylized words "MONSTER ENERGY".
Goods/Services	Class 016. First use: First Use: 2004/01/00 First Use In Commerce: 2004/01/00 Stickers; sticker kits comprising stickers and decals; decals

U.S. Registration No.	3923683	Application Date	04/02/2009
Registration Date	02/22/2011	Foreign Priority Date	NONE

Word Mark	M MONSTER ENERGY
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Description of Mark	The mark consists of a stylized letter "M" and the stylized words "MONSTER ENERGY".
Goods/Services	Class 018. First use: First Use: 2004/05/00 First Use In Commerce: 2004/05/00 All purpose sport bags; All-purpose carrying bags; Backpacks; Duffle bags

U.S. Registration No.	3963669	Application Date	07/28/2010
Registration Date	05/17/2011	Foreign Priority Date	NONE

Word Mark	M
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Design Mark	
Description of Mark	The mark consists of a stylized letter "M" in the form of a claw.
Goods/Services	Class 018. First use: First Use: 2002/05/24 First Use In Commerce: 2002/06/30 All purpose sport bags; all-purpose carrying bags; backpacks; duffel bags

U.S. Registration No.	3963668	Application Date	07/28/2010
Registration Date	05/17/2011	Foreign Priority Date	NONE
Word Mark	M		
Design Mark			
Description of	The mark consists of a stylized letter "M" in the form of a claw.		

Mark	
Goods/Services	Class 016. First use: First Use: 2004/01/00 First Use In Commerce: 2004/01/00 Stickers; sticker kits comprising stickers and decals; decals; posters

U.S. Registration No.	4332062	Application Date	10/05/2012
Registration Date	05/07/2013	Foreign Priority Date	NONE

Word Mark	M MONSTER ENERGY
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Design Mark	
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Description of Mark	The mark consists of a stylized letter "M" to the left of the stylized words "MONSTER ENERGY".
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Goods/Services	Class 014. First use: First Use: 2006/12/00 First Use In Commerce: 2006/12/00 Silicone wrist bands; Silicone bracelets; Jewelry, namely, bracelets and wristbands
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U.S. Registration No.	2903214	Application Date	05/07/2003
Registration Date	11/16/2004	Foreign Priority Date	NONE

Word Mark	M
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Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18 Drinks, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated and non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and water; ]*but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not.*		
U.S. Registration No.	3434821	Application Date	09/07/2007
Registration Date	05/27/2008	Foreign Priority Date	NONE
Word Mark	M		

Design Mark	
Description of Mark	The mark consists of the letter "m" in the form of a claw.
Goods/Services	Class 005. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18 Nutritional supplements

U.S. Registration No.	3434822	Application Date	09/07/2007
Registration Date	05/27/2008	Foreign Priority Date	NONE
Word Mark	M		
Design Mark			
Description of Mark	The mark consists of the letter "m" in the form of a claw.		
Goods/Services	Class 032. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18		

	Non-alcoholic beverages, namely, energydrinks, excluding perishable beverage products that contain fruit juice or soy
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U.S. Registration No.	3134841	Application Date	05/07/2003
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Registration Date	08/29/2006	Foreign Priority Date	NONE
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Word Mark	M MONSTER ENERGY
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 032. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18 Beverages, namely, carbonated soft drinks, carbonated soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [ and non-carbonated ] energy and sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and aerated water, soda water and seltzer water, ] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not
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U.S. Registration No.	4822675	Application Date	08/26/2013
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Registration Date	09/29/2015	Foreign Priority Date	NONE
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Word Mark	M
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Design Mark	
Description of Mark	The mark consists of a stylized letter "M" in the form of a claw.
Goods/Services	Class 022. First use: First Use: 2006/12/20 First Use In Commerce: 2006/12/20 Lanyards; Lanyards for holding whistles, keys, eyeglasses, sunglasses, mobile telephones, badges, identification cards, event passes, media passes, photographs, recording equipment, or similar conveniences

U.S. Registration No.	3134842	Application Date	05/07/2003
Registration Date	08/29/2006	Foreign Priority Date	NONE
Word Mark	M MONSTER ENERGY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18 Beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [ and non-carbonated ] energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and water, ] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		

U.S. Registration No.	3044314	Application Date	05/23/2003
Registration Date	01/17/2006	Foreign Priority Date	NONE
Word Mark	M MONSTER ENERGY		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 005. First use: First Use: 2002/03/27 First Use In Commerce: 2002/04/18 nutritional supplements in liquid [and non-liquid ] form, but excluding perishable beverage products that contain fruitjuice or soy, whether such products are pasteurized or not
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Related Proceedings	Opposition Nos. 91222422 (Parent) and 91222445 - Monster Energy Company v. Maple Leaf Sports & Entertainment Ltd. and NBA Properties, Inc.; and Opposition No. 91226092 - Monster Energy Company v. NBA Properties, Inc.
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Attachments	86219319#TMSN.png( bytes ) 85094362#TMSN.png( bytes ) 77705822#TMSN.png( bytes ) 77705362#TMSN.png( bytes ) 85094340#TMSN.png( bytes ) 77705747#TMSN.png( bytes ) 77705810#TMSN.png( bytes ) 85094364#TMSN.png( bytes ) 85094343#TMSN.png( bytes ) 85747244#TMSN.png( bytes ) 78246564#TMSN.png( bytes ) 77274643#TMSN.png( bytes ) 77274662#TMSN.png( bytes ) 78246567#TMSN.png( bytes ) 86048362#TMSN.png( bytes ) 2016-06-15 FINAL NOTICE OF OPPOSITION- 86641393-HANBEV.4359M.pdf(1524939 bytes ) Exhibit 01 Reg No. 4721432-HANBEV.4359M.pdf(1213129 bytes ) Exhibit 02 Reg No. 4051650-HANBEV.4359M.pdf(1155363 bytes ) Exhibit 03 Reg No. 3908601-HANBEV.4359M.pdf(1073836 bytes ) Exhibit 04 Reg No. 3914828-HANBEV.4359M.pdf(1029976 bytes ) Exhibit 05 Reg No. 4011301-HANBEV.4359M.pdf(1124227 bytes ) Exhibit 06 Reg No. 3908600-HANBEV.4359M.pdf(1045908 bytes ) Exhibit 07 Reg No. 3923683-HANBEV.4359M.pdf(1048217 bytes ) Exhibit 08 Reg No. 3963669-HANBEV.4359M.pdf(993825 bytes ) Exhibit 09 Reg No. 3963668-HANBEV.4359M.pdf(993503 bytes ) Exhibit 10 Reg No. 4332062-HANBEV.4359M.pdf(1138698 bytes ) Exhibit 11 Reg No. 2903214-HANBEV.4359M.pdf(584115 bytes ) Exhibit 12 Reg No. 3434821-HANBEV.4359M.pdf(591002 bytes ) Exhibit 13 Reg No. 3434822-HANBEV.4359M.pdf(1140261 bytes ) Exhibit 14 Reg No. 3134841-HANBEV.4359M.pdf(586784 bytes ) Exhibit 15 Reg No. 4822675-HANBEV.4359M.pdf(1209354 bytes ) Exhibit 16 Reg No. 3134842-HANBEV.4359M.pdf(588349 bytes ) Exhibit 17 Reg No. 3044314-HANBEV.4359M.pdf(584185 bytes )
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## Certificate of Service

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

Signature	/Jason A. Champion/
Name	Jason A. Champion
Date	06/15/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MONSTER ENERGY COMPANY,

Opposer,

v.

NBA PROPERTIES, INC.,

Applicant.

)  
) Opposition No.: \_\_\_\_\_  
)

)  
) Serial No.: 86/641393  
)

)  
) Mark:  
)



**NOTICE OF OPPOSITION**

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

Dear Sir:

Monster Energy Company, a Delaware corporation, located and doing business at 1 Monster Way, Corona, California 92879, (“Opposer”) believes that it will be damaged by registration of U.S. Trademark Application Serial No. 86/641393 (“Application”) for the mark



filed by NBA Properties, Inc., (“Applicant”) and therefore opposes the same.

As grounds for opposition, it is alleged:

1. By the Application filed on May 26, 2015 (“Applicant’s Application”), Applicant

seeks to obtain registration on the Principal Register of the trademark  for

“entertainment and educational services in the nature of ongoing television and radio programs

in the field of basketball and rendering live basketball games and basketball exhibitions; the production and distribution of radio and television shows featuring basketball games, basketball events and programs in the field of basketball; conducting and arranging basketball clinics and camps, coaches clinics and camps, dance team clinics and camps and basketball games; entertainment services in the nature of personal appearances by a costumed mascot or dance team at basketball games and exhibitions, clinics, camps, promotions, and other basketball-related events, special events and parties; fan club services; entertainment services, namely, providing a website featuring multimedia material in the nature of television highlights, interactive television highlights, video recordings, video stream recordings, interactive video highlight selections, radio programs, radio highlights, and audio recordings in the field of basketball; providing news and information in the nature of statistics and trivia in the field of basketball; on-line non-downloadable games, namely, computer games, video games, interactive video games, action skill games, arcade games, adults' and children's party games, board games, puzzles, and trivia games; electronic publishing services, namely, publication of magazines, guides, newsletters, coloring books, and game schedules of others on-line through the Internet, all in the field of basketball; providing an online computer database in the field of basketball” in International Class 41 based on Applicant’s intent to use the mark in commerce.

2. Since at least 2002, long before the filing date of the Application, Opposer has been, and still is, using the mark  in connection with the development, marketing, and sale of energy drinks and other products. Each can of Opposer’s energy drinks bears Opposer’s  mark.

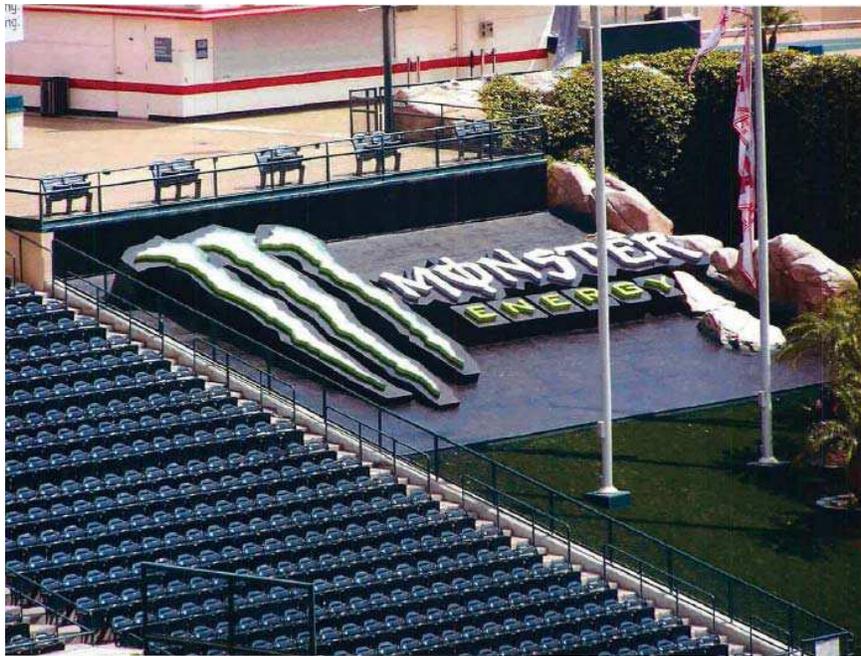
3. Opposer has also used and continues to use its famous  mark extensively in connection with entertainment services, audio and video recordings, clothing, clothing accessories, stickers and decals, bags, sporting equipment, headgear, helmets, jewelry, wristbands as well as many other goods and services, since well before the filing date of the Application. Examples of some of Opposer's products and services bearing Opposer's  mark are shown below:





4. Opposer relies on its extensive common law rights in its  mark throughout the United States. Opposer has sold billions of dollars worth of goods under Opposer's  mark. Opposer's promotional activities include, among other things, sponsorship of athletes, sports events, and music festivals that are televised nationwide and internationally and prominently feature Opposer's  mark. Examples of some of Opposer's promotional activities and events featuring Opposer's  mark are shown below:





5. Opposer's  mark is the subject of substantial and continuous marketing and promotion by Opposer in connection with its line of energy drinks, audio and video recordings, clothing, including t-shirts, hooded shirts, hooded sweatshirts, sweat shirts, jackets, pants, bandanas,

sweat bands, gloves, sporting equipment, headgear, helmets, stickers, decals, bags, sports gear, jewelry, wristbands, as well as many other goods and services.

6. Opposer has and continues to widely market and promote its  mark in the industry and to consumers by, for example, displaying the  mark extensively on apparel, audio and video recordings, accessories, stickers and decals, bags, sporting equipment, headgear, helmets, jewelry, wristbands, as well as on many other products; on billions of cans of beverages and nutritional supplements; at sporting events, trade shows, concert tours, and other live events; through sponsorship of athletes; on promotional and point of sale materials; in magazines and other industry publications; and on the monsterenergy.com and monsterarmy.com websites and other Internet websites.

7. By virtue of Opposer's continuous and substantial use, Opposer has developed strong common law rights and Opposer's  mark has become famous for Opposer's goods since well before the filing date of Applicant's Application. Opposer's famous  mark is a global brand that has appeared on billions of products and in extensive nationwide promotions. As a result, Opposer has built up, at great expense and effort, valuable goodwill in its  mark.

8. In addition to the protection afforded Opposer by its extensive common law rights, Opposer owns and relies on U.S. Trademark Registration 4,721,432 for the  mark for "promoting goods and services in the sports, motorsports, electronic sports, and music industries through the distribution of printed, audio and visual promotional materials; promoting sports and music events and competitions for others" in International Class 35 which registration issued April

14, 2015 and is based on an application filed in the United States Patent and Trademark Office (“PTO”) on March 12, 2014. The filing date of Opposer’s ’432 Registration is prior to the filing date of the Applicant’s Application. True and correct copies of the specifics of the ’432 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 1 and made of record.

9. Opposer owns and relies on U.S. Trademark Registration 4,051,650 for the mark



for “clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas, sweat bands and gloves; headgear, namely hats and beanies” in International Class 25, which registration issued November 8, 2011 and is based on an application filed in the PTO on July 28, 2010. The filing date of Opposer’s ’650 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’650 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 2 and made of record.

10. Opposer owns and relies on the U.S. Trademark Registration 3,908,601 for the



mark  for “clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas, sweat bands and gloves; headgear, namely, hats and beanies” in International Class 25, which registration issued January 18, 2011 and is based on an application filed in the PTO on April 2, 2009. The filing date of Opposer’s ’601 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’601 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 3 and made of record.

11. Opposer owns and relies on the U.S. Trademark Registration 3,914,828 for the



mark  for “sports helmets” in International Class 9, which registration issued February 1, 2011 is based on an application filed in the PTO on April 2, 2009. The filing date of Opposer’s ’828 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’828 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 4 and made of record.

12. Opposer owns and relies on U.S. Trademark Registration 4,011,301 for the mark



 for “sports helmets; video recordings featuring sports, extreme sports, and motor sports” in International Class 9, which registration issued August 16, 2011 and is based on an application filed in the PTO on July 27, 2010. The filing date of Opposer’s ’301 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’301 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 5 and made of record.

13. Opposer owns and relies on U.S. Trademark Registration 3,908,600 for the mark



 for “stickers; sticker kits comprising stickers and decals; decals” in International Class 16, which registration issued January 18, 2011 and is based on an application filed in the PTO on April 2, 2009. The filing date of Opposer’s ’600 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’600 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 6 and made of record.

14. Opposer owns and relies on U.S. Trademark Registration 3,923,683 for the mark



for “all purpose sport bags; All-purpose carrying bags; Backpacks; Duffle bags” in International Class 18, which registration issued February 22, 2011 and is based on an application filed in the PTO on April 2, 2009. The filing date of Opposer’s ’683 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’683 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 7 and made of record.

15. Opposer owns and relies on U.S. Trademark Registration 3,963,669 for the mark



for “all purpose sport bags; all-purpose carrying bags; backpacks; duffel bags” in International Class 18, which registration issued May 17, 2011 and is based on an application filed in the PTO on July 28, 2010. The filing date of Opposer’s ’669 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’669 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 8 and made of record.

16. Opposer owns and relies on U.S. Trademark Registration 3,963,668 for the mark



for “stickers; sticker kits comprising stickers and decals; decals; posters” in International Class 16, which registration issued May 17, 2011 and is based on an application filed in the PTO on July 28, 2010. The filing date of Opposer’s ’668 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’668 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 9 and made of record.

17. Opposer owns and relies on U.S. Trademark Registration 4,332,062 for the mark



for “silicone wrist bands; Silicone bracelets; Jewelry, namely, bracelets and wristbands” in International Class 14, which registration issued May 7, 2013 and is based on an application filed in the PTO on October 5, 2012. The filing date of Opposer’s ’062 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’062 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 10 and made of record.

18. Opposer owns and relies on incontestable U.S. Trademark Registration 2,903,214

for the mark  for “drinks, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated and non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not” in International Class 32, which registration issued November 16, 2004 and is based on an application filed in the PTO on May 7, 2003. The filing date of Opposer’s ’214 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’214 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 11 and made of record.

19. Opposer owns and relies on incontestable U.S. Trademark Registration 3,434,821

for the mark  for “nutritional supplements” in International Class 5, which registration issued May 27, 2008 and is based on an application filed in the PTO on September 7, 2007. The filing date of Opposer’s ’821 Registration is prior to the filing date of Applicant’s Application. True and

correct copies of the specifics of the '821 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 12 and made of record.

20. Opposer owns and relies on incontestable U.S. Trademark Registration 3,434,822

for the mark  for "non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy" in International Class 32, which registration issued May 27, 2008 and is based on an application filed in the PTO on September 7, 2007. The filing date of Opposer's '822 Registration is prior to the filing date of Applicant's Application. True and correct copies of the specifics of the '822 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 13 and made of record.

21. Opposer owns and relies on incontestable U.S. Trademark Registration 3,134,841

for the mark  for "beverages, namely, carbonated soft drinks, carbonated soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated energy and sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not" in International Class 32 which registration issued August 29, 2006 and is based on an application filed in the PTO on May 7, 2003. The filing date of Opposer's '841 Registration is prior to the filing date of Applicant's Application. True and correct copies of the specifics of the '841 Registration obtained from the PTO's TESS and Assignment databases are attached hereto as Exhibit 14 and made of record.

22. Opposer owns and relies on U.S. Trademark Registration 4,822,675 for the mark

 for "lanyards; lanyards for holding whistles, keys, eyeglasses, sunglasses, mobile telephones, badges, identification cards, event passes, media passes, photographs, recording

equipment, or similar conveniences” in International Class 22 which registration issued September 29, 2015 and is based on an application filed in the PTO on August 26, 2013. The filing date of Opposer’s ’675 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’675 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 15 and made of record.

23. Opposer owns and relies on incontestable U.S. Trademark Registration 3,134,842 for the mark M MONSTER ENERGY for “beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less or by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not” in International Class 32, which registration issued August 29, 2006 and is based on an application filed in the PTO on May 7, 2003. The filing date of Opposer’s ’842 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’842 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 16 and made of record.

24. Opposer owns and relies on incontestable U.S. Trademark Registration 3,044,314 for the mark M MONSTER ENERGY for “nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not” in International Class 5, which registration issued January 17, 2006 and is based on an application filed in the PTO on May 23, 2003. The filing date of Opposer’s ’314 Registration is prior to the filing date of Applicant’s Application. True and correct copies of the specifics of the ’314 Registration obtained from the PTO’s TESS and Assignment databases are attached hereto as Exhibit 17 and made of record.

25. Opposer's Registrations Nos. 4,051,650, 3,908,601, 4,721,432, 3,914,828, 4,011,301, 3,908,600, 2,903,214, 3,434,821, 3,434,822, 3,923,683, 3,963,669, 3,963,668, 4,332,062, 3,134,841, 4,822,675, 3,134,842, and 3,044,314 are valid, subsisting, unrevoked, and uncanceled; as such they constitute *prima facie* evidence of the validity of the registered marks and of the registrations thereof, and of Opposer's ownership of the marks shown therein. Opposer's registrations also constitute notice to Applicant of Opposer's claim of ownership of the marks shown therein as provided in Sections 7(b), 22, and 33(a) of the Trademark Act.

26. Opposer's Registrations Nos. 2,903,214, 3,434,821, 3,434,822, 3,134,841, 3,134,842, and 3,044,314 are incontestable. As such, they constitute conclusive evidence of the validity of the registered marks and of the registration of the marks, of Opposer's ownership of its marks, and of Opposer's exclusive right to use the registered marks in commerce as provided in Section 33 of the Lanham Act, 15 U.S.C. § 1115.

27. Since at least before the filing date of the Application, Opposer has continuously used and promoted the  mark, including the marks shown in Registrations Nos. 4,051,650, 3,908,601, 2,903,214, 3,434,821, 3,434,822, 3,908,600, 3,914,828, 3,923,683, 3,963,668, 3,963,669, 4,011,301, 4,332,062, 4,721,432, 3,134,841, 4,822,675, 3,134,842, and 3,044,314 in interstate commerce in connection with its goods and services, including the goods and services identified in such Registrations. Opposer's  mark and related marks were well established and famous long before Applicant filed its Application for registration of the  mark.

28. Applicant seeks an unrestricted federal registration for the  mark covering the goods set forth in the Application in International Class 41. As such, if a registration

issues for the Application, such registration will constitute prima facie evidence of the Applicant's exclusive right to use the registered mark in commerce on or in connection with these services throughout the United States with no limitation thereon.

29. Opposer will be damaged by registration of the Application in that the  mark so resembles Opposer's  mark, including as registered in the United States Patent and Trademark Office, and in which Opposer owns common law trademark rights, as to be likely, when used on or in connection with the goods as they are identified in the Application, as to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

30. In view of Opposer's prior rights in its  mark, Applicant is not entitled to federal registration of the  mark pursuant to Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

31. Opposer will be damaged by registration of the Application in that the  mark will dilute the distinctive qualities of Opposer's mark within the meaning of Section 43(c) of the Trademark Act, 15 U.S.C. § 1125(c), and will lessen the ability of Opposer's mark to distinguish Opposer's goods.

32. In view of Opposer's prior rights in its  mark, Applicant is not entitled to federal registration of the  mark pursuant to Section 43(c) of the Trademark Act, 15 U.S.C. § 1125(c).

WHEREFORE, Opposer prays that U.S. Trademark Application Serial No. 86/641393 be rejected and stricken, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Please charge Deposit Account No. 11-1410 to cover the opposition fee and any additional fees which may be required, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 15, 2016

By: /Jason A. Champion/

Steven J. Nataupsky  
Matthew S. Bellinger  
Jason A. Champion  
Jonathan A. Menkes  
2040 Main Street, Fourteenth Floor  
Irvine, CA 92614  
(949) 760-0404  
efiling@knobbe.com  
Attorneys for Opposer,  
MONSTER ENERGY COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE OF OPPOSITION** has been served on Applicant's counsel by mailing said copy on June 15, 2016, via Priority Mail to:

Anil V. George  
NBA PROPERTIES, INC.  
Olympic Tower 645 Fifth Ave  
New York, New York 10022  
avgeorge@nba.com  
ipgroup@nba.com

Signature: 

Name: Doreen P. Buluran

Date: June 15, 2016

23036471/dpb/040116

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

# EXHIBIT 1



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: Promoting goods and services in the sports, motorsports, electronic sports, and music industries through the distribution of printed, audio and visual promotional materials; promoting sports and music events and competitions for others. FIRST USE: 20030104. FIRST USE IN COMMERCE: 20030104
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird 27.03.05 - Objects forming letters or numerals
<b>Serial Number</b>	86219319
<b>Filing Date</b>	March 12, 2014
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 3, 2014
<b>Registration Number</b>	4721432
<b>Registration Date</b>	April 14, 2015
<b>Owner</b>	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Attorney of Record</b>	Diane M. Reed
<b>Prior Registrations</b>	2903214;3434821;3434822;AND OTHERS

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letter "M" in the form of a claw.  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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### No assignment has been recorded at the USPTO

For Serial Number: 86219319

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,721,432**

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)  
1 MONSTER WAY  
CORONA, CA 92879

**Registered Apr. 14, 2015**

**Int. Cl.: 35**

FOR: PROMOTING GOODS AND SERVICES IN THE SPORTS, MOTORSPORTS, ELECTRONIC SPORTS, AND MUSIC INDUSTRIES THROUGH THE DISTRIBUTION OF PRINTED, AUDIO AND VISUAL PROMOTIONAL MATERIALS; PROMOTING SPORTS AND MUSIC EVENTS AND COMPETITIONS FOR OTHERS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

**SERVICE MARK**

**PRINCIPAL REGISTER**

FIRST USE 1-4-2003; IN COMMERCE 1-4-2003.

OWNER OF U.S. REG. NOS. 2,903,214, 3,434,822, AND OTHERS.

THE MARK CONSISTS OF THE LETTER "M" IN THE FORM OF A CLAW.

SN 86-219,319, FILED 3-12-2014.

WON TEAK OH, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 2



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas, sweat bands and gloves; headgear, namely hats and beanies. FIRST USE: 20020524. FIRST USE IN COMMERCE: 20020630
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird 27.03.05 - Objects forming letters or numerals
<b>Serial Number</b>	85094362
<b>Filing Date</b>	July 28, 2010
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	May 17, 2011
<b>Registration Number</b>	4051650
<b>Registration Date</b>	November 8, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Alina S. Morris

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized letter M in the form of a claw.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [85094362](#)      Filing Dt: 07/28/2010      Reg # : [4051650](#)      Reg. Dt: 11/08/2011

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,051,650**  
**Registered Nov. 8, 2011**  
**Int. Cl.: 25**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
SUITE 201  
550 MONICA CIRCLE  
CORONA, CA 92880

**TRADEMARK**

FOR: CLOTHING, NAMELY, T-SHIRTS, HOODED SHIRTS AND HOODED SWEATSHIRTS, SWEAT SHIRTS, JACKETS, PANTS, BANDANAS, SWEAT BANDS AND GLOVES; HEADGEAR, NAMELY HATS AND BEANIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

**PRINCIPAL REGISTER**

FIRST USE 5-24-2002; IN COMMERCE 6-30-2002.

THE MARK CONSISTS OF A STYLIZED LETTER M IN THE FORM OF A CLAW.

SER. NO. 85-094,362, FILED 7-28-2010.

LEIGH LOWRY, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 3



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**MONSTER ENERGY**

**Word Mark**

M MONSTER ENERGY

**Goods and Services**

IC 025. US 022 039. G & S: Clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas, sweat bands and gloves; headgear, namely, hats and beanies. FIRST USE: 20020524. FIRST USE IN COMMERCE: 20020630

**Mark Drawing Code**

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

**Trademark**

**Search Facility Classification Code**

LETS-1 M A single letter, multiples of a single letter or in combination with a design  
SHAPES-MISC Miscellaneous shaped designs

**Serial Number**

77705822

**Filing Date**

April 2, 2009

**Current Basis**

1A

**Original Filing Basis**

1B

**Published for Opposition**

June 23, 2009

**Registration Number**

3908601

**International Registration Number**

1048069

**Registration Date**

January 18, 2011

**Owner**

(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201  
Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way

Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Diane M. Reed

**Prior Registrations** 3044314;3134841;3134842;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" and stylized words "MONSTER ENERGY".

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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Assignments on the Web > Trademark Query

## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77705822](#)      Filing Dt: 04/02/2009      Reg # : [3908601](#)      Reg. Dt: 01/18/2011

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,908,601**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
550 MONICA CIRCLE SUITE 201  
CORONA, CA 92880

**Registered Jan. 18, 2011**

**Int. Cl.: 25**

FOR: CLOTHING, NAMELY, T-SHIRTS, HOODED SHIRTS AND HOODED SWEATSHIRTS, SWEAT SHIRTS, JACKETS, PANTS, BANDANAS, SWEAT BANDS AND GLOVES; HEADGEAR, NAMELY, HATS AND BEANIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

**TRADEMARK**

FIRST USE 5-24-2002; IN COMMERCE 6-30-2002.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,822, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
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## EXHIBIT 4



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**MONSTER ENERGY**

<b>Word Mark</b>	M MONSTER ENERGY
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Sports helmets. FIRST USE: 20060100. FIRST USE IN COMMERCE: 20060100
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Trademark Search Facility Classification Code</b>	LETS-1 M A single letter, multiples of a single letter or in combination with a design SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-MISC Miscellaneous shaped designs
<b>Serial Number</b>	77705362
<b>Filing Date</b>	April 2, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 9, 2009
<b>Registration Number</b>	<b>3914828</b>
<b>International Registration Number</b>	1048069
<b>Registration Date</b>	February 1, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle, Suite 201 Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Diane M. Reed  
**Prior Registrations** 3044314;3134841;3134842;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" and the stylized words "MONSTER ENERGY".  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77705362](#)      Filing Dt: 04/02/2009      Reg # : [3914828](#)      Reg. Dt: 02/01/2011

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED  
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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,914,828**  
**Registered Feb. 1, 2011**  
**Int. Cl.: 9**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CA 92880

**TRADEMARK**  
**PRINCIPAL REGISTER**

FOR: SPORTS HELMETS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND THE STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,362, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 5



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: sports helmets; video recordings featuring sports, extreme sports, and motor sports. FIRST USE: 20020524. FIRST USE IN COMMERCE: 20020630
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird 27.03.05 - Objects forming letters or numerals
<b>Serial Number</b>	85094340
<b>Filing Date</b>	July 27, 2010
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	May 31, 2011
<b>Registration Number</b>	4011301
<b>Registration Date</b>	August 16, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Alina S. Morris

<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" in the form of a claw.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [85094340](#)      Filing Dt: 07/27/2010      Reg # : [4011301](#)      Reg. Dt: 08/16/2011

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

Search Results as of: 06/15/2016 02:38 PM

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,011,301**

**Registered Aug. 16, 2011**

**Int. Cl.: 9**

**TRADEMARK**

**PRINCIPAL REGISTER**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
SUITE 201  
550 MONICA CIRCLE  
CORONA, CA 92880

FOR: SPORTS HELMETS; VIDEO RECORDINGS FEATURING SPORTS, EXTREME SPORTS,  
AND MOTOR SPORTS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-24-2002; IN COMMERCE 6-30-2002.

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW.

SER. NO. 85-094,340, FILED 7-27-2010.

LEIGH LOWRY, EXAMINING ATTORNEY



*David J. Kyffos*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 6



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**MONSTER ENERGY**

**Word Mark**

M MONSTER ENERGY

**Goods and Services**

IC 016. US 002 005 022 023 029 037 038 050. G & S: Stickers; sticker kits comprising stickers and decals; decals. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100

**Mark Drawing Code**

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

**Trademark**

LETS-1 M A single letter, multiples of a single letter or in combination with a design

**Search Facility**

SHAPES-BAR-BANDS Designs with bar, bands or lines

**Classification**

SHAPES-MISC Miscellaneous shaped designs

**Code**

**Serial Number**

77705747

**Filing Date**

April 2, 2009

**Current Basis**

1A

**Original Filing**

1B

**Basis**

**Published for Opposition**

June 23, 2009

**Registration Number**

3908600

**International**

**Registration Number**

1048069

**Registration Date**

January 18, 2011

**Owner**

(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Diane M. Reed  
**Prior Registrations** 3044314;3134841;3134842;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" and stylized words "MONSTER ENERGY".  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77705747](#)      Filing Dt: 04/02/2009      Reg # : [3908600](#)      Reg. Dt: 01/18/2011

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,908,600**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
550 MONICA CIRCLE SUITE 201  
CORONA, CA 92880

**Registered Jan. 18, 2011**

**Int. Cl.: 16**

FOR: STICKERS; STICKER KITS COMPRISING STICKERS AND DECALS; DECALS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

**TRADEMARK**

FIRST USE 1-0-2004; IN COMMERCE 1-0-2004.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,747, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 7



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**MONSTER ENERGY**

<b>Word Mark</b>	M MONSTER ENERGY
<b>Goods and Services</b>	IC 018. US 001 002 003 022 041. G & S: All purpose sport bags; All-purpose carrying bags; Backpacks; Duffle bags. FIRST USE: 20040500. FIRST USE IN COMMERCE: 20040500
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	77705810
<b>Filing Date</b>	April 2, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 9, 2009
<b>Registration Number</b>	<b>3923683</b>
<b>International Registration Number</b>	1048069
<b>Registration Date</b>	February 22, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Diane M. Reed
<b>Prior Registrations</b>	3044314;3134841;3134842;AND OTHERS
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" and the stylized words "MONSTER ENERGY".
<b>Type of Mark</b>	TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77705810](#)      Filing Dt: 04/02/2009      Reg # : [3923683](#)      Reg. Dt: 02/22/2011

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**MONSTER**  
ENERGY

**Reg. No. 3,923,683**

**Registered Feb. 22, 2011**

**Int. Cl.: 18**

**TRADEMARK**

**PRINCIPAL REGISTER**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
SUITE 201  
550 MONICA CIRCLE  
CORONA, CA 92880

FOR: ALL PURPOSE SPORT BAGS; ALL-PURPOSE CARRYING BAGS; BACKPACKS;  
DUFFLE BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2004; IN COMMERCE 5-0-2004.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND THE STYLIZED WORDS  
"MONSTER ENERGY".

SN 77-705,810, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 8



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 018. US 001 002 003 022 041. G & S: All purpose sport bags; all-purpose carrying bags; backpacks; duffel bags. FIRST USE: 20020524. FIRST USE IN COMMERCE: 20020630
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird 27.03.05 - Objects forming letters or numerals
<b>Serial Number</b>	85094364
<b>Filing Date</b>	July 28, 2010
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	December 28, 2010
<b>Registration Number</b>	<b>3963669</b>
<b>Registration Date</b>	May 17, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Diane M. Reed
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" in the form of a claw.

**Type of Mark**      TRADEMARK  
**Register**            PRINCIPAL  
**Live/Dead Indicator**      LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [85094364](#)      Filing Dt: 07/28/2010      Reg # : [3963669](#)      Reg. Dt: 05/17/2011

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,963,669**

**Registered May 17, 2011**

**Int. Cl.: 18**

**TRADEMARK**

**PRINCIPAL REGISTER**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
SUITE 201  
550 MONICA CIRCLE  
CORONA, CA 92880

FOR: ALL PURPOSE SPORT BAGS; ALL-PURPOSE CARRYING BAGS; BACKPACKS;  
DUFFEL BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-24-2002; IN COMMERCE 6-30-2002.

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW.

SN 85-094,364, FILED 7-28-2010.

LEIGH LOWRY, EXAMINING ATTORNEY



*David J. Kyffos*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 9



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 016. US 002 005 022 023 029 037 038 050. G & S: Stickers; sticker kits comprising stickers and decals; decals; posters. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20040100
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird 27.03.05 - Objects forming letters or numerals
<b>Serial Number</b>	85094343
<b>Filing Date</b>	July 28, 2010
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	December 28, 2010
<b>Registration Number</b>	<b>3963668</b>
<b>Registration Date</b>	May 17, 2011
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE Suite 201 550 Monica Circle Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Diane M. Reed

<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" in the form of a claw.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [85094343](#)      Filing Dt: 07/28/2010      Reg # : [3963668](#)      Reg. Dt: 05/17/2011

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,963,668**

**Registered May 17, 2011**

**Int. Cl.: 16**

**TRADEMARK**

**PRINCIPAL REGISTER**

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
SUITE 201  
550 MONICA CIRCLE  
CORONA, CA 92880

FOR: STICKERS; STICKER KITS COMPRISING STICKERS AND DECALS; DECALS;  
POSTERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-0-2004; IN COMMERCE 1-0-2004.

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW.

SN 85-094,343, FILED 7-28-2010.

LEIGH LOWRY, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 10



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<b>Word Mark</b>	M MONSTER ENERGY
<b>Goods and Services</b>	IC 014. US 002 027 028 050. G & S: Silicone wrist bands; Silicone bracelets; Jewelry, namely, bracelets and wristbands. FIRST USE: 20061200. FIRST USE IN COMMERCE: 20061200
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	85747244
<b>Filing Date</b>	October 5, 2012
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	February 19, 2013
<b>Registration Number</b>	<b>4332062</b>
<b>Registration Date</b>	May 7, 2013
<b>Owner</b>	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Attorney of Record</b>	Diane M. Reed
<b>Prior Registrations</b>	3044314;3134841;3134842
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" to the left of the stylized words "MONSTER ENERGY".
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**No assignment has been recorded at the USPTO**

**For Serial Number: 85747244**

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Web interface last modified: July 25, 2014 v.2.5

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,332,062**  
**Registered May 7, 2013**

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CA 92880

**Int. Cl.: 14**

FOR: SILICONE WRIST BANDS; SILICONE BRACELETS; JEWELRY, NAMELY, BRACELETS AND WRISTBANDS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

**TRADEMARK**

FIRST USE 12-0-2006; IN COMMERCE 12-0-2006.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,841, AND 3,134,842.

THE MARK CONSISTS OF A STYLIZED LETTER "M" TO THE LEFT OF THE STYLIZED WORDS "MONSTER ENERGY".

SER. NO. 85-747,244, FILED 10-5-2012.

REGINA DRUMMOND, EXAMINING ATTORNEY



*Lisa Street Lee*

Acting Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 11



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**Word Mark** M

**Goods and Services** IC 032. US 045 046 048. G & S: Drinks, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated and non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and water; ]\*but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not.\*. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

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

**Serial Number** 78246564

**Filing Date** May 7, 2003

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** August 24, 2004

**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED

**Registration Number** 2903214

**Registration Date** November 16, 2004

**Owner** (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Diane M. Reed  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131223.  
**Renewal** 1ST RENEWAL 20131223  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [78246564](#)      Filing Dt: 05/07/2003      Reg # : [2903214](#)      Reg. Dt: 11/16/2004

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 2,903,214

United States Patent and Trademark Office

Registered Nov. 16, 2004

Corrected

OG Date Dec. 18, 2007

**TRADEMARK  
PRINCIPAL REGISTER**



HANSEN BEVERAGE COMPANY (DELA-  
WARE CORPORATION)  
550 MONICA CIRCLE  
SUITE 201  
CORONA, CA 92880

FOR: DRINKS, NAMELY, CARBO-  
NATED SOFT DRINKS, CARBONATED  
DRINKS ENHANCED WITH VITAMINS,  
MINERALS, NUTRIENTS, AMINO ACIDS  
AND/OR HERBS, CARBONATED AND  
NON-CARBONATED ENERGY OR

SPORTS DRINKS, FRUIT JUICE DRINKS  
HAVING A JUICE CONTENT OF 50% OR  
LESS BY VOLUME THAT ARE SHELF  
STABLE, AND WATER;\*BUT EXCLUD-  
ING PERISHABLE BEVERAGE PRO-  
DUCTS THAT CONTAIN FRUIT JUICE  
OR SOY, WHETHER SUCH PRODUCTS  
ARE PASTEURIZED OR NOT.\*, IN  
CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE  
4-18-2002.

SER. NO. 78-246,564, FILED 5-7-2003.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Dec. 18, 2007.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 12



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 005. US 006 018 044 046 051 052. G & S: Nutritional supplements. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird
<b>Trademark Search Facility Classification Code</b>	LETS-1 M A single letter, multiples of a single letter or in combination with a design SHAPES-MISC Miscellaneous shaped designs
<b>Serial Number</b>	77274643
<b>Filing Date</b>	September 7, 2007
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	March 11, 2008
<b>Registration Number</b>	<b>3434821</b>
<b>Registration Date</b>	May 27, 2008
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Diane M. Reed  
**Prior Registrations** 2903214;3134841  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letter "m" in the form of a claw.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77274643](#)      Filing Dt: 09/07/2007      Reg # : [3434821](#)      Reg. Dt: 05/27/2008

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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**Int. Cl.: 5**

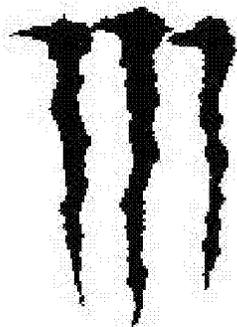
**Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52**

**Reg. No. 3,434,821**

**United States Patent and Trademark Office**

Registered May 27, 2008

**TRADEMARK  
PRINCIPAL REGISTER**



HANSEN BEVERAGE COMPANY (DELAWARE  
CORPORATION)  
550 MONICA CIRCLE  
SUITE 201  
CORONA, CA 92880

OWNER OF U.S. REG. NOS. 2,903,214 AND  
3,134,841.

THE MARK CONSISTS OF THE LETTER "M" IN  
THE FORM OF A CLAW.

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS  
5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

SER. NO. 77-274,643, FILED 9-7-2007.

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

MICHAEL WIENER, EXAMINING ATTORNEY

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 13



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 032. US 045 046 048. G & S: Non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird
<b>Trademark Search Facility Classification Code</b>	ANI-MISC Part of the animals including animal bones, horns, claws, shells, eyes, coral, paws, eggs, feathers, hides or skins
<b>Serial Number</b>	77274662
<b>Filing Date</b>	September 7, 2007
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	March 11, 2008
<b>Change In Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	3434822
<b>Registration Date</b>	May 27, 2008

**Owner** (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201  
Corona CALIFORNIA 92880  
  
(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way  
Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Diane M. Reed

**Prior Registrations** 2903214;3134841

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the letter "m" in the form of a claw.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [77274662](#)      Filing Dt: 09/07/2007      Reg # : [3434822](#)      Reg. Dt: 05/27/2008

Registrant: Hansen Beverage Company

Mark: M

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

Entity Type: CORPORATION

Citizenship: DELAWARE

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,434,822**

**Registered May 27, 2008**

**Amended Sep. 18, 2012**

**Int. Cl.: 32**

**TRADEMARK**

**PRINCIPAL REGISTER**

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)  
550 MONICA CIRCLE  
STE. 201  
CORONA, CA 92880

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

OWNER OF U.S. REG. NOS. 2,903,214 AND 3,134,841.

THE MARK CONSISTS OF THE LETTER "M" IN THE FORM OF A CLAW.

SER. NO. 77-274,662, FILED 9-7-2007.



*David J. Kyffers*

Director of the United States Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 14



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**MONSTER ENERGY**

**Word Mark** M MONSTER ENERGY

**Goods and Services** IC 032. US 045 046 048. G & S: Beverages, namely, carbonated soft drinks, carbonated soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [ and non-carbonated ] energy and sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and aerated water, soda water and seltzer water, ] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

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

**Serial Number** 78246567

**Filing Date** May 7, 2003

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** June 6, 2006

**Registration Number** 3134841

**Registration Date** August 29, 2006

**Owner** (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Diane M. Reed  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20160315.  
**Renewal** 1ST RENEWAL 20160315  
**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [78246567](#)      Filing Dt: 05/07/2003      Reg # : [3134841](#)      Reg. Dt: 08/29/2006

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
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**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46 and 48**

**Reg. No. 3,134,841**

**United States Patent and Trademark Office**

**Registered Aug. 29, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**



HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)  
1010 RAILROAD STREET  
CORONA, CA 92882

FOR: BEVERAGES, NAMELY, CARBONATED SOFT DRINKS, CARBONATED SOFT DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS AND/OR HERBS, CARBONATED AND NON-CARBONATED ENERGY AND SPORTS DRINKS, FRUIT JUICE DRINKS HAVING A JUICE CONTENT OF 50% OR LESS BY VOLUME THAT ARE SHELF STABLE, AND AERATED WATER, SODA WATER AND SELTZER WATER, BUT EXCLUDING PERISHABLE BEVERAGE

PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

SER. NO. 78-246,567, FILED 5-7-2003.

AMY HELLA, EXAMINING ATTORNEY

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 15



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<b>Word Mark</b>	M
<b>Goods and Services</b>	IC 022. US 001 002 007 019 022 042 050. G & S: Lanyards; Lanyards for holding whistles, keys, eyeglasses, sunglasses, mobile telephones, badges, identification cards, event passes, media passes, photographs, recording equipment, or similar conveniences. FIRST USE: 20061220. FIRST USE IN COMMERCE: 20061220
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.17.03 - Claws; Feet, bird; Parts of birds: claws, talons, feet, foot tracks; Talons; Tracks, bird
<b>Serial Number</b>	86048362
<b>Filing Date</b>	August 26, 2013
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	January 21, 2014
<b>Registration Number</b>	4822675
<b>Registration Date</b>	September 29, 2015
<b>Owner</b>	(REGISTRANT) Monster Energy Company CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Attorney of Record</b>	Diane M. Reed
<b>Prior Registrations</b>	2903214;4051650;4332062;AND OTHERS

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a stylized letter "M" in the form of a claw.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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### No assignment has been recorded at the USPTO

For Serial Number: 86048362

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Web interface last modified: July 25, 2014 v.2.5

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,822,675**

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)  
1 MONSTER WAY  
CORONA, CA 92879

**Registered Sep. 29, 2015**

**Int. Cl.: 22**

FOR: LANYARDS; LANYARDS FOR HOLDING WHISTLES, KEYS, EYEGLASSES, SUNGLASSES, MOBILE TELEPHONES, BADGES, IDENTIFICATION CARDS, EVENT PASSES, MEDIA PASSES, PHOTOGRAPHS, RECORDING EQUIPMENT, OR SIMILAR CONVENIENCES, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

**TRADEMARK**

**PRINCIPAL REGISTER**

FIRST USE 12-20-2006; IN COMMERCE 12-20-2006.

OWNER OF U.S. REG. NOS. 2,903,214, 4,332,062, AND OTHERS.

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW.

SN 86-048,362, FILED 8-26-2013.

ZHALEH DELANEY, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 16



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## Typed Drawing

**Word Mark** M MONSTER ENERGY

**Goods and Services** IC 032. US 045 046 048. G & S: Beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated [ and non-carbonated ] energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, [ and water, ] but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 78246573

**Filing Date** May 7, 2003

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** June 6, 2006

**Registration Number** 3134842

**Registration Date** August 29, 2006

**Owner** (REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880

(LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Diane M. Reed

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20160315.

**Renewal** 1ST RENEWAL 20160315

**Live/Dead Indicator** LIVE

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## Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [78246573](#)      Filing Dt: 05/07/2003      Reg # : [3134842](#)      Reg. Dt: 08/29/2006

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)      Recorded: 01/13/2012      Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)  
550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

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**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46 and 48**

**Reg. No. 3,134,842**

**United States Patent and Trademark Office**

**Registered Aug. 29, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**M MONSTER ENERGY**

HANSEN BEVERAGE COMPANY (DELAWARE  
CORPORATION)  
1010 RAILROAD STREET  
CORONA, CA 92882

FOR: BEVERAGES, NAMELY, CARBONATED  
SOFT DRINKS, CARBONATED DRINKS EN-  
HANCED WITH VITAMINS, MINERALS, NUTRI-  
ENTS, AMINO ACIDS AND/OR HERBS,  
CARBONATED AND NON-CARBONATED ENER-  
GY OR SPORTS DRINKS, FRUIT JUICE DRINKS  
HAVING A JUICE CONTENT OF 50% OR LESS BY  
VOLUME THAT ARE SHELF STABLE, AND WA-  
TER, BUT EXCLUDING PERISHABLE BEVERAGE  
PRODUCTS THAT CONTAIN FRUIT JUICE OR

SOY, WHETHER SUCH PRODUCTS ARE PASTEUR-  
IZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND  
48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

SER. NO. 78-246,573, FILED 5-7-2003.

AMY HELLA, EXAMINING ATTORNEY

TTAB Opposition No. \_\_\_\_\_  
Monster Energy Company v. NBA Properties, Inc.

## EXHIBIT 17



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## Typed Drawing

<b>Word Mark</b>	M MONSTER ENERGY
<b>Goods and Services</b>	IC 005. US 006 018 044 046 051 052. G & S: nutritional supplements in liquid [and non-liquid ] form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not. FIRST USE: 20020327. FIRST USE IN COMMERCE: 20020418
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	78253930
<b>Filing Date</b>	May 23, 2003
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	August 31, 2004
<b>Change In Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	<b>3044314</b>
<b>Registration Date</b>	January 17, 2006
<b>Owner</b>	(REGISTRANT) Hansen Beverage Company CORPORATION DELAWARE 550 Monica Circle Suite 201 Corona CALIFORNIA 92880  (LAST LISTED OWNER) MONSTER ENERGY COMPANY CORPORATION DELAWARE 1 Monster Way Corona CALIFORNIA 92879
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	DIANE M. REED
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENERGY" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 8 (6-YR). SECTION 8(10-YR) 20150221.

**Renewal** 1ST RENEWAL 20150221  
**Live/Dead Indicator** LIVE

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### Trademark Assignment Abstract of Title

**Total Assignments: 1**

Serial # : [78253930](#)

Filing Dt: 05/23/2003

Reg # : [3044314](#)

Reg. Dt: 01/17/2006

Registrant: Hansen Beverage Company

Mark: M MONSTER ENERGY

**Assignment: 1**

Reel/ Frame: [4699/0063](#)

Recorded: 01/13/2012

Pages: 10

Conveyance: CHANGE OF NAME

Assignor: [HANSEN BEVERAGE COMPANY](#)

Exec Dt: 01/05/2012

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MONSTER ENERGY COMPANY](#)

550 MONICA CIRCLE, SUITE 201  
CORONA, CALIFORNIA 92880

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: DIANE M. REED  
2040 MAIN STREET, 14TH FLOOR  
IRVINE, CA 92614

Search Results as of: 06/15/2016 02:47 PM

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**Int. Cl.: 5**

**Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52**

**Reg. No. 3,044,314**

**United States Patent and Trademark Office**

**Registered Jan. 17, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**M MONSTER ENERGY**

HANSEN BEVERAGE COMPANY (DELAWARE  
CORPORATION)  
1010 RAILROAD STREET  
CORONA, CA 92882

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID  
AND NON-LIQUID FORM, BUT EXCLUDING PER-  
ISHABLE BEVERAGE PRODUCTS THAT CONTAIN  
FRUIT JUICE OR SOY, WHETHER SUCH PRO-  
DUCTS ARE PASTEURIZED OR NOT, IN CLASS 5  
(U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

SER. NO. 78-253,930, FILED 5-23-2003.

SUSAN HAYASH, EXAMINING ATTORNEY