

ESTTA Tracking number: **ESTTA770656**

Filing date: **09/14/2016**

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	Tres Aguilas Enterprises LLC
Granted to Date of previous extension	09/14/2016
Address	300 Concord Plaza Drive San Antonio, TX 78216 UNITED STATES

Attorney information	Wendy C. Larson Pirkey Barber PLLC 600 Congress Ave., Suite 2120 Austin, TX 78701 UNITED STATES wlarson@pirkeybarber.com, bbarber@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com
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Applicant Information

Application No	86823078	Publication date	05/17/2016
Opposition Filing Date	09/14/2016	Opposition Period Ends	09/14/2016
Applicant	Fuller, Darren A. 2839 SW Tutbury Town Ct. Topeka, KS 66614 UNITED STATES		

Goods/Services Affected by Opposition

Class 029. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Food products, namely, jellies, jams, marmalade, pepper jellies, pepper jams, pepper marmalade

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4921566	Application Date	03/24/2015
Registration Date	03/22/2016	Foreign Priority Date	NONE
Word Mark	WHATABURGER		

Design Mark	<h1>WHATABURGER</h1>
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Description of Mark	NONE
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Goods/Services	<p>Class 029. First use: First Use: 1950/08/08 First Use In Commerce: 1953/08/19</p> <p>Hamburger; savory potato based snack foods; salads, namely, garden salads, vegetable salads, fruit salads, meat salads, chicken salads, prepared protein salads, garden salads with grilled or fried meat or poultry, vegetable salads, with grilled or fried meat or poultry; dried fruits; potato fries; salads, except macaroni, rice and pasta salads; combination meals consisting primarily of processed chicken breast and chicken breast chunks served as breaded and fried chicken nuggets, strips, tenders, bites, or morsels, dipping sauces, fries, and a drink for consumption on or off the premises; prepared meals and entrees consisting primarily of eggs; processed avocados; cut apples; meats and processed foods, namely, processed meats, processed poultry, processed fish, processed eggs, processed vegetables, processed fruits, grilled meats, grilled poultry, grilled vegetables, fried meats, fried poultry, fried fish and fried vegetables; cut fruit; processed jalapenos; poultry; eggs; pickles; processed carrots; fish, not live; potato chips; chicken strips; milk; potato-based snack foods; margarine; fruit-based snack food; processed green chili peppers; fish fillets; bacon; butter substitutes; potato snack products in the form of pieces capable of being fried; prepared meals and entrees consisting primarily of meat, fish, poultry, vegetables, fruit and eggs for consumption on or off the premises; snack food products made wholly or principally of potatoes; processed onions; processed tomatoes; beef patties; potato sticks; coffee creamer; fruit slices; oils and fats for food; processed potatoes; onion rings; pickled jalapenos; processed Poblano peppers; breaded fish fillets; dried cranberries; chicken nuggets; potato snack products in the form of fried pieces; chocolate milk; cheese; processed lettuce; French fries; chori-zo; combination meal consisting primarily of a meat, poultry, fish, vegetable or fruit based entree for consumption on or off the premises; chicken breast chunks served breaded and fried as chicken nuggets, strips, tenders, bites, and morsels; meat; beverages consisting principally of milk; dairy based spreads; sausage; hash brown potatoes; dairy products except ice cream, ice milk and frozen yogurt; garden salads; potatoes being processed; beef; butter; jellies; processed chilies; dairy based beverages; salad oil; cut fruit served in a bag; French fried potatoes; chicken; prepared meals and entrees consisting primarily of egg with one or more of meat, fish, poultry, vegetable, cheese and sauce; dips; fried potatoes; processed apples; processed meats, namely, breaded and fried chicken nuggets, strips, tenders, bites, and morsels; potato crisps</p>
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U.S. Registration No.	4921568	Application Date	03/24/2015
Registration Date	03/22/2016	Foreign Priority Date	NONE
Word Mark	WHATABURGER		

Design Mark	<h1>WHATABURGER</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1950/08/08 First Use In Commerce: 1953/08/19 Beverages, namely, non-alcoholic beverages in the nature of fruit beverages and carbonated beverages; soft drinks for consumption on or off the premises; non-alcoholic drinks sold for consumption on or off the premises, namely, fruit juices, fruit flavored drinks, sports drinks, fruit punch, drinking water, lemonade, non-frozen non-alcoholic carbonated beverages; carbonated and non-carbonated soft drinks and fruit juices; soft drinks		

U.S. Registration No.	652137	Application Date	06/07/1954
Registration Date	09/24/1957	Foreign Priority Date	NONE
Word Mark	WHATABURGER		
Design Mark	<h1>WHATABURGER</h1>		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1950/01/01 First Use In Commerce: 1953/02/10 HAMBURGER SANDWICH		

U.S. Registration No.	891082	Application Date	02/20/1968
Registration Date	05/12/1970	Foreign Priority Date	NONE
Word Mark	WHATABURGER		
Design Mark	<h1>WHATABURGER</h1>		

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1950/01/01 First Use In Commerce: 1953/02/10 RESTAURANT SERVICES AND DRIVE IN RESTAURANT SERVICES

U.S. Registration No.	1011927	Application Date	11/29/1972
Registration Date	05/27/1975	Foreign Priority Date	NONE

Word Mark	WHATABURGER
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Description of Mark	NONE
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Goods/Services	Class 032. First use: First Use: 1972/07/18 First Use In Commerce: 1972/07/28 SOFT DRINKS Class 042. First use: First Use: 1972/07/18 First Use In Commerce: 1972/07/28 RESTAURANT AND DRIVE-IN RESTAURANT SERVICES Class U046 (International Class 001, 005, 029, 030, 031, 032). First use: First Use: 1972/07/18 First Use In Commerce: 1972/07/28 HAMBURGERS, CHEESEBURGERS, FRENCH FRIEDPOTATOES, [POTATO CHIPS, CORN CHIPS,]FRIED PIES, ONION RINGS, MALT AND SHAKE-BEVERAGES [AND FRANKFURTER SANDWICHES]
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U.S. Registration No.	1011928	Application Date	11/29/1972
Registration Date	05/27/1975	Foreign Priority Date	NONE

Word Mark	W WHATABURGER
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Description of Mark	NONE
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Goods/Services	<p>Class 032. First use: First Use: 1972/07/18 First Use In Commerce: 1972/07/28 SOFT DRINKS</p> <p>Class 042. First use: First Use: 1972/07/28 First Use In Commerce: 1972/07/28 RESTAURANT AND DRIVE-IN RESTAURANT SERVICES</p> <p>Class U046 (International Class 029, 030). First use: First Use: 1972/07/18 First Use In Commerce: 1972/07/28 HAMBURGERS, CHEESEBURGERS, FRENCH FRIEDPOTATOES, [POTATO CHIPS, CORN CHIPS,]FRIED PIES, ONION RINGS, MALT AND SHAKE-BEVERAGES, AND FRANKFURTER SANDWICHES</p>
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U.S. Registration No.	2335590	Application Date	04/05/1999
Registration Date	03/28/2000	Foreign Priority Date	NONE
Word Mark	WHATABURGER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1950/01/01 First Use In Commerce: 1953/02/10 restaurant services		

U.S. Registration No.	1014196	Application Date	11/26/1973
Registration Date	06/24/1975	Foreign Priority Date	NONE
Word Mark	WHATABURGER JR.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1973/04/01 First Use In Commerce: 1973/08/29 PREPARED HAMBURGER SANDWICH FOR CONSUMPTION ON OR OFF THE PREMISES		

U.S. Registration No.	1116918	Application Date	01/20/1978
Registration Date	04/24/1979	Foreign Priority Date	NONE
Word Mark	WHATAMEAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1975/07/01 First Use In Commerce: 1975/07/01 PREPARED MEAL CONSISTING OF A HAMBURGERSANDWICH, FRENCH FRIES AND A BEVERAGE FOR CONSUMPTION ON OR OFF THE PREMISES		

U.S. Registration No.	1206344	Application Date	08/10/1979
Registration Date	08/24/1982	Foreign Priority Date	NONE
Word Mark	WHATACATCH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1978/10/14 First Use In Commerce: 1979/04/01 Breaded Fish Fillets Suitable for Fish Sandwiches Class 030. First use: First Use: 1978/10/14 First Use In Commerce: 1979/04/01 Prepared Fish Sandwich for Consumption On or Off the Premises		

U.S. Registration No.	2066885	Application Date	04/22/1996
Registration Date	06/03/1997	Foreign Priority Date	NONE
Word Mark	WOW! WHAT A PIZZA!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1982/02/22 First Use In Commerce: 1982/11/15 frozen pizza		

U.S. Registration No.	2066960	Application Date	04/22/1996
Registration Date	06/03/1997	Foreign Priority Date	NONE
Word Mark	WHAT A PIZZA!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1982/02/22 First Use In Commerce: 1982/11/15 frozen pizza		

U.S. Registration No.	4343258	Application Date	09/22/2011
Registration Date	05/28/2013	Foreign Priority Date	NONE
Word Mark	WHATATACO		

Design Mark	<h1>WHATATACO</h1>		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2012/12/18 First Use In Commerce: 2012/12/18 Fajitas; Tacos; Taquitos		

U.S. Registration No.	4350886	Application Date	09/22/2011
Registration Date	06/11/2013	Foreign Priority Date	NONE

Word Mark	WHATATACO		
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Design Mark	<h1>WHATATACO</h1>		
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2012/04/16 First Use In Commerce: 2013/04/16 Catering services; Fast-food restaurantservices; Food preparation services; Restaurant services; Restaurant services featuring fajitas, taquitos and tacos; Restaurant services, namely, providing of food and beverages for consumption on and off the premises; Take-out restaurant services		

U.S. Registration No.	2160285	Application Date	03/24/1997
Registration Date	05/26/1998	Foreign Priority Date	NONE

Word Mark	WHATACHICK'N		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 030. First use: First Use: 1984/01/01 First Use In Commerce: 1984/01/01 chicken sandwich		
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U.S. Registration No.	4068961	Application Date	06/09/2008
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Registration Date	12/13/2011	Foreign Priority Date	NONE
Word Mark	WHATTA WING!		
Design Mark			
Description of Mark	The mark consists of the words "WHATTA WING!" in yellow stylized font.		
Goods/Services	Class 043. First use: First Use: 2007/11/14 First Use In Commerce: 2008/01/12 restaurant services		

U.S. Registration No.	4354975	Application Date	03/07/2012
Registration Date	06/18/2013	Foreign Priority Date	NONE
Word Mark	WHATAPIE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2013/02/13 First Use In Commerce: 2013/02/13 Fruit pies; bakery desserts; tarts; fruit turnovers; pastries; pies with apple, pineapple, banana, lemon, strawberry, pumpkin, chocolate or cinnamon; bakery goods; pastries with fruit; pies; turnovers; tarts with fruit; fried fruit pies, pastries, tarts and turnovers; bakery products		

U.S. Registration No.	4452561	Application Date	01/30/2013
Registration Date	12/17/2013	Foreign Priority Date	NONE
Word Mark	WHATAFRIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2013/06/24 First Use In Commerce: 2013/06/24 Potato chips; processed potatoes; savory potato based snack foods; french fries; potato sticks; potato snack products in the form of fried pieces; french fried potatoes; fried potatoes; potato-based snack foods; potato fries; potato snack products in the form of pieces capable of being fried; potatoes being processed; potato crisps; snack food products made wholly or principally of potatoes		

U.S. Registration No.	4905446	Application Date	01/30/2013
Registration Date	02/23/2016	Foreign Priority Date	NONE
Word Mark	WHATACHIPS		

Design Mark	<h1>WHATACHIPS</h1>
Description of Mark	NONE
Goods/Services	Class 029. First use: First Use: 2015/12/08 First Use In Commerce: 2015/12/08 Potato chips; processed potatoes; savory potato based snack foods; french fries; potato sticks; potato snack products in the form of fried pieces; french friedpotatoes; fried potatoes; potato-based snack foods; potato fries; potato snack products in the form of pieces capable of being fried; potatoes being processed;potato crisps; snack food products madewholly or principally of potatoes

Attachments	86574431#TMSN.png(bytes) 86574467#TMSN.png(bytes) 71667794#TMSN.png(bytes) 72291496#TMSN.png(bytes) 72442464#TMSN.png(bytes) 72442465#TMSN.png(bytes) 75674147#TMSN.png(bytes) 85429864#TMSN.png(bytes) 85429871#TMSN.png(bytes) 77494179#TMSN.png(bytes) 85563252#TMSN.png(bytes) 85836278#TMSN.png(bytes) Dkt 1 - Notice of Opposition - WHAT025.pdf(34502 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	/WCL/
Name	Wendy C. Larson
Date	09/14/2016

4. In addition to its extensive use and promotion of the WHATABURGER Marks, Opposer has adopted and used a family of WHATA marks for a variety of goods and services, including jellies and jams (collectively, the “WHATA Family Marks”). The WHATA Family Marks include but are not limited to the following: WHATABURGER, WHATATACO, WHATAPIE, WHATACHICK’N, WHATACATCH, WHATAFRIES and WHATAMEAL.

5. Opposer has widely advertised and promoted its goods and services under the WHATABURGER Marks and WHATA Family Marks, and has received significant publicity for such goods and services. Opposer also has established and maintains an official website at www.whataburger.com that makes extensive use of the WHATABURGER Marks and WHATA Family Marks.

6. Opposer’s WHATABURGER Marks and WHATA Family Marks are inherently distinctive, serving to identify and indicate the source of Opposer’s goods and services to the consuming public, and to distinguish Opposer’s goods and services from those of others.

7. Additionally, as a result of Opposer’s use and promotion of its WHATABURGER Marks and WHATA Family Marks, the marks have become distinctive and are recognized by consumers. Opposer has invested significant effort and resources in advertising and promoting its WHATABURGER Marks and WHATA Family Marks and the goods and services sold under these marks, with the result that the purchasing public has come to know, rely on, and recognize the goods and services of Opposer by these marks. Opposer has established valuable goodwill in its WHATABURGER Marks and WHATA Family Marks.

8. The WHATABURGER Marks are famous pursuant to 15 U.S.C. § 1125.

9. In addition to the strong common law rights Opposer has developed in the WHATABURGER Marks and WHATA Family Marks, Opposer is the owner of the following United States Trademark Registrations, among others:

MARK	REG. NO.	INTERNATIONAL CLASS/ GOODS AND SERVICES
WHATABURGER	4,921,566	029 - Hamburger; savory potato based snack foods; salads, namely, garden salads, vegetable salads, fruit salads, meat salads, chicken salads, prepared protein salads, garden salads with grilled or fried meat or poultry, vegetable salads, with grilled or fried meat or poultry; dried fruits; potato fries; salads, except macaroni, rice and pasta salads; combination meals consisting primarily of processed chicken breast and chicken breast chunks served as breaded and fried chicken nuggets, strips, tenders, bites, or morsels, dipping sauces, fries, and a drink for consumption on or off the premises; prepared meals and entrees consisting primarily of eggs; processed avocados; cut apples; meats and processed foods, namely, processed meats, processed poultry, processed fish, processed eggs, processed vegetables, processed fruits, grilled meats, grilled poultry, grilled vegetables, fried meats, fried poultry, fried fish and fried vegetables; cut fruit; processed jalapenos; poultry; eggs; pickles; processed carrots; fish, not live; potato chips; chicken strips; milk; potato-based snack foods; margarine; fruit-based snack food; processed green chili peppers; fish fillets; bacon; butter substitutes; potato snack products in the form of pieces capable of being fried; prepared meals and entrees consisting primarily of meat, fish, poultry, vegetables, fruit and eggs for consumption on or off the premises; snack food products made wholly or principally of potatoes; processed onions; processed tomatoes; beef patties; potato sticks; coffee creamer; fruit slices; oils and fats for food; processed potatoes; onion rings; pickled jalapenos; processed Poblano peppers; breaded fish fillets; dried cranberries; chicken nuggets; potato snack products in the form of fried pieces; chocolate milk; cheese; processed lettuce; French fries; chorizo; combination meal consisting primarily of a meat, poultry, fish, vegetable or fruit based entree for consumption on or off the premises; chicken breast chunks served breaded and fried as chicken nuggets, strips, tenders, bites, and morsels; meat; beverages consisting principally of milk; dairy based spreads; sausage; hash brown potatoes; dairy products except ice cream, ice milk and frozen yogurt; garden salads; potatoes being processed; beef; butter; jellies; processed chilies; dairy based beverages; salad oil; cut fruit served in a bag; French fried potatoes;

		chicken; prepared meals and entrees consisting primarily of egg with one or more of meat, fish, poultry, vegetable, cheese and sauce; dips; fried potatoes; processed apples; processed meats, namely, breaded and fried chicken nuggets, strips, tenders, bites, and morsels; potato crisps
WHATABURGER	4,921,568	032 - Beverages, namely, non-alcoholic beverages in the nature of fruit beverages and carbonated beverages; soft drinks for consumption on or off the premises; non-alcoholic drinks sold for consumption on or off the premises, namely, fruit juices, fruit flavored drinks, sports drinks, fruit punch, drinking water, lemonade, non-frozen non-alcoholic carbonated beverages; carbonated and non-carbonated soft drinks and fruit juices; soft drinks.
WHATABURGER (Stylized)	652,137	030 - Hamburger sandwich
WHATABURGER (Stylized)	891,082	042 - Restaurant services and drive in restaurant services
WHATABURGER (Stylized)	1,011,927	029 - Hamburgers, cheeseburgers, french fried potatoes, fried pies, onion rings, malt and shake beverages, and frankfurter sandwiches 032 - Soft drinks 042 - Restaurant and drive-in restaurant services
WHATABURGER & W and Design 	1,011,928	029 - Hamburgers, cheeseburgers, french fried potatoes, fried pies, onion rings, malt and shake beverages, and frankfurter sandwiches 032 - Soft drinks 042 - Restaurant and drive-in restaurant services
WHATABURGER	2,335,590	042 - Restaurant services
WHATABURGER JR.	1,014,196	029 - Prepared hamburger sandwich for consumption on or off the premises
WHATAMEAL	1,116,918	030 - Prepared meal consisting of a hamburger sandwich, French fries, and a beverage for consumption on or off the premises
WHATACATCH	1,206,344	029 - Breaded fish fillets suitable for fish sandwiches 030 - Prepared fish sandwich for consumption on or off the premises
WOW! WHAT A PIZZA!	2,066,885	030 - Frozen pizza
WHAT A PIZZA!	2,066,960	030 - Frozen pizza
WHATATACO	4,343,258	030 - Fajitas; tacos; taquitos
WHATATACO	4,350,886	043 - Catering services; fast-food restaurant services; food preparation services; restaurant services; restaurant services featuring fajitas, taquitos and tacos; restaurant services, namely, providing of food and beverages for consumption on and off the premises; take-out restaurant services
WHATACHICK'N	2,160,285	030 - Chicken sandwich
WHATTA WING! (Stylized)	4,068,961	043 - Restaurant services
WHATAPIE	4,354,975	030 - Fruit pies; bakery desserts; tarts; fruit turnovers; pastries; pies with apple, pineapple, banana, lemon, strawberry, pumpkin, chocolate or cinnamon; bakery

		goods; pastries with fruit; pies; turnovers; tarts with fruit; fried fruit pies, pastries, tarts and turnovers; bakery products.
WHATAFRIES	4,452,561	029 - Potato chips; processed potatoes; savory potato based snack foods; french fries; potato sticks; potato snack products in the form of fried pieces; french fried potatoes; fried potatoes; potato-based snack foods; potato fries; potato snack products in the form of pieces capable of being fried; potatoes being processed; potato crisps; snack food products made wholly or principally of potatoes.
WHATACHIPS	4,905,446	029 - Potato chips; processed potatoes; savory potato based snack foods; french fries; potato sticks; potato snack products in the form of fried pieces; french fried potatoes; fried potatoes; potato-based snack foods; potato fries; potato snack products in the form of pieces capable of being fried; potatoes being processed; potato crisps; snack food products made wholly or principally of potatoes.

Each of the registrations listed in the chart above is valid and subsisting. Further, many of the above registrations have become incontestable pursuant to 15 U.S.C. § 1065.

10. On information and belief, Applicant Darren A. Fuller (“Applicant”) is an individual residing at 2839 SW Tutbury Town Court, Topeka, Kansas 66614.

11. On November 17, 2015, Applicant filed Application Serial No. 86/823,078 for the mark WHAATA HOT JAM (“Applicant’s Mark,” subject of the “Application”) pursuant to 15 U.S.C. § 1051(b).

12. The Application covers “Food products, namely, jellies, jams, marmalade, pepper jellies, pepper jams, pepper marmalade” in International Class 29.

13. Opposer has priority based on its prior use and registration of its WHATABURGER Marks and WHATA Family Marks in the United States.

14. Opposer’s WHATABURGER Marks became famous prior to the date Applicant first used or applied to register Applicant’s Mark.

15. Applicant's Mark is confusingly similar to Opposer's WHATABURGER Marks and WHATA Family Marks. In particular, Applicant's Mark begins with the term "WHAATA," which is phonetically identical to "WHATA," the dominant and common element in Opposer's WHATA Family Marks.

16. The goods in the Application directly compete with, or are related to, the goods and services for which Opposer uses and has registered its WHATABURGER Marks and WHATA Family Marks.

17. Opposer has not given Applicant permission or approval to use or register Applicant's Mark.

18. Applicant's Mark so resembles Opposer's WHATABURGER Marks and WHATA Family Marks as to be likely, when used on or in connection with the identified goods in the Application, to cause confusion, or to cause mistake, or to deceive. Purchasers or prospective purchasers are likely to believe that the goods offered under Applicant's Mark are sponsored, endorsed, or approved by Opposer, or are in some way affiliated, connected, or associated with Opposer or its marks or goods or services. Registration therefore should be refused under 15 U.S.C. §§ 1052(d) and 1063.

19. Applicant's Mark is likely to cause dilution by blurring of Opposer's famous and distinctive WHATABURGER Marks, and registration should also be refused under 15 U.S.C. § 1125(c).

20. Registration of Applicant's Mark on the Principal Register would be inconsistent with Opposer's rights under the aforementioned registrations and common law and would be damaging to Opposer.

WHEREFORE, Opposer prays that the Application be rejected, and that registration of the mark therein be refused.

This Notice of Opposition is being filed electronically, along with the filing fee required by 37 C.F.R. § 2.6(a)(17). The Commissioner is authorized to draw on the Deposit Account of Pirkey Barber PLLC, Account No. 50-3924/WHAT:025/WCL, if there is any problem with the processing of the electronically submitted fee.

Respectfully submitted,

Date: September 14, 2016

/Wendy C. Larson/
Wendy C. Larson
Elizabeth Stafki
PIRKEY BARBER PLLC
600 Congress Avenue, Suite 2120
Austin, Texas 78701
(512) 322-5200

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing NOTICE OF OPPOSITION was served by first class mail on September 14, 2016 on Applicant's attorney of record:

Patricia H. Lee
Saint Louis University School of Law
100 North Tucker Blvd.
Legal Clinic, Ste. 704
St. Louis, MO 63101

/Wendy C. Larson/
Wendy C. Larson