

ESTTA Tracking number: **ESTTA776058**

Filing date: **10/11/2016**

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	Duke University
Granted to Date of previous extension	10/09/2016
Address	Office of University Counsel 310 Blackwell St., 4th Floor Durham, NC 27701 UNITED STATES

Attorney information	Susan Freya Olive Olive & Olive, P.A. 500 Memorial St. Durham, NC 27701 UNITED STATES emailboxTTAB@oliveandolive.com, solive@oliveandolive.com
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Applicant Information

Application No	86810746	Publication date	04/12/2016
Opposition Filing Date	10/11/2016	Opposition Period Ends	10/09/2016
Applicant	Kenneth P. Post 6763 Forestview Court West Bloomfield, MI 48322 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Clothing, namely, shirts, sweaters, jackets, hoodies, ball caps and skull caps

Applicant Information

Application No	86810722	Publication date	04/12/2016
Opposition Filing Date	10/11/2016	Opposition Period Ends	
Applicant	Kenneth P. Post 6763 Forestview Court West Bloomfield, MI 48322 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Clothing, namely, shirts, sweaters, jackets,

hoodies, ball caps and skull caps

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Failure to function as a mark	Trademark Act Sections 1, 2 and 45
The mark is not inherently distinctive and has not acquired distinctiveness	Trademark Act Sections 1, 2 and 45; and Section 2(f)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1701827	Application Date	10/01/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 pillows Class 021. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 cups Class 025. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 shirts		

U.S. Registration No.	1702350	Application Date	09/30/1991
Registration Date	07/21/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY STORES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00 retail store and mail order services inthe field of clothing, furniture, toys,games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments,		

	stationery, prints, camping equipment, pennants, decals, memorabilia, items-bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life
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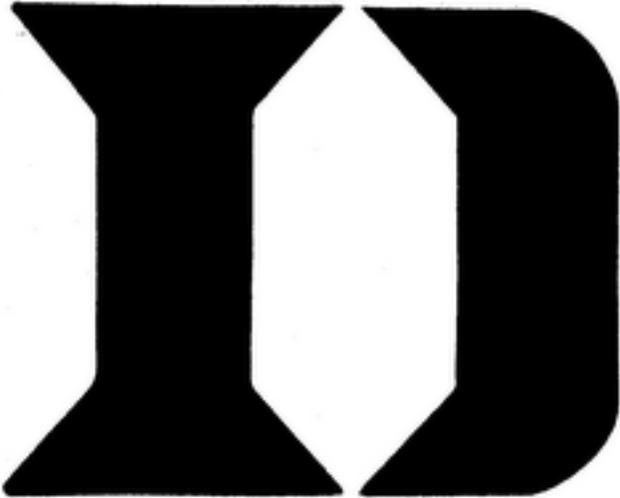
U.S. Registration No.	1702830	Application Date	10/01/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 key rings made primarily of metal and metal license plates</p> <p>Class 016. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags</p> <p>Class 018. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 trunks for traveling, travel bags, and toiletry cases sold empty</p> <p>Class 024. First use: First Use: 1925/00/00 First Use In Commerce: 1965/00/00 tablecloths not of paper, blankets, and cloth flags</p>		

U.S. Registration No.	1703029	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	D		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 decorative magnets</p> <p>Class 014. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 jewelry; namely, necklaces, pins, cuff links and tie tacks</p> <p>Class 025. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 jackets and pants</p>		
U.S. Registration No.	1703267	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 paper identification tags and decals</p> <p>Class 020. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 plaques and chairs</p> <p>Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 pants, shirts and jackets</p>		
U.S. Registration No.	1703433	Application Date	09/30/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 pants and underwear

U.S. Registration No.	1707766	Application Date	09/30/1991
Registration Date	08/18/1992	Foreign Priority Date	NONE
Word Mark	D		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 key chains made primarily of metal Class 020. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00		

	tables Class 025. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 scarves, hats, socks, shirts, sweaters and pants
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U.S. Registration No.	1713473	Application Date	10/01/1991
Registration Date	09/08/1992	Foreign Priority Date	NONE

Word Mark	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
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Description of Mark	NONE
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Goods/Services	Class 014. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 jewelry; namely, class rings Class 041. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 educational services; namely, providing courses of study at the undergraduate and graduate level
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U.S. Registration No.	1724999	Application Date	09/30/1991
Registration Date	10/20/1992	Foreign Priority Date	NONE

Word Mark	D U ERUDITIO ET RELIGIO
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Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 006. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 key rings made primarily of metal, and metal license tags</p> <p>Class 008. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 pocket knives</p> <p>Class 009. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 decorative magnets, telephones, developed photographic slide transparencies, and graduated rulers</p> <p>Class 012. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 automobile window shades</p> <p>Class 014. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 cuff links, watches, and clocks</p> <p>Class 015. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 [musical instruments; namely, hand bells]</p> <p>Class 016. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 business card holders, pens, pencils, sets containing pens and pencils, desk top accessories; namely, pens, pencils, pen and pencil sets, blotters, paperweights and desk top calendars, paperweights, book ends, stationery, playing cards, paper napkins, cardboard gift boxes, paperbags, decals, stickers, filler paper, notepads, notebooks, clipboards, stationery type portfolios, memorandum boards, calendars, address books, paper coin holders, and paper diploma cases</p> <p>Class 018. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 umbrellas</p> <p>Class 020. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 plaques, pillows, plastic novelty license plates, and chairs</p> <p>Class 021. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 wooden serving trays, cups, beverage glasses, mugs, insulated beverage holders, decorative jars not of precious metal, vases, coasters, coaster racks, jewelry boxes, serving trays not made of wood also not made of precious metal, and soap dishes</p>

	<p>Class 022. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 laundry bags, and plastic bags for securing valuables</p> <p>Class 024. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 pennants not of paper, blankets, tablecloths not of paper, and towels</p> <p>Class 025. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 neckties, shirts, pants, and sweaters</p> <p>Class 026. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 buttons for clothing, fabric appliques, and needlepoint kits consisting of one or more of skeins of floss, fabric, needle, photo of completed design, needlepoint pattern and instructions</p> <p>Class 028. First use: First Use: 1966/02/00 First Use In Commerce: 1966/02/00 board games and Christmas tree ornaments</p>
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U.S. Registration No.	1737968	Application Date	09/30/1991
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Registration Date	12/08/1992	Foreign Priority Date	NONE
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Word Mark	D
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 006. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 metal license plates and metal key chains</p> <p>Class 011. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 lamps</p> <p>Class 012. First use: First Use: 1988/10/00 First Use In Commerce: 1988/10/00 automobile windshield sunshades</p> <p>Class 014. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 watches and women's jewelry</p> <p>Class 016. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 decals, [paper flags,] note pads, and writing paper</p> <p>Class 018. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 [trunks for traveling and] gym bags</p> <p>Class 020. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 chairs, [plastic flags,] and jewelry cases not of precious metal</p> <p>Class 021. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00</p>
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	<p>cups, wastepaper baskets, and insulated can holders Class 024. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 cloth flags Class 025. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 hats, socks, pants, shirts, sweatshirts, and sweaters Class 027. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 floor mats for household use Class 028. First use: First Use: 1982/09/00 First Use In Commerce: 1982/09/00 sports balls and basketball backboards</p>
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U.S. Registration No.	2026492	Application Date	06/27/1995
Registration Date	12/31/1996	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1995/02/17 First Use In Commerce: 1995/02/17 clothing, namely, T-shirts		

U.S. Registration No.	2082553	Application Date	06/28/1995
Registration Date	07/22/1997	Foreign Priority Date	NONE
Word Mark	DKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1996/11/12 First Use In Commerce: 1996/11/12 balloons		

U.S. Registration No.	2092314	Application Date	06/28/1995
Registration Date	08/26/1997	Foreign Priority	NONE

		Date	
Word Mark	D KE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1996/11/22 First Use In Commerce: 1996/11/22 pennants not of paper		

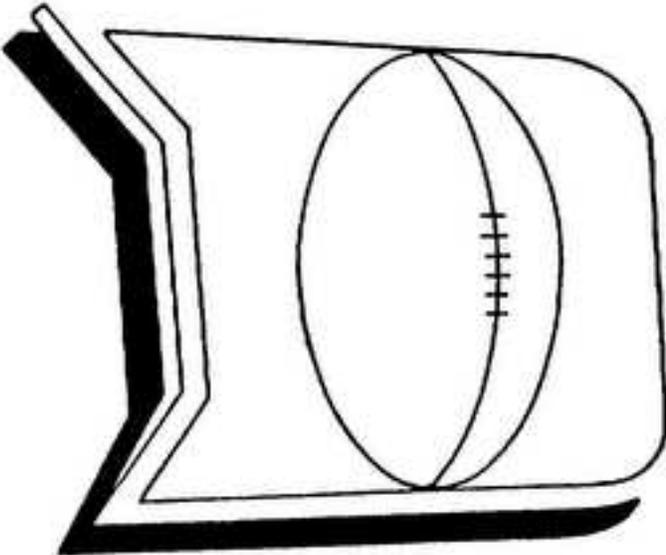
U.S. Registration No.	2100928	Application Date	03/25/1996
Registration Date	09/30/1997	Foreign Priority Date	NONE
Word Mark	CAMERON CRAZIE D		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/03/17 First Use In Commerce: 1992/03/17 clothing, namely, shirts		

U.S. Registration No.	2122067	Application Date	06/28/1995
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	DKE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1996/11/05 First Use In Commerce: 1996/11/05 decals, stickers, stationery, and note pads Class 021. First use: First Use: 1996/11/06 First Use In Commerce: 1996/11/06 drinking glasses, cups, and mugs

U.S. Registration No.	2203764	Application Date	07/01/1997
Registration Date	11/17/1998	Foreign Priority Date	NONE
Word Mark	DUKE CENTER FOR LIVING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 educational services, namely, conducting classes, individualized programs, re- treats, seminars, and workshops in the fields of health, medicine, nutrition, phys- ical fitness, and stress and lifestyle management; and providing facilities for ex- ercise Class 042. First use: First Use: 1991/08/00 First Use In Commerce: 1991/08/00 counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight man- agement diet planning and supervision		

U.S. Registration No.	2307324	Application Date	10/06/1998
Registration Date	01/11/2000	Foreign Priority Date	NONE
Word Mark	D		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 021. First use: First Use: 1997/06/05 First Use In Commerce: 1997/06/05 cups and mugs</p> <p>Class 024. First use: First Use: 1997/05/17 First Use In Commerce: 1997/05/17 cloth pennants</p> <p>Class 025. First use: First Use: 1997/06/00 First Use In Commerce: 1997/06/00 shirts and hats</p>

U.S. Registration No.	2317603	Application Date	08/26/1997
Registration Date	02/15/2000	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark	<p style="text-align: center;">DUKE</p>		
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing</p>		

	Class 042. First use: First Use: 1935/01/00 First Use In Commerce: 1935/01/00 providing hospital, medical, and healthcare services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services
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U.S. Registration No.	2415817	Application Date	01/07/2000
Registration Date	12/26/2000	Foreign Priority Date	NONE
Word Mark	DUKECARD		
Design Mark	DUKECARD		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events</p> <p>Class 036. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto</p>		

U.S. Registration No.	2820854	Application Date	11/07/2002
Registration Date	03/09/2004	Foreign Priority Date	NONE
Word Mark	D		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1996/05/08 First Use In Commerce: 1996/05/08 decorative magnets</p> <p>Class 014. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 earrings</p> <p>Class 016. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 stationery</p> <p>Class 021. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 beverage glasses and portable coolers</p> <p>Class 025. First use: First Use: 1988/08/15 First Use In Commerce: 1988/08/15 shirts, sweatshirts and underwear</p>		
U.S. Registration No.	3157222	Application Date	07/20/2005
Registration Date	10/17/2006	Foreign Priority Date	NONE
Word Mark	DUKIE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 2002/07/17 First Use In Commerce: 2002/07/17 Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs
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U.S. Registration No.	3780204	Application Date	03/27/2009
Registration Date	04/27/2010	Foreign Priority Date	NONE

Word Mark	DUKEENGAGE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service</p> <p>Class 036. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 charitable fundraising services</p> <p>Class 041. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs</p> <p>Class 042. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback</p>
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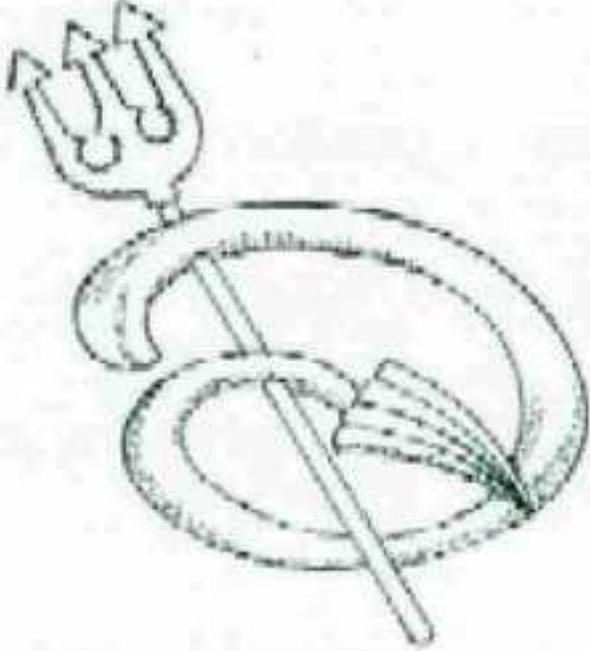
U.S. Registration No.	3878213	Application Date	08/03/2006
Registration Date	11/16/2010	Foreign Priority Date	NONE

Word Mark	DUKE
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 2010/02/01 First Use In Commerce: 2010/02/01 Decals, note pads, note cards, writing paper, and binders

U.S. Registration No.	3925905	Application Date	02/29/2008
Registration Date	03/01/2011	Foreign Priority Date	NONE

Word Mark	D
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Design Mark	
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Description of Mark	The mark consists of a stylized capital letter "D" superimposed over a three-pronged pitchfork. The letter "D" contains a barbed devil tail that encircles the pitchfork's staff.
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Goods/Services	Class 006. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Key holders made primarily of metal Class 008. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Pocket knives Class 009. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Decorative magnets Class 014. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Jewelry; wrist watches Class 016. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 desktop business card holders, decals, stickers
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	<p>Class 021. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 mugs, thermal insulated containers for food or beverage</p> <p>Class 024. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Cloth pennants</p> <p>Class 025. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Clothing, namely, shorts, headwear, tops, shirts</p> <p>Class 028. First use: First Use: 2010/11/18 First Use In Commerce: 2010/11/18 Balloons</p>
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U.S. Registration No.	3936096	Application Date	10/08/1998
Registration Date	03/29/2011	Foreign Priority Date	NONE
Word Mark	DUKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1926/00/00 First Use In Commerce: 1926/00/00 clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, night-shirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands		

U.S. Registration No.	3995015	Application Date	05/27/2010
Registration Date	07/12/2011	Foreign Priority Date	NONE
Word Mark	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D		
Design Mark			

Description of Mark	The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.
Goods/Services	Class 025. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Clothing, namely, shirts Class 041. First use: First Use: 2006/09/11 First Use In Commerce: 2006/09/11 Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

U.S. Registration No.	4108223	Application Date	06/27/2011
Registration Date	03/06/2012	Foreign Priority Date	NONE
Word Mark	IRON DUKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Decals Class 021. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Drinking vessels Class 024. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Blankets for outdoor use Class 025. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Shirts and hats for non-industrial uses Class 028. First use: First Use: 2011/05/12 First Use In Commerce: 2011/05/12 Golf balls		

U.S. Registration No.	4172132	Application Date	08/03/2006
Registration Date	07/10/2012	Foreign Priority Date	NONE
Word Mark	DUKE		

Design Mark	
Description of Mark	The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".
Goods/Services	Class 025. First use: First Use: 2009/10/00 First Use In Commerce: 2009/10/00 Clothing for men and women, namely, tops and sweatshirts

U.S. Registration No.	4274183	Application Date	10/14/2011
Registration Date	01/15/2013	Foreign Priority Date	NONE

Word Mark	D
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Design Mark	
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Description of Mark	The mark consists of a stylized capital letter "D" shown in Gothic script.
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Goods/Services	Class 014. First use: First Use: 1987/01/01 First Use In Commerce: 1987/01/01 Rings Class 025. First use: First Use: 2011/03/01 First Use In Commerce: 2011/03/01 Headwear; Tops
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U.S. Registration No.	4323346	Application Date	06/21/2012
Registration Date	04/23/2013	Foreign Priority Date	NONE

Word Mark	DUKE CHILDREN'S
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Design Mark	DUKE CHILDREN'S
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Description of Mark	NONE
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Goods/Services	<p>Class 009. First use: First Use: 2009/06/17 First Use In Commerce: 2009/06/17 Downloadable electronic publications in the nature of bulletins in the field of healthcare</p> <p>Class 016. First use: First Use: 2009/06/17 First Use In Commerce: 2009/06/17 Bulletins concerning healthcare</p> <p>Class 035. First use: First Use: 1974/00/00 First Use In Commerce: 1974/00/00 Retail pharmacy services; retail gift shop services</p> <p>Class 036. First use: First Use: 1974/00/00 First Use In Commerce: 1974/00/00 Charitable fundraising services</p> <p>Class 041. First use: First Use: 1996/00/00 First Use In Commerce: 1996/00/00 Educational services, namely, conducting programs and training in the fields of medicine and healthcare; charitable services, namely, providing recreational activities for children suffering from illness in the nature of swimming, hiking, fishing, climbing, tennis, dance, photography, arts and crafts, and boating, and conducting field trips in the fields of arts, culture and science</p> <p>Class 042. First use: First Use: 1996/00/00 First Use In Commerce: 1996/00/00 Scientific research</p> <p>Class 044. First use: First Use: 1990/00/00 First Use In Commerce: 1990/00/00 Healthcare; providing information in the field of healthcare</p>
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U.S. Registration No.	4342645	Application Date	10/17/2012
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Registration Date	05/28/2013	Foreign Priority Date	NONE
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Word Mark	WASHINGTON DUKE INN & GOLF CLUB
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Design Mark	WASHINGTON DUKE INN & GOLF CLUB
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Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 1988/10/00 First Use In Commerce: 1988/10/00
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	<p>Retail gift shop; retail sporting goodsstore Class 041. First use: First Use: 1988/10/00 First Use In Commerce: 1988/10/00 Providing sports facilities</p> <p>Class 043. First use: First Use: 1988/10/00 First Use In Commerce: 1988/10/00 Hotel services; restaurant services; provision of banquet and social function facilities for special occasions; provision of conference, exhibition and meetingfacilities</p>
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U.S. Registration No.	4372828	Application Date	07/20/2006
Registration Date	07/23/2013	Foreign Priority Date	NONE

Word Mark	DUKE MEDICINE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 041. First use: First Use: 2005/07/21 First Use In Commerce: 2005/07/21 Arranging and conducting educational conferences; medical and scientific training and teaching; arranging of exhibitions, seminars, conferences, professional workshops, training courses; organizationof seminars, working groups, research groups and conventions, in the fields of medicine and science; production of radio or television programs; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf or tennis tournaments; awards programs for major corporations and individuals who have made significant charitable contributions; publishing documents, books, journals and reports in the fields of science and medicine;providing fitness and exercise facilities; educational research; providing instruction in the field of health and wellness</p> <p>Class 042. First use: First Use: 2005/07/21 First Use In Commerce: 2005/07/21 Clinical research; design of medical, optical, and scientific apparatus and instruments; design or development of information and databases; design and testingfor new product development; design or testing of new products for others; licensing of intellectual property; medical research; medical and optical laboratories; scientific research and development</p> <p>Class 044. First use: First Use: 2005/07/21 First Use In Commerce: 2005/07/21 Blood bank; charitable services, namely, providing medical services, medical equipment, and medical supplies to those in need; charitable services, namely, patient assistance programs to provide drugs, drug counseling, and assistance in obtaining drugs for senior citizens and others in need; dentist services; emergency medical response services; health care; hospitals; hospices; medical, dental, optical, pharmaceutical, wellness and nursing care, consultation, and advice; medical information; nursing care; optician and optometry services; medical clinics; medical services; nutrition counseling; pharmaceutical dispensing; providing health information; providing medical information; rental of medical equipment; home health care and wellness counselingand psychotherapy with</p>
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	<p>individuals, families, and groups; providing information in the field of health and wellness; social work services, namely, assisting patients and their families to obtain appropriate support services in the nature of home health care and wellness counseling; providing medical equipment to individuals</p> <p>Class 045. First use: First Use: 2005/07/21 First Use In Commerce: 2005/07/21 Grief and bereavement counseling; ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, counseling and emotional support</p>
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U.S. Registration No.	4397703	Application Date	09/25/2012
Registration Date	09/03/2013	Foreign Priority Date	NONE
Word Mark	DUKE FORWARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2012/09/29 First Use In Commerce: 2012/09/29 Accepting and administering monetary charitable contributions; Charitable fundraising services		

U.S. Registration No.	4481331	Application Date	06/30/2009
Registration Date	02/11/2014	Foreign Priority Date	NONE
Word Mark	DUKE CONNECTED CARE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2012/12/03 First Use In Commerce: 2012/12/03 health care		

U.S. Registration	4760204	Application Date	11/05/2014
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No.			
Registration Date	06/23/2015	Foreign Priority Date	NONE
Word Mark	IRON DUKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events</p> <p>Class 036. First use: First Use: 1971/07/01 First Use In Commerce: 1971/07/01 Charitable fundraising to support athletic activities, facilities and events</p>		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		
Goods/Services	<p>Used as a house mark and as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women and children of all ages. For purposes of this proceeding, the products can generally defined as consumer goods, and those asserted herein are the following: # Cosmetics, skin care products, personal bathing and grooming products, and toiletries (including, by way of example, body and nail art, decorative transfers, face paint, glitter, personal care packs comprising containers with toiletries therein, and toothbrushes); # Clothing of all types for babies, children, men and women (including, by way of example, belts and suspenders; bibs; bottoms including pants, shorts, and other bottoms, separately or in combination with tops; footwear; hairwear; headwear and neckwear; loungewear, nightwear and sleepwear; outerwear including blazers, coats, foul weather gear, jackets, sweatshirts, and other outerwear; tops including shirts, blouses, and other tops; undergarments and other lingerie; and specialty wear including athletic apparel, bike shorts, exercise wear, performance wear, skiwear, swimwear, and uniforms); # Clothing accessories and hair accessories; # Fabric for sewing; # Personal accessories (including, by way of example, hair holders and hair ornaments, key holders, sunglasses, and wallets); # Jewelry for men and women (including both costume jewelry and jewelry of precious metal); # Time-keeping instruments (including clocks and watches); # Electronic and computer accessories (including, by way of example, data storage devices, earphones, mouse pads, protective storage for computers and computer accessories, speakers); # Computer application software (including, by way of example, web-based information and applications for use on</p>		

common mobile platforms; and educational programs) # Containers for personal and household items, and luggage (including, by way of example, backpacks; bags and cases adapted to hold electronic devices and computers; baskets; containers to hold personal care, skin care, grooming, and cosmetic items; coolers; duffels; piggy banks; sport bags; suitcases; totes); luggage tags # Beverageware, barware, insulating covers for beverage containers, coolers, decanters, flasks, drinkware; feeding wares for children; kitchenware; kitchen, cooking and grilling accessories; picnicware; tableware # Foods and beverages # Housewares and household furnishings (including by way of example candles, cushions, curtains, mats, picture frames, rugs, and trash cans); bedding and pillows; bathware (the latter including, by way of example, towels, washcloths, bath mats, shower curtains, toiletry holders, and bathing accessories); # DÃ©cor and ornaments; holiday ornaments and holiday dÃ©cor; household ornaments; sports ornaments; decorative items for home, vehicle, business and garden adornment; banners, decals, flags and pennants; # Automobile and other vehicular decorative accessories (including by way of example banners bumper stickers, decals, flags, fins, key holders, license plate holders; mirror ornaments, ornamental license plates, pennants); # Writing instruments and paper goods (the latter including by way of example artworks of paper; books; cards; memo pads, paper napkins; paper plates; wrapping paper; collectibles) # Desk and office accessories (including by way of example business card holders, desk sets, memo pad holders, pencil holders, paper clip holders, paper weights, photo albums); # Furniture (including by way of example chairs, canopies, stools, and tables); # Lighting and accessories therefor (including by way of example lamps, lampshades, and flashlights); # Games and toys (including, by way of example, action figures, dolls, stuffed and plush toys, board games, card games, electronic and video games, tabletop games, outdoor games and equipment for such games; toy sporting equipment); game tables; # Sports equipment and sports accessories (including by way of example balls, ball markers, bats, carabiners, golf bags, golf headcovers, helmets, sports bags, tees, sports towels, sports umbrellas); bicycles and bicycle accessories (the latter including by way of example bicycle clothing, gear, and bags); # Sports memorabilia; university memorabilia; fanware; gift items intended to remind recipients of Duke University or some aspect of the services and entertainment provided by Duke University and its affiliates # Pet accessories (including by way of example apparel, costumes, restraint devices, and toys); # Pre-recorded musical, audio, and audiovisual works; cell phone ringtones; streaming live musical performances; streaming live athletic performances; streaming live educational programs and performances # Publications in the nature of books, booklets, brochures, magazines, periodicals, and documents, and information provided via the Internet, such publications relating to Duke University, its programs, research, staff, students, fans, and alumni, and/or concerning subjects of general human interest and/or of interest to students, professors, alumni and/or fans, and/or concerning subjects of interest to professionals in fields of study taught at Duke University; # And, all products listed in the trademark registrations recited in the Notice of Opposition.

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE		

<p>Goods/Services</p>	<p>Used as a house mark and as a service mark to identify a wide range of services provided and licensed by Duke University, including all services typically provided by a major research university with an associated medical center, professional schools, top tier athletic teams, and trademark licensing program. For purposes of this proceeding, those asserted herein are the following: # Charitable and fundraising services; # Educational services for men, women and children (including the provision of classes, conferences, courses, seminars, tutoring, training, and workshops, both in traditional formats and via broadcast and online media, at the pre-university, university, graduate and post-graduate levels); # Educational and training services in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, health and wellness, law, liberal arts, mathematics, medicine, military science, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in life and in a career; # Entertainment services, namely sponsoring athletic events, artistic performances, and cultural affairs; organizing and conducting collegiate and pre-collegiate sport competitions and athletic events; # Museums and museum services; # Musical and theatrical performances, training, and education; # Personal care services in the nature of spa, gym, salon and barber shop services; # Photography services; # Providing athletic performances, providing and/or sponsoring athletic teams and clubs, and engaging in athletic competitions in the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, endurance events, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, motor sports (including automobile racing), racing, racquetball, rowing, rugby, sailing, skiing, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, and in all sports regulated by the NCAA; # Providing counseling services, hospital services, medical and nursing services, diet and fitness services, mental and physical health and wellness services, psychological and psychiatric services, pharmaceutical services; # Providing, on-line and through live, broadcast and pre-recorded media, information relating to Duke University, its programs, research, employees, students, fans, and alumni, information concerning subjects of general human interest, information of interest to students, employees, alumni and/or fans, and information concerning subjects of interest to professionals in fields of study taught at Duke University; # Publishing services; # Religious instruction, teaching, counseling and services including divinity school services and church services; # Research in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, law, liberal arts, health and wellness, mathematics, medicine, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in a career, and in all fields in which Duke University provides educational services; # Restaurant services, hospitality services, bar services, provision of food and beverages, and supervision of third-party provision of food and beverages; # Sports camp, sports club, sports medicine, sports rehabilitation, and sports training services; # Retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of consumer goods of others; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of goods bearing the marks of Duke University; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring those goods identified in the list of common law goods recited in this Notice</p>
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	of Opposition, as well as soaps and other bath and grooming products # Retail store services in the fields of personal care, grooming, cosmetics and health and wellness; # And, all services listed in the service mark registrations recited in the Notice of Opposition.
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	DUKE UNIVERSITY		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	The letter #D# - in plain form, and in a wide variety of designs including but not limited to those depicted in the Notice of Opposition and the registrations cited therein		
Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Design Mark			

Goods/Services	Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, and sports related services as provided herein with respect to DUKE
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Attachments	74208935#TMSN.png(bytes) 74208934#TMSN.png(bytes) 74208328#TMSN.png(bytes) 74209061#TMSN.png(bytes) 74209060#TMSN.png(bytes) 74209067#TMSN.png(bytes) 74208924#TMSN.png(bytes) 74209059#TMSN.png(bytes) 74209062#TMSN.png(bytes) 74693793#TMSN.png(bytes) 75976141#TMSN.png(bytes) 75976140#TMSN.png(bytes) 75078947#TMSN.png(bytes) 74694684#TMSN.png(bytes) 75565065#TMSN.png(bytes) 75347293#TMSN.png(bytes) 75892149#TMSN.png(bytes) 76465255#TMSN.png(bytes) 78674480#TMSN.png(bytes) 77700792#TMSN.png(bytes) 78944344#TMSN.png(bytes) 77409399#TMSN.png(bytes) 85049335#TMSN.png(bytes) 85356737#TMSN.png(bytes) 78944306#TMSN.png(bytes) 85447767#TMSN.png(bytes) 85658564#TMSN.png(bytes) 85756810#TMSN.png(bytes) 78933450#TMSN.png(bytes) 85738029#TMSN.png(bytes) 77771298#TMSN.png(bytes) 86445421#TMSN.png(bytes) Iron Duke D FINAL.jpg 20161011 NOO - Duke v Kenneth Post.pdf(148273 bytes) Exhibits 1-36.pdf(1474036 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 Facsimile or email (by agreement only) on this date.

Signature	/sfo/
Name	Susan Freya Olive
Date	10/11/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Trademark Trial and Appeal Board**

IN THE MATTER OF Trademark Applications of Kenneth P. Post
For Registration of:

THE D IS ME, Serial No. 86810746
Published for Opposition in the Official Gazette on April 12, 2016
Goods/Services Opposed: All
&
THE D IS WE, Serial No. 86810722
Published for Opposition in the Official Gazette on April 12, 2016
Goods/Services Opposed: All

Duke University, Plaintiff-Opposer vs. Kenneth P. Post, Defendant-Applicant	OPPOSITION TO REGISTRATION OF MARKS
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Attorney Reference: DUKU9438 & DUKU9438-b

Duke University, a corporation of the State of North Carolina, with a principal place of business in Durham, North Carolina and business address at Office of University Counsel, Duke University, Durham, North Carolina, believes that it will be damaged by registration of the marks shown in the above-identified applications (hereafter referred to as “Applicant’s Applications”), and hereby opposes same.

Opposer brings its claims pursuant to Trademark Act Section 2(d), 15 U.S.C. § 1052(d); and pursuant to Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127. The grounds for opposition are more particularly set out as follows. Headings are interposed for convenience; all allegations are deemed incorporated into each ground for opposition, as though realleged for each.

GENERAL ALLEGATIONS

1. Opposer is a university which provides, among other things, a first-class academic program, a

world-renowned teaching hospital and medical facilities, and a well-known Division 1 athletic program (including a famous basketball program), and whose sports programs are followed by sports fans around the country.

2. Opposer is the owner of many marks consisting in whole or a substantial part of the letter D (when separately referred to hereinafter called Opposer's "D Marks") and/or the term DUKE or variants thereof (when separately referred to hereinafter called Opposer's "DUKE Marks").
3. Opposer's D Marks are used in various forms, and remind viewers of Opposer, of Opposer's famous mark DUKE, and of Opposer's well-known athletic program and supporters. Opposer's D Marks and Opposer's DUKE Marks are hereafter collectively referred to as Opposer's Marks.
4. For purposes of the current proceeding, the marks relied upon as Opposer's Marks are those set out in the registrations listed herein and in the exhibits, together with the common law marks listed herein and in the exhibits, and the marks listed on the ESTTA Cover Sheet for this pleading.
5. Opposer commenced use of Opposer's Marks, including Opposer's D Marks and Opposer's DUKE Marks, in the 1920's and has continued and expanded use in interstate and foreign commerce, both directly and through licensees, continuously since that time.
6. Opposer uses Opposer's Marks, including Opposer's D Marks, in connection with (among other things) its university activities, education, medical programs, and sports programs, as well as for an extensive line of apparel and accessories, sports equipment, sports bags, and other consumer goods, and the marks are viewed by millions of fans each year, all of which, together with Opposer's lengthy use of Opposer's Marks, creates and reinforces a link between Opposer and Opposer's Marks, including Opposer's D Marks, in the minds of the public.
7. Opposer's Marks include each mark set out in the table below, which lists some of the United

States Trademark Registrations owned by Opposer covering marks that include the letter “D,” and/or the term DUKE or variants or formatives thereof, all of which remind viewers and customers of Opposer. Each of the registrations listed below was lawfully issued, and is valid and subsisting. Copies of the electronic records provided by the United States Trademark Office for each registration are attached hereto as Exhibits 1 through 35 and are incorporated herein by reference and for purpose of reliance.

Exh.	Registration #.	Issue Date	Mark
1	1,701,827	07/21/92	DUKE UNIVERSITY
2	1,702,350	07/21/92	DUKE UNIVERSITY STORES
3	1,702,830	07/28/92	DUKE UNIVERSITY
4	1,703,029	07/28/92	D and Design
5	1,703,267	07/28/92	Flaming Devil with D Design
6	1,703,433	07/28/92	Devil with D Design
7	1,707,766	08/18/92	D (stylized)
8	1,713,473	09/08/92	UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO
9	1,724,999	10/20/92	D U ERUDITIO ET RELIGIO and Design
10	1,737,968	12/08/92	D with Devil Head Design
11	2,026,492	12/31/96	D[U]KE with Stylized “U”
12	2,082,553	07/22/97	D[U]KE with Stylized “U”
13	2,092,314	08/26/97	D[U]KE with Stylized “U”
14	2,100,928	09/30/97	CAMERON CRAZIE D
15	2,122,067	12/16/97	D[U]KE with Stylized “U”
16	2,203,764	11/17/98	DUKE CENTER FOR LIVING
17	2,307,324	01/11/00	D Design
18	2,317,603	02/15/00	DUKE
19	2,415,817	12/26/00	DUKECARD
20	2,820,854	03/09/04	Devil with D Design
21	3,157,222	10/17/06	DUKIE
22	3,780,204	04/27/10	DUKEENGAGE
23	3,878,213	11/16/10	DUKE and Design
24	3,925,905	03/01/11	D (stylized)
25	3,936,096	03/29/11	DUKE

Exh.	Registration #.	Issue Date	Mark
26	3,995,015	07/12/11	DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D
27	4,108,223	03/06/12	IRON DUKES
28	4,172,132	07/10/12	DUKE and Design
29	4,274,183	01/15/13	D
30	4,323,346	04/23/13	DUKE CHILDREN'S
31	4,342,645	05/28/13	WASHINGTON DUKE INN & GOLF CLUB
32	4,372,828	07/23/13	DUKE MEDICINE
33	4,397,703	09/03/13	DUKE FORWARD
34	4,481,331	02/11/14	DUKE CONNECTED CARE
35	4,760,204	06/23/15	IRON DUKES

The registrations of Exhibits 4, 5, 6, 7, 10, 14, 17, 20, 24, and 29 cover D marks registered by Opposer for use in connection with clothing, many of them also covering use in connection with additional goods and/or services. The remaining registrations exemplify the various ways in which the letter "D" is used in Opposer's registrations in general, the variety of fonts used by Opposer, and the breadth of goods and services provided by Opposer under its D and DUKE Marks.

8. Opposer's Marks also include the common law marks listed on Exhibit 36 attached hereto and incorporated herein by reference and, to the extent not already fully set out in the foregoing table and in the exhibit of common law marks, the registrations and common law marks listed in the ESTTA Cover Sheet for the filing of this Notice of Opposition, all of which are incorporated herein by reference. The "D" marks listed in Exhibit 36 identify D marks used in connection with clothing, and also identify "D" marks used in connection with additional goods and/or services.

9. Opposer's Marks are used in a wide variety of fonts and colors, and are not in general limited by appearance, although appearance is an additional feature of certain marks.
10. The marks that are the subject Applicant's Applications are virtually the same; in both cases prominently featuring the letter D, each inserted within in a phrase that suggests the affiliation of a fan with a team that it supports. Hereafter, those marks are referred to as "Applicant's Marks."
11. Applicant claims no use of Applicant's Marks and his priority is based on the filing date of Applicant's Applications on November 5, 2015.
12. Opposer's priority with respect to each of Opposer's Marks asserted in this Opposition, including Opposer's D Marks, for all of the uses identified therewith, precedes the filing date of Applicant's Applications and any other priority date on which Applicant might be entitled to rely in these proceedings.
13. Applicant has not incorporated limitations on size of lettering, coloration of mark, or on themes or images that can be used in association with the marks he seeks to register. Applicant's Marks could therefore be used, as presumptively will be the case based on the nature of Applicant's Applications, in color configurations that make the marks appear to be one of Opposer's D Marks, and could be used in connection with themes and images associated with Opposer. If registered as currently proposed, Applicant's Marks could presumptively be depicted and/or advertised in connection with Opposer's school colors, with collegiate teams and athletes, and/or with a devil or parts thereof reminiscent of Opposer's mascot; and the goods could presumptively be further marketed in association with images depicting, and themes associated with, colleges and collegiate programs, including images and themes evocative of Opposer and Opposer's athletic teams, and of fans

supporting the efforts of Opposer's athletic teams at athletic events, along with other indicia evocative of Opposer and Opposer's goods.

14. Moreover, Applicant has not incorporated limitations on channels of trade or on markets, or adopted other limitations in an attempt to avoid perceptions of a connection with Opposer, or to minimize the likelihood of confusion. The absence of such limitations further enhances the likelihood of confusion. Applicant's goods under the marks thus presumptively could be identified as "licensed" (without specification as to the licensor) and offered in commerce to the hundreds of thousands of persons who interact every year with Duke University, its sports teams and events, and its medical centers, and who seek apparel, in particular shirts, sweaters, jackets, hoodies, ball caps and/or skull caps, and related items affiliated with Opposer; and Applicant's goods could be targeted to Duke University students, alumni and fans. The marks sought to be registered, used in connection with goods closely related to those provided under Opposer's Marks, presumptively would be targeted at, and marketed through channels of commerce directed to, Opposer's athletes and fans, as well as Opposer's alumni, employees, patients, students, potential students, and parents of students past, present, or future. Applicant's goods further could be offered for sale on or adjacent to Duke University's campuses and at or adjacent to Duke's main campus and/or athletic facilities, as well as its other campuses and its medical facilities in North Carolina and in other states. It must be presumed that the market and the channels of trade through which Applicant will offer his goods in connection with the marks sought to be registered are identical and closely related to those that are currently used by Opposer and that have been used by Opposer since long prior to any priority date to which Applicant might be entitled.

COUNT I.
PRIORITY AND LIKELIHOOD OF CONFUSION
TRADEMARK ACT SECTION 2(d), 15 U.S.C. § 1052(d)

15. Applicant seeks registration of marks that contain as a prominent element the letter “D”, pursuant to Section 1(b) of the Trademark Act (15 USC § 1051(b)) for use in connection with:

“Clothing, namely, shirts, sweaters, jackets, hoodies, ball caps and skull caps” in International Class 25

16. Opposer, directly and through licensees, has used Opposer’s Marks in commerce on or in connection with identical and/or similar goods, and closely associated goods, including but not limited to those set out in the exhibits hereto and including the following:

Clothing of all types for babies, children, men and women, including, by way of example, belts and suspenders; bibs; bottoms including pants, shorts, and other bottoms, separately or in combination with tops; footwear; loungewear, nightwear and sleepwear; headwear, such as ball caps, caps, and hats; outerwear including blazers, coats, foul weather gear, hoodies, jackets, sweaters, sweatshirts, and other outerwear; and tops including shirts, blouses, and other tops.

17. Opposer continues to use Opposer’s Marks in commerce in connection with goods that are identical and closely related to those identified in Applicant’s Applications, and closely associated services. Opposer is identified by Opposer’s Marks in connection with these goods and services.

18. Applicant has not alleged any earlier priority than the filing date of its Applications with respect to any of Applicant’s goods, and on information and belief, Applicant has no earlier date on which it can rely.

19. By reason of its longstanding use of Opposer’s Marks, including Opposer’s D Marks, which commenced well prior to the priority date of Applicant’s Applications and any date of use on which Applicant is entitled to rely, and by reason of its pleaded registrations, Opposer has priority with respect to use of Opposer’s Marks over Applicant and over Applicant’s

intended use of the marks that are the subject of Applicant's Applications. Opposer's priority extends to and includes priority as to the goods for which Applicant seeks registration in each of Applicant's Applications.

20. Applicant's Marks, used as identified in Applicant's Applications, are likely to cause confusion and mistake with respect to Opposer's Marks and their use by Opposer.

COUNT II
LACK OF INHERENT DISTINCTIVENESS AND
FAILURE TO FUNCTION AS A MARK
TRADEMARK ACT SECTIONS 1, 2, AND 45, 15 U.S.C. §§1051-1052, 1127

21. In the alternative, and to the extent the phrases that Applicant proposes to register as marks are intended to be used in a form that is not associated with Duke University and that does not cause confusion with Duke University, the marks:

- a. are merely descriptive of the feelings of fans for locations and institutions whose names begin with the letter "D," and
- b. function as a motto or slogan and not a mark, such that the public will not perceive the motto or slogan as a trademark that identifies the source of applicant's goods but rather only as conveying an informational message; and/or
- c. will function to decorate and/or ornament the clothing rather than to indicate source.

22. The phrases "is me" and "is we" are ubiquitous in society, and typically are used following a term that identifies an affiliation with which the referenced "me" or "we" desires to affiliate themselves or with which they desire to be recognized or as to which they desire to make a statement.

23. "The D" is often used as a slang phrase. For example, "The D" is often used to reference the City of Detroit—the location where Applicant has its residence. As another example and in a very different context, "The D" is a common slang reference to the male sexual organ. "The

D” also is used to refer to the defense, on athletic teams.

24. Used in conjunction, these ubiquitous terms and common phrases will be perceived by the relevant public as generally informative of a state of mind or affiliation of the wearer or intended purchaser, but will not be indicative of the source of the goods.
25. For example, if Applicant’s marks were used in Detroit, without other descriptors or indicia associating the “D” with some other location or institution, each of the composite marks likely would suggest the affiliation of one or more Detroit residents with, and support for, the City of Detroit. On the other hand, if “THE D IS ME” were used on the front of a shirt, or in advertising for clothing, with an arrow pointing downward and without design elements suggesting otherwise, the phrase would do no more than suggest a lewd sexual reference. Likewise, if “THE D IS WE” were used on clothing marketed for use by sports teams, the slogan could identify the target market for those particular goods as defense players (such as linebackers in the case of football, or goalies in the case of hockey or soccer). What the slogans would not do, is identify a single source of the products.
26. Applicant has not used the marks it seeks to register in a manner that would overcome their inherent lack of trademark significance and that would establish a distinctive source-identifying function for the marks, if such were even theoretically possible.
27. In short, when applied to clothing without limitation as to design, as the marks are sought to be registered, the public will not perceive either of the slogans “THE D IS ME” and “THE D IS WE” as a trademark that identifies the source of Applicant’s goods, and the likely consumer perception of the phrases will not associate them with a single source of the goods.
28. Accordingly, the marks Applicant intends to use and has applied to register failure to function as a trademark to indicate the source of Applicant’s clothing and to identify and distinguish

Applicant's clothing from the clothing of others, and Applicant is not entitled to registration thereof.

CONCLUSION

29. In view of the foregoing and the similarity of Opposer's prior-used and not abandoned Opposer's Marks to Applicant's applied-for marks, the similarities between the use made by Opposer and its licensees of Opposer's Marks and the use of Applicant's Marks by Applicant as identified in Applicant's Applications and shown through Applicant's potential channels of commerce, it is alleged that Applicant's Marks as currently applied for, identified, and described, so resemble Opposer's Marks as to be likely to cause confusion and to cause mistake. In the alternative and to the extent used in a manner that does not associate Applicant's marks with Opposer, the slogans sought to be registered are not inherently distinctive, do not function as marks, have no secondary meaning associated with Applicant, and are not entitled to registration.

30. WHEREFORE, Opposer requests that Applicant's Applications be denied. The Office is authorized to charge any additional fees associated with the filing of this Notice of Opposition to our deposit account 15-0490.

This the 11th day of October, 2016.

OLIVE & OLIVE, P.A.

Attorneys for Opposer

Susan Freya Olive

Susan Freya Olive

N.C. Bar No. 7252

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Durham, North Carolina 27702

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Notice of Opposition filed herein, together with any and all attachments and exhibits thereto, has been served upon Applicant by emailing a copy of the same to Applicant's counsel, Kathleen G. Mellon, pursuant to consent for such service, at the following email address:

mellon@youngbasile.com

on this the 11th day of October, 2016.

Susan Freya Olive

Susan Freya Olive
Olive & Olive, P.A.
P. O. Box 2049
Durham, North Carolina 27702
Telephone: (919) 683-5514
Email: emailboxTTAB@oliveandolive.com

Duke University's Notice of Opposition

Exhibit 1:

TSDR website printout of Reg. No. 1,701,827

**Duke
University**

Generated on: This page was generated by TSDR on 2016-09-14 10:24:45 EDT

Mark: DUKE UNIVERSITY

Duke
University

US Serial Number: 74208935

Application Filing Date: Oct. 01, 1991

US Registration Number: 1701827

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) INSTYLIZED FORM

Goods and Services

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

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

For: pillows

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: cups

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: shirts

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Docket Number: DUKU0412

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
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500 Memorial Street
Durham, NORTH CAROLINA UNITED STATES 27701

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 2008	CASE FILE IN TICRS	
Oct. 11, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 11, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 08, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 10, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted

Continued Use:

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 2:

TSDR website printout of Reg. No. 1,702,350

DUKE UNIVERSITY STORES

Generated on: This page was generated by TSDR on 2016-09-14 10:26:17 EDT

Mark: DUKE UNIVERSITY STORES

US Serial Number: 74208327

Application Filing Date: Sep. 30, 1991

US Registration Number: 1702350

Registration Date: Jul. 21, 1992

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jun. 26, 2012

Publication Date: Apr. 28, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY STORES

Standard Character Claim: No

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

Disclaimer: "STORES"

Goods and Services

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

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

For: retail store and mail order services in the field of clothing, furniture, toys, games, sports equipment, school and office supplies, educational materials, computers, books, photography, housewares, towels, floor coverings, jewelry, ornaments, stationery, prints, camping equipment, pennants, decals, memorabilia, items bearing Duke University trademarks, and items depicting Duke University or its students, faculty, or campus life

International Class(es): 042 - Primary Class

U.S Class(es): 101

Class Status: ACTIVE

Basis: 1(a)

First Use: 1940

Use in Commerce: 1940

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0410

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
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500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 26, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 26, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Jun. 26, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Jun. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 31, 2008	CASE FILE IN TICRS	
Jul. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Oct. 07, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 21, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1992	REGISTERED-PRINCIPAL REGISTER	
Apr. 28, 1992	PUBLISHED FOR OPPOSITION	
Mar. 27, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 21, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 26, 2012

Duke University's Notice of Opposition

Exhibit 3:

TSDR website printout of Reg. No. 1,702,830

Duke University

Generated on: This page was generated by TSDR on 2016-09-14 10:27:30 EDT

Mark: DUKE UNIVERSITY

Duke University

US Serial Number: 74208934

Application Filing Date: Oct. 01, 1991

US Registration Number: 1702830

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 02, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: DUKE UNIVERSITY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

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

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

For: key rings made primarily of metal and metal license plates

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: business card holders, decals, postcards, notepaper, envelopes, stationery, notebooks, loose leaf binders, pens, pencils, pen and pencil sets and paper bags

International Class(es): 016 - Primary Class

U.S Class(es): 002, 037, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: trunks for traveling, travel bags, and toiletry cases sold empty

International Class(es): 018 - Primary Class

U.S Class(es): 002, 003

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

For: tablecloths not of paper, blankets, and cloth flags

International Class(es): 024 - Primary Class

U.S Class(es): 032, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1925

Use in Commerce: 1965

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street
4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Docket Number: DUKU0408

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
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500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 02, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
May 02, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132
May 02, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 08, 2008	CASE FILE IN TICRS	
Oct. 17, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 17, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 25, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 25, 2002	PAPER RECEIVED	
Oct. 09, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 30, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 02, 2012

Duke University's Notice of Opposition

Exhibit 4:
TSDR website printout of Reg. No. 1,703,029



Generated on: This page was generated by TSDR on 2016-09-14 10:31:14 EDT

Mark: D



US Serial Number: 74208328

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703029

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 16, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.09 - Badminton nets; Basketball nets; Nets, badminton; Nets, tennis; Nets, volley ball; Volleyball nets; Tennis nets
21.03.20 - Basketballs
26.15.21 - Polygons that are completely or partially shaded
27.03.01 - Geometric figures forming letters, numerals or punctuation

Goods and Services

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

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

For: decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 014, 026

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: jewelry; namely, necklaces, pins, cuff links and tie tacks

International Class(es): 014 - Primary Class

U.S Class(es): 028

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: jackets and pants

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: VEDIA JONES-RICHARDSON

Docket Number: DUKU0404

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: VEDIA JONES-RICHARDSON
Olive & Olive, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 16, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 16, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Apr. 16, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Apr. 13, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 25, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 06, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 24, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 1991	EXAMINER'S AMENDMENT MAILED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 16, 2012

Duke University's Notice of Opposition

Exhibit 5:

TSDR website printout of Reg. No. 1,703,267

Devil with D design



Generated on: This page was generated by TSDR on 2016-09-14 10:33:07 EDT

Mark:



US Serial Number: 74209061

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703267

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 06, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 01.15.03 - Fire (flames), other than emanating from objects, words, numbers, fireplaces or candles; Flames, other than flames emanating from objects, words, numbers, fireplaces or candles
04.01.04 - Devils; Horns, persons having

Goods and Services

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

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

For: paper identification tags and decals

International Class(es): 016 - Primary Class

U.S Class(es): 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: plaques and chairs

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: pants, shirts and jackets

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: VEDIA JONES-RICHARDSON

Docket Number: DUKU0600

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: VEDIA JONES-RICHARDSON
OLIVE & OLIVE PA
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 06, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 06, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Jun. 06, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Jun. 04, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jul. 25, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 05, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	

Apr. 03, 1992 NOTICE OF PUBLICATION
Dec. 20, 1991 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 10, 1991 EXAMINER'S AMENDMENT MAILED
Dec. 09, 1991 ASSIGNED TO EXAMINER

67568

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 06, 2012

Duke University's Notice of Opposition

Exhibit 6:

TSDR website printout of Reg. No. 1,703,433

Devil with D design



Generated on: This page was generated by TSDR on 2016-09-14 10:33:59 EDT

Mark:



US Serial Number: 74209060

Application Filing Date: Sep. 30, 1991

US Registration Number: 1703433

Registration Date: Jul. 28, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Mar. 31, 2012

Publication Date: May 05, 1992

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 04.01.04 - Horns, persons having; Devils

Goods and Services

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

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

For: pants and underwear

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vedia Jone-Richardson

Docket Number: DUKU0409

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Vedia Jone-Richardson
Olive & Olive, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 31, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69471
Mar. 31, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Feb. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 14, 2008	CASE FILE IN TICRS	
Oct. 05, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 05, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 18, 2002	PAPER RECEIVED	
Feb. 11, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 28, 1992	REGISTERED-PRINCIPAL REGISTER	
May 05, 1992	PUBLISHED FOR OPPOSITION	
Apr. 03, 1992	NOTICE OF PUBLICATION	
Dec. 12, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67568

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 28, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 31, 2012

Duke University's Notice of Opposition

Exhibit 7:

TSDR website printout of Reg. No. 1,707,766



Generated on: This page was generated by TSDR on 2016-09-14 10:34:47 EDT

Mark: D



US Serial Number: 74209067

Application Filing Date: Sep. 30, 1991

US Registration Number: 1707766

Registration Date: Aug. 18, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 28, 2012

Publication Date: May 26, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

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

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

For: key chains made primarily of metal

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: tables

International Class(es): 020 - Primary Class

U.S Class(es): 032

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

For: scarves, hats, socks, shirts, sweaters and pants

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1971

Use in Commerce: Jun. 1971

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0405

Attorney Primary Email Address: emailboxtm@oliveandolive.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
PO BOX 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514 **Fax:** 919 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 28, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68502
Aug. 28, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Aug. 27, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Aug. 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 13, 2008	CASE FILE IN TICRS	
Nov. 08, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 08, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 16, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 16, 2002	PAPER RECEIVED	
Oct. 14, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 24, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 18, 1992	REGISTERED-PRINCIPAL REGISTER	
May 26, 1992	PUBLISHED FOR OPPOSITION	
Apr. 24, 1992	NOTICE OF PUBLICATION	
Jan. 25, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 30, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 10, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 18, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 28, 2012

Duke University's Notice of Opposition

Exhibit 8:

TSDR website printout of Reg. No. 1,713,473

**UNIVERSITAS DUKIANA ERUDITIO ET
RELIGIO**



Generated on: This page was generated by TSDR on 2016-09-14 10:35:44 EDT

Mark: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO



US Serial Number: 74208924

Application Filing Date: Oct. 01, 1991

US Registration Number: 1713473

Registration Date: Sep. 08, 1992

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Mar. 15, 2012

Publication Date: May 12, 1992

Mark Information

Mark Literal Elements: UNIVERSITAS DUKIANA ERUDITIO ET RELIGIO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "UNIVERSITY"

Translation: The English translation of the words "UNIVERSITAS DUKIANA" and "ERUDITO ET RELIGIO" in the mark is "Duke University" and "education and religion" respectively.

Design Search Code(s): 05.15.02 - Laurel leaves or branches (borders or frames); Wreaths
24.05.01 - Circular or elliptical seals; Seals, circular or elliptical
24.13.01 - Cross, Latin (shorter horizontal lines); Latin cross (shorter horizontal lines)

Goods and Services

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

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

For: jewelry; namely, class rings

International Class(es): 014 - Primary Class

U.S Class(es): 028

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

For: educational services; namely, providing courses of study at the undergraduate and graduate level

International Class(es): 041 - Primary Class

U.S Class(es): 107

Class Status: ACTIVE

Basis: 1(a)

First Use: 1965

Use in Commerce: 1965

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University
Owner Address: 310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES
Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU2101
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA 27701
UNITED STATES
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 15, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67603
Mar. 15, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Mar. 12, 2012	TEAS SECTION 8 & 9 RECEIVED	
Feb. 27, 2008	CASE FILE IN TICRS	
Jul. 07, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 07, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 29, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 29, 2002	PAPER RECEIVED	
Jun. 27, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 26, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 29, 1997	POST REGISTRATION ACTION MAILED - SEC. 15	
Dec. 02, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
May 12, 1992	PUBLISHED FOR OPPOSITION	
Apr. 10, 1992	NOTICE OF PUBLICATION	
Jan. 08, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 1991	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 08, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 15, 2012

Duke University's Notice of Opposition

Exhibit 9:

TSDR website printout of Reg. No. 1,724,999

D U ERUDITIO ET RELIGIO and Design



Generated on: This page was generated by TSDR on 2016-09-14 10:36:43 EDT

Mark: D U ERUDITIO ET RELIGIO



US Serial Number: 74209059

Application Filing Date: Sep. 30, 1991

US Registration Number: 1724999

Registration Date: Oct. 20, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 09, 2012

Publication Date: Jul. 28, 1992

Mark Information

Mark Literal Elements: D U ERUDITIO ET RELIGIO

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Translation: The English translation of the words "ERUDITIO ET RELIGIO" in the mark is "education and religion".

Design Search Code(s): 07.01.01 - Castles; Forts; Palaces

24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon

24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon

24.09.07 - Advertising, banners; Banners

24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Goods and Services

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

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

For: key rings made primarily of metal, and metal license tags

International Class(es): 006 - Primary Class

U.S Class(es): 010

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: pocket knives

International Class(es): 008 - Primary Class

U.S Class(es): 023

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: decorative magnets, telephones, developed photographic slide transparencies, and graduated rulers

International Class(es): 009 - Primary Class

U.S Class(es): 014, 021, 026

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: automobile window shades

International Class(es): 012 - Primary Class

U.S Class(es): 019

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: cuff links, watches, and clocks

International Class(es): 014 - Primary Class

U.S Class(es): 027, 028

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: [musical instruments; namely, hand bells]

International Class(es): 015 - Primary Class

U.S Class(es): 002, 021, 036

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: business card holders, pens, pencils, sets containing pens and pencils, desk top accessories; namely, pens, pencils, pen and pencil sets, blotters, paperweights and desk top calendars, paperweights, book ends, stationery, playing cards, paper napkins, cardboard gift boxes, paper bags, decals, stickers, filler paper, notepads, notebooks, clipboards, stationery type portfolios, memorandum boards, calendars, address books, paper coin holders, and paper diploma cases

International Class(es): 016 - Primary Class

U.S Class(es): 022, 032, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: umbrellas

International Class(es): 018 - Primary Class

U.S Class(es): 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: plaques, pillows, plastic novelty license plates, and chairs

International Class(es): 020 - Primary Class

U.S Class(es): 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: wooden serving trays, cups, beverage glasses, mugs, insulated beverage holders, decorative jars not of precious metal, vases, coasters, coaster racks, jewelry boxes, serving trays not made of wood also not made of precious metal, and soap dishes

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030, 033, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: laundry bags, and plastic bags for securing valuables

International Class(es): 022 - Primary Class

U.S Class(es): 002

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: pennants not of paper, blankets, tablecloths not of paper, and towels

International Class(es): 024 - Primary Class

U.S Class(es): 042

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: neckties, shirts, pants, and sweaters

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: buttons for clothing, fabric appliques, and needlepoint kits consisting of one or more of skeins of floss, fabric, needle, photo of completed design, needlepoint pattern and instructions

International Class(es): 026 - Primary Class

U.S Class(es): 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

For: board games and Christmas tree ornaments

International Class(es): 028 - Primary Class

U.S Class(es): 022

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1966

Use in Commerce: Feb. 1966

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU2100

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
Post Office Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Nov. 09, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Nov. 09, 2012	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	75461
Nov. 09, 2012	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	75461
Oct. 17, 2012	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	75461
Nov. 09, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Oct. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 05, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 12, 2008	CASE FILE IN TICRS	
Jan. 31, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 31, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 11, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 11, 2002	PAPER RECEIVED	
Feb. 27, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 20, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 20, 1992	REGISTERED-PRINCIPAL REGISTER	
Jul. 28, 1992	PUBLISHED FOR OPPOSITION	
Jun. 26, 1992	NOTICE OF PUBLICATION	
Mar. 23, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 19, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 16, 1991	NON-FINAL ACTION MAILED	
Dec. 09, 1991	ASSIGNED TO EXAMINER	67604

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 20, 2012

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEO LAW OFFICE 10

Date in Location: Nov. 09, 2012

Duke University's Notice of Opposition

Exhibit 10:
TSDR website printout of Reg. No. 1,737,968



Generated on: This page was generated by TSDR on 2016-09-14 10:37:33 EDT

Mark: D



US Serial Number: 74209062

Application Filing Date: Sep. 30, 1991

US Registration Number: 1737968

Registration Date: Dec. 08, 1992

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 09, 2012

Publication Date: Sep. 15, 1992

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 04.01.05 - Heads with horns (persons); Heads of devils or horned personages, with or without wings, and devil's tail

Goods and Services

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

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

For: metal license plates and metal key chains

International Class(es): 006 - Primary Class

U.S Class(es): 013, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: lamps

International Class(es): 011 - Primary Class

U.S Class(es): 021

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: automobile windshield sunshades

International Class(es): 012 - Primary Class

U.S Class(es): 019

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For: watches and women's jewelry

International Class(es): 014 - Primary Class

U.S Class(es): 027, 028

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: decals, [paper flags,] note pads, and writing paper

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: [trunks for traveling and] gym bags

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: chairs, [plastic flags,] and jewelry cases not of precious metal

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: cups, wastepaper baskets, and insulated can holders

International Class(es): 021 - Primary Class

U.S Class(es): 002, 030

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: cloth flags

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: hats, socks, pants, shirts, sweatshirts, and sweaters

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: floor mats for household use

International Class(es): 027 - Primary Class

U.S Class(es): 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1982

Use in Commerce: Sep. 1982

For: sports balls and basketball backboards

International Class(es): 028 - Primary Class

U.S Class(es): 022

Class(es):**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Sep. 1982**Use in Commerce:** Sep. 1982**Basis Information (Case Level)****Filed Use:** Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No**Current Owner(s) Information****Owner Name:** Duke University**Owner Address:** Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27710
UNITED STATES**Legal Entity Type:** NONPROFIT CORPORATION**State or Country** NORTH CAROLINA
Where Organized:**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Susan Freya Olive**Docket Number:** DUKU0406**Attorney Primary** emailboxtm@oliveandolive.com
Email Address:**Attorney Email** Yes
Authorized:**Correspondent****Correspondent** Susan Freya Olive
Name/Address: OLIVE & OLIVE, P.A.
Post Office Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES**Phone:** 919 683 5514**Fax:** 919 688 3781**Correspondent e-** emailboxtm@oliveandolive.com
mail:**Correspondent e-** Yes
mail Authorized:**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Nov. 09, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 09, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	66607
Nov. 09, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Nov. 07, 2012	TEAS SECTION 8 & 9 RECEIVED	
Apr. 30, 2008	CASE FILE IN TICRS	
Feb. 21, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 21, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 07, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 07, 2002	PAPER RECEIVED	
Apr. 28, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 08, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 08, 1992	REGISTERED-PRINCIPAL REGISTER	
Sep. 15, 1992	PUBLISHED FOR OPPOSITION	

Aug. 14, 1992 NOTICE OF PUBLICATION
Jun. 15, 1992 APPROVED FOR PUB - PRINCIPAL REGISTER
May 27, 1992 EXAMINER'S AMENDMENT MAILED
Apr. 13, 1992 CORRESPONDENCE RECEIVED IN LAW OFFICE
Feb. 10, 1992 NON-FINAL ACTION MAILED
Dec. 09, 1991 ASSIGNED TO EXAMINER

67568

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 08, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 09, 2012

Duke University's Notice of Opposition

Exhibit 11:

TSDR website printout of Reg. No. 2,026,492

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-09-14 10:38:27 EDT

Mark: DKE



US Serial Number: 74693793

Application Filing Date: Jun. 27, 1995

US Registration Number: 2026492

Registration Date: Dec. 31, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 26, 2007

Publication Date: Oct. 08, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.02 - Humans forming punctuation; Humans forming letters or numerals

Goods and Services

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

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

For: clothing, namely, T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 17, 1995

Use in Commerce: Feb. 17, 1995

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country: NORTH CAROLINA

Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0416

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 MEMORIAL ST
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Feb. 26, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Feb. 26, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 16, 2007	ASSIGNED TO PARALEGAL	68502
Dec. 19, 2006	TEAS SECTION 8 & 9 RECEIVED	
Sep. 14, 2006	CASE FILE IN TICRS	
Dec. 23, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 29, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 29, 2002	PAPER RECEIVED	
Dec. 31, 1996	REGISTERED-PRINCIPAL REGISTER	
Oct. 08, 1996	PUBLISHED FOR OPPOSITION	
Sep. 06, 1996	NOTICE OF PUBLICATION	
Jul. 22, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 30, 1995	NON-FINAL ACTION MAILED	
Nov. 21, 1995	ASSIGNED TO EXAMINER	68788

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 31, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 26, 2007

Duke University's Notice of Opposition

Exhibit 12

TSDR website printout of Reg. No. 2,082,553

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-09-14 10:39:11 EDT

Mark: DKE



US Serial Number: 75976141

Application Filing Date: Jun. 28, 1995

US Registration Number: 2082553

Registration Date: Jul. 22, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 11, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards

Related Properties Information

Child Of: 74694684

Goods and Services

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

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

For: balloons

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 12, 1996

Use in Commerce: Nov. 12, 1996

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0427

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 22, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 11, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jun. 11, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	68502
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Jul. 22, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 02, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 22, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

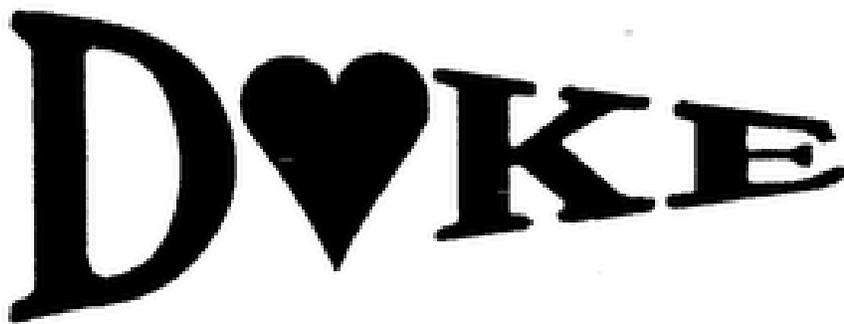
Date in Location: Jun. 11, 2007

Duke University's Notice of Opposition

Exhibit 13:

TSDR website printout of Reg. No. 2,092,314

D[U]KE with Stylized "U"



D♥KE

Generated on: This page was generated by TSDR on 2016-09-14 10:40:03 EDT

Mark: D KE



US Serial Number: 75976140

Application Filing Date: Jun. 28, 1995

US Registration Number: 2092314

Registration Date: Aug. 26, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 31, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: D KE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.05 - Objects forming letters or numerals

Related Properties Information

Child Of: 74694684

Goods and Services

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

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

For: pennants not of paper

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 22, 1996

Use in Commerce: Nov. 22, 1996

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: POST OFFICE BOX 3024
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0426

Attorney Primary emailboxtm@oliveandolive.com

Attorney Email Yes

Email Address:

Authorized:

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
POST OFFICE BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 10, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 31, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Oct. 31, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 31, 2007	ASSIGNED TO PARALEGAL	75461
May 31, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 31, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Aug. 26, 1997	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 17, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 22, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 1997	USE AMENDMENT FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted

Continued Use:

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 26, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Oct. 31, 2007

Duke University's Notice of Opposition

Exhibit 14:

TSDR website printout of Reg. No. 2,100,928



Generated on: This page was generated by TSDR on 2016-09-14 10:41:07 EDT

Mark: CAMERON CRAZIE D



US Serial Number: 75078947

Application Filing Date: Mar. 25, 1996

US Registration Number: 2100928

Registration Date: Sep. 30, 1997

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Sep. 04, 2007

Publication Date: Jul. 08, 1997

Mark Information

Mark Literal Elements: CAMERON CRAZIE D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.20 - Basketballs
27.03.05 - Objects forming letters or numerals

Goods and Services

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

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

For: clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 17, 1992

Use in Commerce: Mar. 17, 1992

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University
Owner Address: P.O. Box 3024
Durham, NORTH CAROLINA UNITED STATES 27710
Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU0304
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049
Phone: 919-683-5514
Fax: 919-688-3781
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 04, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Sep. 04, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 21, 2007	ASSIGNED TO PARALEGAL	70132
Aug. 03, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 03, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 28, 2007	CASE FILE IN TICRS	
Jul. 10, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 17, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 17, 2003	PAPER RECEIVED	
Sep. 30, 1997	REGISTERED-PRINCIPAL REGISTER	
Jul. 08, 1997	PUBLISHED FOR OPPOSITION	
Jun. 06, 1997	NOTICE OF PUBLICATION	
May 02, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 14, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 29, 1996	NON-FINAL ACTION MAILED	
Sep. 27, 1996	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 22, 1996	ASSIGNED TO EXAMINER	72148
Aug. 19, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 1996	ASSIGNED TO EXAMINER	72148

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Sep. 30, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Sep. 04, 2007

Duke University's Notice of Opposition

Exhibit 15:

TSDR website printout of Reg. No. 2,122,067

D[U]KE with Stylized "U"

D♥KE

Generated on: This page was generated by TSDR on 2016-09-14 10:41:58 EDT

Mark: DKE



US Serial Number: 74694684

Application Filing Date: Jun. 28, 1995

US Registration Number: 2122067

Registration Date: Dec. 16, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 23, 2007

Publication Date: Jun. 25, 1996

Notice of Allowance Date: Sep. 17, 1996

Mark Information

Mark Literal Elements: DKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 2026492, 2082553, 2092314

Parent Of: 75976140, 75976141

Goods and Services

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

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

For: decals, stickers, stationery, and note pads

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 05, 1996

Use in Commerce: Nov. 05, 1996

For: drinking glasses, cups, and mugs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 06, 1996

Use in Commerce: Nov. 06, 1996

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University
Owner Address: Durham, NORTH CAROLINA 27706
UNITED STATES
Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU0417
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 Memorial Street
P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES
Phone: (919) 683-5514
Fax: (919) 688-3781
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 19, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 23, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jun. 23, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 08, 2007	ASSIGNED TO PARALEGAL	73376
May 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 26, 2007	CASE FILE IN TICRS	
Sep. 27, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 14, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 14, 2003	PAPER RECEIVED	
Dec. 16, 1997	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 12, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 16, 1997	USE AMENDMENT FILED	
May 22, 1997	EXTENSION 1 GRANTED	
Mar. 17, 1997	EXTENSION 1 FILED	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
May 30, 1997	DIVISIONAL PROCESSING COMPLETE	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Mar. 17, 1997	DIVISIONAL REQUEST RECEIVED	
Sep. 17, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	

Jun. 25, 1996	PUBLISHED FOR OPPOSITION	
May 24, 1996	NOTICE OF PUBLICATION	
Apr. 11, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 28, 1995	NON-FINAL ACTION MAILED	
Dec. 15, 1995	ASSIGNED TO EXAMINER	68788
Dec. 07, 1995	ASSIGNED TO EXAMINER	69197

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 16, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 23, 2007

Duke University's Notice of Opposition

Exhibit 16:

TSDR website printout of Reg. No. 2,203,764

DUKE CENTER FOR LIVING

Generated on: This page was generated by TSDR on 2016-09-14 10:42:43 EDT

Mark: DUKE CENTER FOR LIVING

US Serial Number: 75321843

Application Filing Date: Jul. 01, 1997

US Registration Number: 2203764

Registration Date: Nov. 17, 1998

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: May 24, 2008

Publication Date: Aug. 25, 1998

Mark Information

Mark Literal Elements: DUKE CENTER FOR LIVING

Standard Character Claim: No

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

Disclaimer: "CENTER"

Goods and Services

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

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

For: educational services, namely, conducting classes, individualized programs, retreats, seminars, and workshops in the fields of health, medicine, nutrition, physical fitness, and stress and lifestyle management; and providing facilities for exercise

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1991

Use in Commerce: Aug. 1991

For: counseling in the fields of health care, nutrition, physical fitness, and stress and lifestyle management; medical services; restaurant services; and weight management diet planning and supervision

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1991

Use in Commerce: Aug. 1991

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University
Owner Address: PO BOX 3024
Durham, NORTH CAROLINA 27710
UNITED STATES
Legal Entity Type: NONPROFIT CORPORATION
State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary Email Address: emailboxtm@oliveandolive.com
Docket Number: DUKU0429
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE PA
500 MEMORIAL ST.
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES
Phone: 919-683-5514
Fax: 919-688-3781
Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 24, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
May 24, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 21, 2008	ASSIGNED TO PARALEGAL	73376
May 09, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jul. 27, 2007	CASE FILE IN TICRS	
Jun. 07, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 29, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 17, 1998	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 1998	PUBLISHED FOR OPPOSITION	
Jul. 24, 1998	NOTICE OF PUBLICATION	
Jun. 04, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 01, 1998	NON-FINAL ACTION MAILED	
Mar. 13, 1998	ASSIGNED TO EXAMINER	74301

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Nov. 17, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

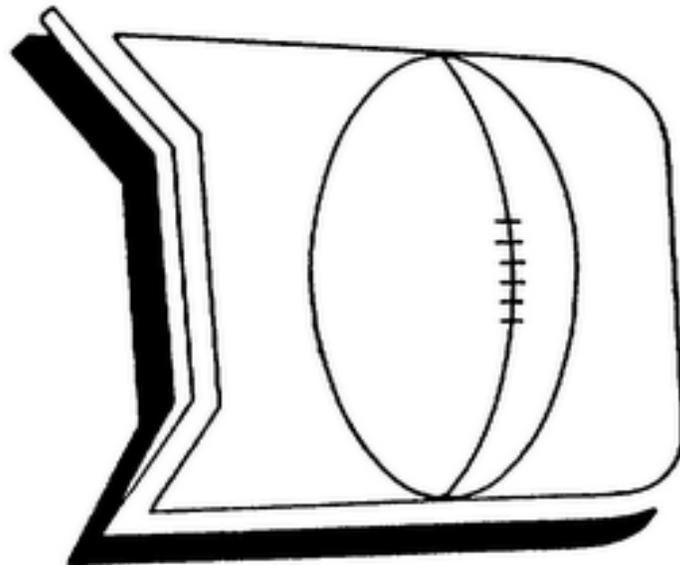
Current Location: POST REGISTRATION

Date in Location: May 24, 2008

Duke University's Notice of Opposition

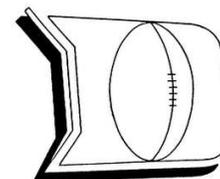
Exhibit 17:

TSDR website printout of Reg. No. 2,307,324



Generated on: This page was generated by TSDR on 2016-09-14 10:43:37 EDT

Mark: D



US Serial Number: 75565065

Application Filing Date: Oct. 06, 1998

US Registration Number: 2307324

Registration Date: Jan. 11, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 15, 2009

Publication Date: Oct. 19, 1999

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 21.03.18 - Australian footballs; Elliptical shaped balls; Footballs; Rugby balls
26.13.21 - Quadrilaterals that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 1703029, 1707766, 1737968

Goods and Services

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

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

For: cups and mugs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 1997

Use in Commerce: Jun. 05, 1997

For: cloth pennants

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 1997

Use in Commerce: May 17, 1997

For: shirts and hats

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1997

Use in Commerce: Jun. 1997

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Post Office Box 3024
DURHAM, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0421

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
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DURHAM, NORTH CAROLINA 27702
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 15, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
Jun. 15, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 04, 2009	ASSIGNED TO PARALEGAL	69934
Jun. 02, 2009	TEAS SECTION 8 & 9 RECEIVED	
Oct. 30, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Oct. 30, 2008	ASSIGNED TO PARALEGAL	77315
May 31, 2006	CASE FILE IN TICRS	
Jan. 11, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 11, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jan. 11, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 19, 1999	PUBLISHED FOR OPPOSITION	
Sep. 17, 1999	NOTICE OF PUBLICATION	

May 18, 1999 APPROVED FOR PUB - PRINCIPAL REGISTER
May 12, 1999 EXAMINER'S AMENDMENT MAILED
May 05, 1999 NON-FINAL ACTION MAILED
Apr. 30, 1999 ASSIGNED TO EXAMINER

74338

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 11, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jun. 15, 2009

Duke University's Notice of Opposition

Exhibit 18:

TSDR website printout of Reg. No. 2,317,603

DUKE

Generated on: This page was generated by TSDR on 2016-09-14 10:44:17 EDT

Mark: DUKE

DUKE

US Serial Number: 75347293

Application Filing Date: Aug. 26, 1997

US Registration Number: 2317603

Registration Date: Feb. 15, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Aug. 12, 2009

Publication Date: Nov. 23, 1999

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US Registrations: 2203764

Goods and Services

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

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

For: Educational services and teaching hospital services, namely, conducting classes, seminars, workshops, conferences and exhibitions, and distributing course materials therewith, in the field of medicine and health care, and conducting medical and health care training in the use of medical and health care devices, all provided via live sessions, interactive and/or on-line computer networks, television, and/or video-conferencing

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1935

Use in Commerce: Jan. 1935

For: providing hospital, medical, and health care services; providing medical services delivered by mobile unit; conducting clinical and experimental research in the fields of health care and medicine; and providing health-related support group services

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 1935

Use in Commerce: Jan. 1935

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 4th Floor
310 Blackwell Street
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NONPROFIT CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: SUSAN FREYA OLIVE **Docket Number:** DUKU0428

Attorney Primary Email Address: emailboxtm@oliveandolive.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 Memorial Street, P.O. Box 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514 **Fax:** 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2009	CASE FILE IN TICRS	96529
Aug. 12, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Aug. 12, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 10, 2009	ASSIGNED TO PARALEGAL	77315
Aug. 06, 2009	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70853
Dec. 03, 2005	ASSIGNED TO PARALEGAL	70853
Aug. 10, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 10, 2005	TEAS SECTION 8 & 15 RECEIVED	
Feb. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
Nov. 23, 1999	PUBLISHED FOR OPPOSITION	
Oct. 22, 1999	NOTICE OF PUBLICATION	
Aug. 02, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 29, 1999	EXAMINER'S AMENDMENT MAILED	
Jan. 21, 1999	NON-FINAL ACTION MAILED	
Nov. 16, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 11, 1998	NON-FINAL ACTION MAILED	
May 08, 1998	ASSIGNED TO EXAMINER	74301
May 07, 1998	ASSIGNED TO EXAMINER	73699

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 15, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Sep. 14, 2009

Duke University's Notice of Opposition

Exhibit 19:

TSDR website printout of Reg. No. 2,415,817

DUKECARD

Generated on: This page was generated by TSDR on 2016-09-14 10:45:34 EDT

Mark: DUKECARD

DUKECARD

US Serial Number: 75892149

Application Filing Date: Jan. 07, 2000

US Registration Number: 2415817

Registration Date: Dec. 26, 2000

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Nov. 03, 2010

Publication Date: Oct. 03, 2000

Mark Information

Mark Literal Elements: DUKECARD

Standard Character Claim: No

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

Goods and Services

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

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

For: magnetically encoded debit cards, security access cards, admission cards, identification cards and telephone calling cards for use in debit and stored-value transactions, library material rentals, purchase of goods and services from contracting vendors and for gaining access to facilities and events

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

For: financial services namely, providing and administering issuance, redemption and processing of transactions related to debit and stored value cards, and issuing statements of account and payment processing, and transactions related thereto

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1985

Use in Commerce: Aug. 1985

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of University Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0435

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
Olive & Olive, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 03, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Nov. 03, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 01, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 06, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 06, 2007	ASSIGNED TO PARALEGAL	76533
Oct. 30, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 30, 2006	TEAS SECTION 8 & 15 RECEIVED	
Jul. 19, 2006	CASE FILE IN TICRS	
Dec. 26, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2000	PUBLISHED FOR OPPOSITION	
Sep. 01, 2000	NOTICE OF PUBLICATION	
Jul. 17, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2000	EXAMINER'S AMENDMENT MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	76145
Jun. 22, 2000	ASSIGNED TO EXAMINER	77770

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 26, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 03, 2010

Duke University's Notice of Opposition

Exhibit 20:
TSDR website printout of Reg. No. 2,820,854

D



Generated on: This page was generated by TSDR on 2016-09-14 10:46:30 EDT

Mark: D



US Serial Number: 76465255

Application Filing Date: Nov. 07, 2002

US Registration Number: 2820854

Registration Date: Mar. 09, 2004

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 20, 2014

Publication Date: Dec. 16, 2003

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: The lining is for shading purposes only and does not indicate color.

Design Search Code(s): 04.01.04 - Devils; Horns, persons having

04.01.07 - Aliens; Ghosts; Mythological beings, superbeings, ghosts, aliens; Super heroes; Zeus (mythology); Athena (mythology); Apollo (mythology); Caped characters (super heroes)

Related Properties Information

Claimed Ownership of US Registrations: 1741140

Goods and Services

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

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

For: decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 08, 1996

Use in Commerce: May 08, 1996

For: earrings

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: stationery

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: beverage glasses and portable coolers

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

For: shirts, sweatshirts and underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 15, 1988

Use in Commerce: Aug. 15, 1988

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU1901

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
P. O. Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 20, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 20, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76874
Feb. 20, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76874
Feb. 06, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76874
Feb. 20, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Feb. 06, 2014	TEAS SECTION 8 & 9 RECEIVED	
Dec. 17, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Dec. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Dec. 08, 2009	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2004	REGISTERED-PRINCIPAL REGISTER	
Dec. 16, 2003	PUBLISHED FOR OPPOSITION	
Nov. 26, 2003	NOTICE OF PUBLICATION	
Oct. 09, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2003	EXAMINERS AMENDMENT MAILED	
Jun. 10, 2003	NON-FINAL ACTION MAILED	
Jun. 04, 2003	ASSIGNED TO EXAMINER	76838

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 09, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Feb. 20, 2014

Duke University's Notice of Opposition

Exhibit 21:

TSDR website printout of Reg. No. 3,157,222

DUKIE

Generated on: This page was generated by TSDR on 2016-09-14 10:47:14 EDT

Mark: DUKIE

DUKIE

US Serial Number: 78674480

Application Filing Date: Jul. 20, 2005

US Registration Number: 3157222

Registration Date: Oct. 17, 2006

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Apr. 30, 2012

Publication Date: Jul. 25, 2006

Mark Information

Mark Literal Elements: DUKIE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1701827, 2026492 and others

Goods and Services

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

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

For: Children's wear, namely, jackets, wind jackets, wind vests, undergarments, pants, shorts, sweaters, sweat pants, sweat shirts, sports jerseys, headwear, gloves, sleepwear, neckwear, uniforms, footwear, dresses; infants' wear, namely, jackets, wind jackets, wind vests, undergarments, shirts, pants, shorts, dresses, skirts, headwear, footwear, gloves, sleepwear, and infants' cloth and plastic bibs

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 17, 2002

Use in Commerce: Jul. 17, 2002

Basis Information (Case Level)

Filed Use: Yes
Filed ITU: No
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: Yes
Currently ITU: No
Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended Use: No
Amended ITU: No
Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive
Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Docket Number: DUKU0439
Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Susan Freya Olive
OLIVE & OLIVE, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Phone: (919) 683-5514
Phone: (919) 683-5514
Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com
Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 17, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 17, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 25, 2006	PUBLISHED FOR OPPOSITION	
Jul. 05, 2006	NOTICE OF PUBLICATION	
Jun. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77975
May 31, 2006	ASSIGNED TO LIE	77975
May 31, 2006	ASSIGNED TO LIE	74189
May 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 27, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 17, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2006	NON-FINAL ACTION WRITTEN	76137
Feb. 08, 2006	ASSIGNED TO EXAMINER	76137
Jul. 26, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 112

Date in Location: Apr. 30, 2012

Duke University's Notice of Opposition

Exhibit 22:

TSDR website printout of Reg. No. 3,780,204

DUKEENGAGE

Generated on: This page was generated by TSDR on 2016-09-14 10:48:01 EDT

Mark: DUKEENGAGE

DUKEENGAGE

US Serial Number: 77700792

Application Filing Date: Mar. 27, 2009

US Registration Number: 3780204

Registration Date: Apr. 27, 2010

Register: Principal

Mark Type: Service Mark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jun. 23, 2016

Publication Date: Feb. 09, 2010

Mark Information

Mark Literal Elements: DUKEENGAGE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817 and others

Goods and Services

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

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

For: charitable services, namely, organizing and conducting volunteer programs and community service projects; providing a website featuring information on social issues, namely, activities in the field of civic engagement and public service

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: charitable fundraising services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: Educational services, namely, conducting workshops and programs and providing internships in the field of civic engagement and public service and distribution of training material in connection therewith; on-line journals, namely, blogs featuring information regarding cultural immersion for community service projects and other volunteer programs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

For: Computer services, namely, creating an on-line community for users to participate in discussions and receive feedback

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2007

Use in Commerce: Feb. 01, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street
4th floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0457

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Vedia Jones-Richardson
Olive and Olive, P.A.
500 Memorial Street
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 23, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 23, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	82094
Jun. 23, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	82094
Apr. 19, 2016	TEAS SECTION 8 & 15 RECEIVED	
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 09, 2010	PUBLISHED FOR OPPOSITION	
Jan. 07, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 07, 2010	ASSIGNED TO LIE	74221

Dec. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 17, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION E-MAILED	6325
Jun. 17, 2009	NON-FINAL ACTION WRITTEN	81097
Jun. 17, 2009	ASSIGNED TO EXAMINER	81097
Apr. 01, 2009	NOTICE OF PSEUDO MARK MAILED	
Mar. 31, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 31, 2009	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Jun. 23, 2016

Duke University's Notice of Opposition

Exhibit 23:

TSDR website printout of Reg. No. 3,878,213

DUKE with Devil Design



Generated on: This page was generated by TSDR on 2016-09-14 10:48:44 EDT

Mark: DUKE



US Serial Number: 78944344

Application Filing Date: Aug. 03, 2006

US Registration Number: 3878213

Registration Date: Nov. 16, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 16, 2010

Publication Date: Oct. 20, 2009

Notice of Allowance Date: Apr. 20, 2010

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 04.01.05 - Heads with horns (persons); Heads of devils or horned personages, with or without wings, and devil's tail

Related Properties Information

Claimed Ownership of US Registrations: 1703446, 1737968, 1742734 and others

Goods and Services

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

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

For: Decals, note pads, note cards, writing paper, and binders

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 2010

Use in Commerce: Feb. 01, 2010

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0444

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 17, 2010	CERTIFICATE OF CORRECTION ISSUED	76293
Dec. 17, 2010	ASSIGNED TO PARALEGAL	76293
Nov. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Oct. 14, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 13, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Oct. 13, 2010	ASSIGNED TO LIE	70884
Sep. 30, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 28, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 30, 2010	USE AMENDMENT FILED	76874
Sep. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Aug. 30, 2010	TEAS STATEMENT OF USE RECEIVED	
Apr. 20, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Nov. 18, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 20, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2009	PUBLISHED FOR OPPOSITION	
Sep. 16, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Sep. 15, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 26, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jul. 24, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jan. 23, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jul. 23, 2007	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	LETTER OF SUSPENSION E-MAILED	6332
Jul. 23, 2007	SUSPENSION LETTER WRITTEN	76635
Jun. 30, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243

Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Correction made to Registration: The drawing is corrected to appear as follows: Publish cut

TM Staff and Location Information

TM Staff Information - None

File Location

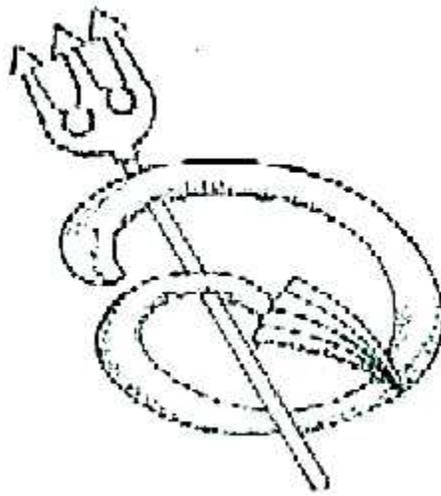
Current Location: Not Found

Date in Location: Feb. 17, 2011

Duke University's Notice of Opposition

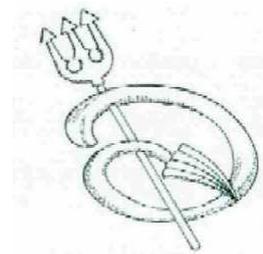
Exhibit 24:
TSDR website printout of Reg. No. 3,925,905

D



Generated on: This page was generated by TSDR on 2016-09-14 10:51:06 EDT

Mark: D



US Serial Number: 77409399

Application Filing Date: Feb. 29, 2008

US Registration Number: 3925905

Registration Date: Mar. 01, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 01, 2011

Publication Date: Apr. 14, 2009

Notice of Allowance Date: Jul. 07, 2009

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a stylized capital letter "D" superimposed over a three-pronged pitchfork. The letter "D" contains a barbed devil tail that encircles the pitchfork's staff.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: The stippling is for shading purposes only.

Design Search Code(s): 04.01.01 - Winged human heads, feet, shoes or other parts
14.07.02 - Farm equipment, agricultural implements (non-motorized), pitchfork; Pitch forks; Pitchfork
27.03.05 - Objects forming letters or numerals

Goods and Services

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

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

For: Key holders made primarily of metal

International Class(es): 006 - Primary Class

U.S Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Pocket knives

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Jewelry; wrist watches

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: desktop business card holders, decals, stickers

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: mugs, thermal insulated containers for food or beverage

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Cloth pennants

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Clothing, namely, shorts, headwear, tops, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

For: Balloons

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 2010

Use in Commerce: Nov. 18, 2010

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA UNITED STATES 27710

Legal Entity Type: CORPORATION **State or Country Where Organized:** NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** DUKU0456

Attorney Primary Email Address: emailboxtm@oliveandolive.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
500 MEMORIAL STREET
DURHAM, NORTH CAROLINA UNITED STATES 27702-0001

Phone: 919-683-5514 **Fax:** 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 01, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 22, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 21, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
Jan. 20, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 19, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Jan. 06, 2011	USE AMENDMENT FILED	76874
Jan. 06, 2011	TEAS STATEMENT OF USE RECEIVED	
Jul. 09, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 07, 2010	EXTENSION 2 GRANTED	98765
Jul. 07, 2010	EXTENSION 2 FILED	98765
Jul. 07, 2010	TEAS EXTENSION RECEIVED	
Jan. 12, 2010	EXTENSION 1 GRANTED	76874
Jan. 06, 2010	EXTENSION 1 FILED	76874
Jan. 06, 2010	TEAS EXTENSION RECEIVED	
Aug. 25, 2009	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	76874
Aug. 25, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Jul. 27, 2009	FAX RECEIVED	
Jul. 27, 2009	FAX RECEIVED	
Jul. 07, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 14, 2009	PUBLISHED FOR OPPOSITION	
Mar. 25, 2009	NOTICE OF PUBLICATION	

Feb. 13, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Jan. 02, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 23, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 23, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 23, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 23, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 23, 2008	EXAMINERS AMENDMENT -WRITTEN	76134
Dec. 17, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Dec. 12, 2008	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 04, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 04, 2008	ASSIGNED TO LIE	77312
Dec. 01, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 26, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 26, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 11, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 11, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 11, 2008	NON-FINAL ACTION WRITTEN	76134
Jun. 10, 2008	ASSIGNED TO EXAMINER	76134
Mar. 06, 2008	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Mar. 05, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 21, 2011

Duke University's Notice of Opposition

Exhibit 25:

TSDR website printout of Reg. No. 3,936,096

DUKE

Generated on: This page was generated by TSDR on 2016-09-14 10:52:01 EDT

Mark: DUKE

US Serial Number: 75567914

Application Filing Date: Oct. 08, 1998

US Registration Number: 3936096

Registration Date: Mar. 29, 2011

Register: Principal

Mark Type: Trademark

Status: A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Apr. 07, 2016

Publication Date: Jul. 07, 2009

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US Registrations: 1702830, 1707827, 2026492

Goods and Services

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

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

For: clothing for men, women and children, namely, cloth and plastic bibs, booties, cheerleading costumes, dresses, hats, jackets, jerseys, mittens, neckties, nightshirts, pajamas, pants, playsuits, shirts, shoes, shorts, slippers, socks, sun visors, sweatbands, sweatpants, sweatshirts, sweaters, T-shirts and vests, and headwear, namely, earbands

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1926

Use in Commerce: 1926

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
Durham, NORTH CAROLINA 27710
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vedia Jones-Richardson

Docket Number: DUKU0433

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
500 MEMORIAL ST
DURHAM, NORTH CAROLINA 27701
UNITED STATES

Phone: 9196835514

Fax: 9196883781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 07, 2016	CANCELLATION INSTITUTED NO. 999999	63474
Mar. 29, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	193267
Feb. 18, 2011	OPPOSITION TERMINATED NO. 999999	193267
Feb. 18, 2011	OPPOSITION DISMISSED NO. 999999	193267
Jan. 05, 2010	OPPOSITION INSTITUTED NO. 999999	193267
Jul. 27, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jul. 07, 2009	PUBLISHED FOR OPPOSITION	
Jun. 17, 2009	NOTICE OF PUBLICATION	
Jun. 04, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 03, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 02, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 02, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 08, 2008	FINAL REFUSAL MAILED	
Dec. 08, 2008	FINAL REFUSAL WRITTEN	76145
Nov. 17, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
May 14, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 14, 2008	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Nov. 13, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 09, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Apr. 26, 2007	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Apr. 26, 2007	ASSIGNED TO LIE	68171
Oct. 10, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171

Apr. 05, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78145
Oct. 04, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 29, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76532
Sep. 20, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 12, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70138
May 29, 2003	CASE FILE IN TICRS	
Apr. 26, 2000	LETTER OF SUSPENSION MAILED	
Apr. 25, 2000	ASSIGNED TO EXAMINER	76145
Dec. 27, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 21, 1999	NON-FINAL ACTION MAILED	
Jun. 04, 1999	ASSIGNED TO EXAMINER	74301
May 14, 1999	ASSIGNED TO EXAMINER	69817
May 11, 1999	ASSIGNED TO EXAMINER	74301
May 06, 1999	ASSIGNED TO EXAMINER	73712

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 29, 2011

Duke University's Notice of Opposition

Exhibit 26:

TSDR website printout of Reg. No. 3,995,015

DUKE UNIVERSITY ATHLETICS EXCELLENCE
LOYALTY DIVERSITY EDUCATION
ACCOUNTABILITY SPORTSMANSHIP
COMMITMENT INTEGRITY RESPECT D



Generated on: This page was generated by TSDR on 2016-09-14 10:53:00 EDT

Mark: DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY
EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT
INTEGRITY RESPECT D



US Serial Number: 85049335

Application Filing Date: May 27, 2010

US Registration Number: 3995015

Registration Date: Jul. 12, 2011

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jul. 12, 2011

Publication Date: Nov. 16, 2010

Notice of Allowance Date: Jan. 11, 2011

Mark Information

Mark Literal Elements: DUKE UNIVERSITY ATHLETICS EXCELLENCE LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT D

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a medallion design that consists of two outer concentric rings and an inner circle. The outermost ring has a scalloped border and contains nine stars. The mid ring contains the words "DUKE UNIVERSITY ATHLETICS" in a circular presentation. The inner circle contains the words "LOYALTY DIVERSITY EDUCATION ACCOUNTABILITY" stacked in the top half and "SPORTSMANSHIP COMMITMENT INTEGRITY RESPECT" stacked in the bottom half. The word "EXCELLENCE" appears in an oblong banner that horizontally bisects the entire medallion. A stylized letter "D" appears at the bottom of the medallion in the scalloped outer ring.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "UNIVERSITY", "ATHLETICS", "EXCELLENCE", "LOYALTY", "DIVERSITY", "EDUCATION", "ACCOUNTABILITY", "SPORTSMANSHIP", "COMMITMENT", "INTEGRITY" AND "RESPECT"

Design Search Code(s): 24.07.04 - Medals
24.09.07 - Advertising, banners; Banners
26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges
26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817 and others

Goods and Services

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

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

For: Clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 11, 2006

Use in Commerce: Sep. 11, 2006

For: Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 11, 2006

Use in Commerce: Sep. 11, 2006

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA UNITED STATES 27710

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0455

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
------	-------------	-------------------

Sep. 13, 2011	REPRINTING REGISTRATION CERTIFICATE	
Sep. 13, 2011	CERTIFICATE OF CORRECTION ISSUED	70132
Aug. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Aug. 25, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
May 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
May 19, 2011	USE AMENDMENT FILED	61813
May 24, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
May 19, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 11, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Oct. 08, 2010	ASSIGNED TO LIE	69712
Sep. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2010	EXAMINERS AMENDMENT -WRITTEN	73363
Sep. 14, 2010	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION E-MAILED	6326
Sep. 14, 2010	PRIORITY ACTION WRITTEN	73363
Sep. 09, 2010	ASSIGNED TO EXAMINER	73363
Jun. 02, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Jun. 01, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2010	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Change in Registration: Yes

Correction made to Registration: In the statement of goods , class 41Entertainment services, namely, organizing and conducting an array of athletic events; Encouraging university athletic program by organizing and conducting educational programs and activities for athletes, alumni, supporters and fans; providing various facilities for an array of sporting events, sports and athletic competitions and awards programs should be inserted. First use dates anywhere and in commerce 9-11-2006 should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Oct. 28, 2011

Duke University's Notice of Opposition

Exhibit 27:

TSDR website printout of Reg. No. 4,108,223

IRON DUKES

Generated on: This page was generated by TSDR on 2016-09-14 11:28:22 EDT

Mark: IRON DUKES

IRON DUKES

US Serial Number: 85356737

Application Filing Date: Jun. 27, 2011

US Registration Number: 4108223

Registration Date: Mar. 06, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 06, 2012

Publication Date: Dec. 20, 2011

Mark Information

Mark Literal Elements: IRON DUKES

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1003662

Goods and Services

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

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

For: Decals

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Drinking vessels

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Blankets for outdoor use

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Shirts and hats for non-industrial uses

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

For: Golf balls

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2011

Use in Commerce: May 12, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0492

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 06, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 20, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 20, 2011	PUBLISHED FOR OPPOSITION	
Nov. 30, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Nov. 16, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Nov. 09, 2011	ASSIGNED TO LIE	70633
Oct. 19, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 19, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2011	EXAMINERS AMENDMENT -WRITTEN	82436
Oct. 12, 2011	ASSIGNED TO EXAMINER	82436
Jul. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 30, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 06, 2012

Duke University's Notice of Opposition

Exhibit 28:

TSDR website printout of Reg. No. 4,172,132

DUKE with Devil Head Design



Generated on: This page was generated by TSDR on 2016-09-14 10:57:22 EDT

Mark: DUKE



US Serial Number: 78944306

Application Filing Date: Aug. 03, 2006

US Registration Number: 4172132

Registration Date: Jul. 10, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 10, 2012

Publication Date: Feb. 21, 2012

Notice of Allowance Date: Apr. 17, 2012

Mark Information

Mark Literal Elements: DUKE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the stylized wording "DUKE". A design of the side of a devil's head appears between the letters "U" and "K" in "DUKE".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 04.01.05 - Heads with horns (persons); Heads of devils or horned personages, with or without wings, and devil's tail

Related Properties Information

Claimed Ownership of US Registrations: 1703446, 1737968, 1742734 and others

Goods and Services

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

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

For: Clothing for men and women, namely, tops and sweatshirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2009

Use in Commerce: Oct. 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: 310 Blackwell Street, 4th Floor
Office of Counsel
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0445

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 06, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Jun. 06, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2012	STATEMENT OF USE PROCESSING COMPLETE	76538
May 09, 2012	USE AMENDMENT FILED	76538
Jun. 01, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
May 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Apr. 17, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 21, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 21, 2012	PUBLISHED FOR OPPOSITION	
Feb. 01, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 19, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 19, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 19, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 19, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 19, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 19, 2012	EXAMINERS AMENDMENT -WRITTEN	76635
Dec. 27, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	74221
Jun. 24, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Dec. 23, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Dec. 03, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 03, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 03, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 29, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	74221
Sep. 29, 2010	ASSIGNED TO LIE	74221

Mar. 26, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Mar. 16, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Sep. 15, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 26, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Feb. 21, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 29, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	76243
Jul. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 18, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jun. 30, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76243
Jun. 30, 2007	ASSIGNED TO LIE	76243
Dec. 28, 2006	LETTER OF SUSPENSION E-MAILED	6332
Dec. 28, 2006	SUSPENSION LETTER WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Aug. 09, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 08, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 06, 2012

Duke University's Notice of Opposition

Exhibit 29:

TSDR website printout of Reg. No. 4,274,183



Generated on: This page was generated by TSDR on 2016-09-14 10:59:52 EDT

Mark: D



US Serial Number: 85447767

Application Filing Date: Oct. 14, 2011

US Registration Number: 4274183

Registration Date: Jan. 15, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jan. 15, 2013

Publication Date: Oct. 30, 2012

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of a stylized capital letter "D" shown in Gothic script.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Related Properties Information

Claimed Ownership of US Registrations: 1701827, 1702830, 1707766 and others

Goods and Services

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

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

For: Rings

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 1987

Use in Commerce: Jan. 01, 1987

For: Headwear; Tops

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 2011

Use in Commerce: Mar. 01, 2011

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA UNITED STATES 27701

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0492

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA UNITED STATES 27702-2049

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 30, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 30, 2012	PUBLISHED FOR OPPOSITION	
Oct. 10, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 22, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Sep. 20, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 20, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 20, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2012	EXAMINERS AMENDMENT -WRITTEN	74816
Aug. 22, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	73787
Aug. 22, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	73787

Aug. 16, 2012	ASSIGNED TO LIE	73787
Aug. 09, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 09, 2012	NON-FINAL ACTION WRITTEN	74816
Feb. 02, 2012	ASSIGNED TO EXAMINER	74816
Oct. 20, 2011	NOTICE OF PSEUDO MARK MAILED	
Oct. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 18, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 15, 2013

Duke University's Notice of Opposition

Exhibit 30:

TSDR website printout of Reg. No. 4,323,346

DUKE CHILDREN'S

Generated on: This page was generated by TSDR on 2016-09-14 11:05:01 EDT

Mark: DUKE CHILDREN'S

DUKE CHILDREN'S

US Serial Number: 85658564

Application Filing Date: Jun. 21, 2012

US Registration Number: 4323346

Registration Date: Apr. 23, 2013

Register: Principal

Mark Type: Trademark, Service Mark

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

Status Date: Apr. 23, 2013

Publication Date: Feb. 05, 2013

Mark Information

Mark Literal Elements: DUKE CHILDREN'S

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CHILDREN'S"

Related Properties Information

Claimed Ownership of US Registrations: 2317603

Goods and Services

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

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

For: Downloadable electronic publications in the nature of bulletins in the field of healthcare

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 17, 2009

Use in Commerce: Jun. 17, 2009

For: Bulletins concerning healthcare

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 17, 2009

Use in Commerce: Jun. 17, 2009

For: Retail pharmacy services; retail gift shop services

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1974

Use in Commerce: 1974

For: Charitable fundraising services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1974

Use in Commerce: 1974

For: Educational services, namely, conducting programs and training in the fields of medicine and healthcare; charitable services, namely, providing recreational activities for children suffering from illness in the nature of swimming, hiking, fishing, climbing, tennis, dance, photography, arts and crafts, and boating, and conducting field trips in the fields of arts, culture and science

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: 1996

Use in Commerce: 1996

For: Scientific research

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: 1996

Use in Commerce: 1996

For: Healthcare; providing information in the field of healthcare

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: 1990

Use in Commerce: 1990

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0484

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 23, 2013	REGISTERED-PRINCIPAL REGISTER	
Feb. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 05, 2013	PUBLISHED FOR OPPOSITION	
Jan. 16, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 28, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Dec. 28, 2012	ASSIGNED TO LIE	68552
Dec. 11, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 10, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 10, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 10, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 15, 2012	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Oct. 15, 2012	PRIORITY ACTION E-MAILED	6326
Oct. 15, 2012	PRIORITY ACTION WRITTEN	81089
Oct. 08, 2012	ASSIGNED TO EXAMINER	81089
Jul. 06, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 25, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 23, 2013

Duke University's Notice of Opposition

Exhibit 31:

TSDR website printout of Reg. No. 4,342,645

**WASHINGTON DUKE INN &
GOLF CLUB**

Generated on: This page was generated by TSDR on 2016-09-14 11:08:19 EDT

Mark: WASHINGTON DUKE INN & GOLF CLUB

WASHINGTON DUKE INN & GOLF CLUB

US Serial Number: 85756810

Application Filing Date: Oct. 17, 2012

US Registration Number: 4342645

Registration Date: May 28, 2013

Register: Principal

Mark Type: Service Mark

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

Status Date: May 28, 2013

Publication Date: Mar. 12, 2013

Mark Information

Mark Literal Elements: WASHINGTON DUKE INN & GOLF CLUB

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "INN & GOLF CLUB"

Name Portrait Consent: The name "WASHINGTON DUKE" does not identify a living individual.

Goods and Services

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

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

For: Retail gift shop; retail sporting goods store

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For: Providing sports facilities

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

For: Hotel services; restaurant services; provision of banquet and social function facilities for special occasions; provision of conference, exhibition and meeting facilities

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1988

Use in Commerce: Oct. 1988

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Docket Number: DUKU2309

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 28, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Feb. 05, 2013	ASSIGNED TO LIE	77312
Jan. 23, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83698
Jan. 23, 2013	ASSIGNED TO EXAMINER	83698
Oct. 23, 2012	NOTICE OF PSEUDO MARK MAILED	
Oct. 22, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 20, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 28, 2013

Duke University's Notice of Opposition

Exhibit 32:

TSDR website printout of Reg. No. 4,372,828

DUKE MEDICINE

Generated on: This page was generated by TSDR on 2016-09-14 11:10:15 EDT

Mark: DUKE MEDICINE

DUKE MEDICINE

US Serial Number: 78933450

Application Filing Date: Jul. 20, 2006

US Registration Number: 4372828

Registration Date: Jul. 23, 2013

Register: Principal

Mark Type: Service Mark

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

Status Date: Jul. 23, 2013

Publication Date: Sep. 18, 2007

Notice of Allowance Date: Mar. 12, 2013

Mark Information

Mark Literal Elements: DUKE MEDICINE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "MEDICINE"

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603

Goods and Services

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

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

For: Arranging and conducting educational conferences; medical and scientific training and teaching; arranging of exhibitions, seminars, conferences, professional workshops, training courses; organization of seminars, working groups, research groups and conventions, in the fields of medicine and science; production of radio or television programs; children's entertainment and amusement centers, namely, interactive play areas; entertainment in the nature of golf or tennis tournaments; awards programs for major corporations and individuals who have made significant charitable contributions; publishing documents, books, journals and reports in the fields of science and medicine; providing fitness and exercise facilities; educational research; providing instruction in the field of health and wellness

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 21, 2005

Use in Commerce: Jul. 21, 2005

For: Clinical research; design of medical, optical, and scientific apparatus and instruments; design or development of information and databases; design and testing for new product development; design or testing of new products for others; licensing of intellectual property; medical research; medical and optical laboratories; scientific research and development

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 21, 2005

Use in Commerce: Jul. 21, 2005

For: Blood bank; charitable services, namely, providing medical services, medical equipment, and medical supplies to those in need; charitable services, namely, patient assistance programs to provide drugs, drug counseling, and assistance in obtaining drugs for senior citizens and others in need; dentist services; emergency medical response services; health care; hospitals; hospices; medical, dental, optical, pharmaceutical, wellness and nursing care, consultation, and advice; medical information; nursing care; optician and optometry services; medical clinics; medical services; nutrition counseling; pharmaceutical dispensing; providing health information; providing medical information; rental of medical equipment; home health care and wellness counseling and psychotherapy with individuals, families, and groups; providing information in the field of health and wellness; social work services, namely, assisting patients and their families to obtain appropriate support services in the nature of home health care and wellness counseling; providing medical equipment to individuals

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 21, 2005

Use in Commerce: Jul. 21, 2005

For: Grief and bereavement counseling; ministerial services; providing personal support services for families of patients, namely, companionship, help with medical forms, counseling and emotional support

International Class(es): 045 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 21, 2005

Use in Commerce: Jul. 21, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0446

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE PA
P. O. Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919) 683-5514

Fax: (919) 688-3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 20, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Jun. 19, 2013	ASSIGNED TO LIE	67287
Jun. 05, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 04, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
May 07, 2013	USE AMENDMENT FILED	65362
Jun. 04, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
May 07, 2013	TEAS STATEMENT OF USE RECEIVED	
May 01, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 12, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 02, 2013	TTAB RELEASE CASE TO TRADEMARKS	183030
Jan. 02, 2013	OPPOSITION TERMINATED NO. 999999	183030
Jan. 02, 2013	OPPOSITION DISMISSED NO. 999999	183030
Mar. 18, 2008	OPPOSITION INSTITUTED NO. 999999	183030
Oct. 18, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 18, 2007	PUBLISHED FOR OPPOSITION	
Aug. 29, 2007	NOTICE OF PUBLICATION	
Aug. 13, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Aug. 13, 2007	ASSIGNED TO LIE	78289
Jun. 27, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 26, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 26, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 26, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 28, 2006	NON-FINAL ACTION E-MAILED	6325
Dec. 28, 2006	NON-FINAL ACTION WRITTEN	76635
Dec. 17, 2006	ASSIGNED TO EXAMINER	76635
Jul. 25, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 20, 2013

Duke University's Notice of Opposition

Exhibit 33:

TSDR website printout of Reg. No. 4,397,703

DUKE FORWARD

Generated on: This page was generated by TSDR on 2016-09-14 11:11:52 EDT

Mark: DUKE FORWARD

DUKE FORWARD

US Serial Number: 85738029

Application Filing Date: Sep. 25, 2012

US Registration Number: 4397703

Registration Date: Sep. 03, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

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

Status Date: Sep. 03, 2013

Publication Date: Mar. 12, 2013

Notice of Allowance Date: May 07, 2013

Mark Information

Mark Literal Elements: DUKE FORWARD

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2317603, 3780204, 3995015 and others

Goods and Services

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

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

For: Accepting and administering monetary charitable contributions; Charitable fundraising services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 29, 2012

Use in Commerce: Sep. 29, 2012

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of University Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU 0494

Attorney Primary Email Address: emailboxTM@oliveandolive.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
P. O. Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: (919)683-5514

Fax: (919)688-3781

Correspondent e-mail: emailboxTM@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 03, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 29, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Jul. 26, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 26, 2013	STATEMENT OF USE PROCESSING COMPLETE	66530
Jul. 01, 2013	USE AMENDMENT FILED	66530
Jul. 26, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Jul. 01, 2013	TEAS STATEMENT OF USE RECEIVED	
Jun. 25, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 07, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Feb. 05, 2013	ASSIGNED TO LIE	66213
Jan. 23, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 23, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 23, 2013	EXAMINERS AMENDMENT -WRITTEN	83698
Jan. 23, 2013	ASSIGNED TO EXAMINER	83698
Sep. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 28, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 29, 2013

Duke University's Notice of Opposition

Exhibit 34:

TSDR website printout of Reg. No. 4,481,331

DUKE CONNECTED CARE

Generated on: This page was generated by TSDR on 2016-09-14 11:15:40 EDT

Mark: DUKE CONNECTED CARE

DUKE CONNECTED CARE

US Serial Number: 77771298

Application Filing Date: Jun. 30, 2009

US Registration Number: 4481331

Registration Date: Feb. 11, 2014

Register: Principal

Mark Type: Service Mark

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

Status Date: Feb. 11, 2014

Publication Date: Nov. 17, 2009

Notice of Allowance Date: May 18, 2010

Mark Information

Mark Literal Elements: DUKE CONNECTED CARE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CONNECTED CARE"

Related Properties Information

Claimed Ownership of US Registrations: 2203764, 2317603, 2415817

Goods and Services

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

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

For: health care

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 03, 2012

Use in Commerce: Dec. 03, 2012

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Duke University

Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES

Legal Entity Type: CORPORATION

State or Country NORTH CAROLINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: DUKU0482

Attorney Primary emailboxtm@oliveandolive.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent SUSAN FREYA OLIVE
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P. O. Box 2049
500 Memorial Street
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919-683-5514

Fax: 919-688-3781

Correspondent e- emailboxtm@oliveandolive.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 07, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Jan. 03, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 31, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 30, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 30, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Dec. 20, 2013	NOTIFICATION OF FINAL REFUSAL EMAILED	
Dec. 20, 2013	FINAL REFUSAL E-MAILED	
Dec. 20, 2013	SU - FINAL REFUSAL - WRITTEN	82429
Dec. 03, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	73296
Dec. 03, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	73296
Nov. 25, 2013	ASSIGNED TO LIE	73296
Nov. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 28, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
May 28, 2013	NON-FINAL ACTION E-MAILED	
May 28, 2013	SU - NON-FINAL ACTION - WRITTEN	82429
May 20, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
May 16, 2013	USE AMENDMENT FILED	76538
May 16, 2013	TEAS STATEMENT OF USE RECEIVED	
May 16, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 17, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 16, 2012	EXTENSION 5 GRANTED	76538
Nov. 13, 2012	EXTENSION 5 FILED	76538
Nov. 13, 2012	TEAS EXTENSION RECEIVED	
Nov. 12, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 03, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 02, 2012	EXTENSION 4 GRANTED	76538

Apr. 30, 2012	EXTENSION 4 FILED	76538
Apr. 30, 2012	TEAS EXTENSION RECEIVED	
Nov. 23, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 22, 2011	EXTENSION 3 GRANTED	76538
Nov. 17, 2011	EXTENSION 3 FILED	76538
Nov. 17, 2011	TEAS EXTENSION RECEIVED	
May 17, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 16, 2011	EXTENSION 2 GRANTED	76538
May 13, 2011	EXTENSION 2 FILED	76538
May 13, 2011	TEAS EXTENSION RECEIVED	
Nov. 11, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 10, 2010	EXTENSION 1 GRANTED	76538
Nov. 01, 2010	EXTENSION 1 FILED	76538
Nov. 10, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Nov. 01, 2010	TEAS EXTENSION RECEIVED	
May 18, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 02, 2010	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Dec. 16, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 17, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 17, 2009	PUBLISHED FOR OPPOSITION	
Oct. 14, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Oct. 14, 2009	ASSIGNED TO LIE	77075
Sep. 28, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 28, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 28, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 28, 2009	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 28, 2009	EXAMINERS AMENDMENT -WRITTEN	82429
Sep. 26, 2009	ASSIGNED TO EXAMINER	82429
Jul. 06, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 03, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2014

Duke University's Notice of Opposition

Exhibit 35:

TSDR website printout of Reg. No. 4,760,204

IRON DUKES

Generated on: This page was generated by TSDR on 2016-09-14 10:53:49 EDT

Mark: IRON DUKES

IRON DUKES

US Serial Number: 86445421

Application Filing Date: Nov. 05, 2014

US Registration Number: 4760204

Registration Date: Jun. 23, 2015

Register: Principal

Mark Type: Service Mark

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

Status Date: Jun. 23, 2015

Publication Date: Apr. 07, 2015

Mark Information

Mark Literal Elements: IRON DUKES

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1003662, 2317603, 4108223 and others

Goods and Services

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

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

For: Charitable services, namely, promoting public awareness of the need for supporting athletic activities, facilities and events; Club services, namely, promoting the interests of supporters of athletic activities, facilities and events

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

For: Charitable fundraising to support athletic activities, facilities and events

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1971

Use in Commerce: Jul. 01, 1971

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Duke University
Owner Address: Office of Counsel
310 Blackwell Street, 4th Floor
Durham, NORTH CAROLINA 27701
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: NORTH CAROLINA

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Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 23, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 07, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 07, 2015	PUBLISHED FOR OPPOSITION	
Mar. 18, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 26, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2015	ASSIGNED TO EXAMINER	89013
Nov. 14, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 08, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 23, 2015

Duke University's Notice of Opposition

Exhibit 36: Common Law Marks

DUKE

Used as a house mark and as a trademark to identify a wide range of products sold and licensed by Duke University, in virtually all areas of endeavor, to men, women and children of all ages. For purposes of this proceeding, the products can generally be defined as consumer goods, and those asserted herein are the following:

- Cosmetics, skin care products, personal bathing and grooming products, and toiletries (including, by way of example, body and nail art, decorative transfers, face paint, glitter, personal care packs comprising containers with toiletries therein, and toothbrushes);
- Clothing of all types for babies, children, men and women (including, by way of example, belts and suspenders; bibs; bottoms including pants, shorts, and other bottoms, separately or in combination with tops; footwear; hairwear; headwear and neckwear; loungewear, nightwear and sleepwear; outerwear including blazers, coats, foul weather gear, jackets, sweatshirts, and other outerwear; tops including shirts, blouses, and other tops; undergarments and other lingerie; and specialty wear including athletic apparel, bike shorts, exercise wear, performance wear, skiwear, swimwear, and uniforms);
- Clothing accessories and hair accessories;
- Fabric for sewing;
- Personal accessories (including, by way of example, hair holders and hair ornaments, key holders, sunglasses, and wallets);
- Jewelry for men and women (including both costume jewelry and jewelry of precious metal);
- Time-keeping instruments (including clocks and watches);
- Electronic and computer accessories (including, by way of example, data storage devices, earphones, mouse pads, protective storage for computers and computer accessories, speakers);
- Computer application software (including, by way of example, web-based information and applications for use on common mobile platforms; and educational programs)
- Containers for personal and household items, and luggage (including, by way of example, backpacks; bags and cases adapted to hold electronic devices and computers; baskets; containers to hold personal care, skin care, grooming, and cosmetic items; coolers; duffels; piggy banks; sport bags; suitcases; totes); luggage tags
- Beverageware, barware, insulating covers for beverage containers, coolers, decanters, flasks, drinkware; feeding wares for children; kitchenware; kitchen, cooking and grilling accessories; picnicware; tableware
- Foods and beverages
- Housewares and household furnishings (including by way of example candles, cushions, curtains, mats, picture frames, rugs, and trash cans); bedding and pillows; bathware (the latter including, by way of example, towels, washcloths, bath mats, shower curtains, toiletry holders, and bathing accessories);

- Décor and ornaments; holiday ornaments and holiday décor; household ornaments; sports ornaments; decorative items for home, vehicle, business and garden adornment; banners, decals, flags and pennants;
- Automobile and other vehicular decorative accessories (including by way of example banners bumper stickers, decals, flags, fins, key holders, license plate holders; mirror ornaments, ornamental license plates, pennants);
- Writing instruments and paper goods (the latter including by way of example artworks of paper; books; cards; memo pads, paper napkins; paper plates; wrapping paper; collectibles)
- Desk and office accessories (including by way of example business card holders, desk sets, memo pad holders, pencil holders, paper clip holders, paper weights, photo albums);
- Furniture (including by way of example chairs, canopies, stools, and tables);
- Lighting and accessories therefor (including by way of example lamps, lampshades, and flashlights);
- Games and toys (including, by way of example, action figures, dolls, stuffed and plush toys, board games, card games, electronic and video games, tabletop games, outdoor games and equipment for such games; toy sporting equipment); game tables;
- Sports equipment and sports accessories (including by way of example balls, ball markers, bats, carabiners, golf bags, golf headcovers, helmets, sports bags, tees, sports towels, sports umbrellas); bicycles and bicycle accessories (the latter including by way of example bicycle clothing, gear, and bags);
- Sports memorabilia; university memorabilia; fanware; gift items intended to remind recipients of Duke University or some aspect of the services and entertainment provided by Duke University and its affiliates
- Pet accessories (including by way of example apparel, costumes, restraint devices, and toys);
- Pre-recorded musical, audio, and audiovisual works; cell phone ringtones; streaming live musical performances; streaming live athletic performances; streaming live educational programs and performances
- Publications in the nature of books, booklets, brochures, magazines, periodicals, and documents, and information provided via the Internet, such publications relating to Duke University, its programs, research, staff, students, fans, and alumni, and/or concerning subjects of general human interest and/or of interest to students, professors, alumni and/or fans, and/or concerning subjects of interest to professionals in fields of study taught at Duke University;
- And, all products listed in the trademark registrations recited in the Notice of Opposition.

DUKE

Used as a house mark and as a service mark to identify a wide range of services provided and licensed by Duke University, including all services typically provided by a major research university with an associated medical center, professional schools, top tier athletic teams, and trademark licensing program. For purposes of this proceeding, those asserted herein are the following:

- Charitable and fundraising services;
- Educational services for men, women and children (including the provision of classes, conferences, courses, seminars, tutoring, training, and workshops, both in traditional formats and via broadcast and online media, at the pre-university, university, graduate and post-graduate levels);
- Educational and training services in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, health and wellness, law, liberal arts, mathematics, medicine, military science, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in life and in a career;
- Entertainment services, namely sponsoring athletic events, artistic performances, and cultural affairs; organizing and conducting collegiate and pre-collegiate sport competitions and athletic events;
- Museums and museum services;
- Musical and theatrical performances, training, and education;
- Personal care services in the nature of spa, gym, salon and barber shop services;
- Photography services;
- Providing athletic performances, providing and/or sponsoring athletic teams and clubs, and engaging in athletic competitions in the fields of badminton, baseball, basketball, crew, cross country, cycling, dancing, diving, endurance events, equestrian, fencing, field hockey, football, golf, ice hockey, ice skating, lacrosse, martial arts, motor sports (including automobile racing), racing, racquetball, rowing, rugby, sailing, skiing, soccer, softball, snowboard, swimming, table tennis, tennis, track and field, ultimate Frisbee, volleyball, water polo, and wrestling, and in all sports regulated by the NCAA;
- Providing counseling services, hospital services, medical and nursing services, diet and fitness services, mental and physical health and wellness services, psychological and psychiatric services, pharmaceutical services;
- Providing, on-line and through live, broadcast and pre-recorded media, information relating to Duke University, its programs, research, employees, students, fans, and alumni, information concerning subjects of general human interest, information of interest to students, employees, alumni and/or fans, and information concerning subjects of interest to professionals in fields of study taught at Duke University;
- Publishing services;
- Religious instruction, teaching, counseling and services including divinity school services and church services;
- Research in the fields of art, business, economics, education, engineering, environmental studies, foreign languages, law, liberal arts, health and wellness,

mathematics, medicine, music, nursing, public policy, religion, science, social sciences, sports, technology, the performance arts, and auxiliary skills necessary to success in a career, and in all fields in which Duke University provides educational services;

- Restaurant services, hospitality services, bar services, provision of food and beverages, and supervision of third-party provision of food and beverages;
- Sports camp, sports club, sports medicine, sports rehabilitation, and sports training services;
- Retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of consumer goods of others; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring a wide variety of goods bearing the marks of Duke University; retail store and retail sales services, from fixed premises and online and via catalog and telephone and mail-order, featuring those goods identified in the list of common law goods recited in this Notice of Opposition, as well as soaps and other bath and grooming products
- Retail store services in the fields of personal care, grooming, cosmetics and health and wellness;
- And, all services listed in the service mark registrations recited in the Notice of Opposition.

DUKE UNIVERSITY

Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE

The letter “D” - in plain form, and in a wide variety of designs including but not limited to those depicted in the Notice of Opposition and the registrations cited therein

Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, medical and sports related services as provided herein with respect to DUKE



Substantially the same goods as provided herein with respect to DUKE; substantially the same entertainment, education, health, and sports related services as provided herein with respect to DUKE