

ESTTA Tracking number: **ESTTA852926**

Filing date: **10/18/2017**

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	Bassike Pty Ltd
Granted to Date of previous extension	10/18/2017
Address	Studio 14, 2 Daydream Street Warriewood, 2102 AUSTRALIA

Attorney information	Rodney L. Skoglund Renner Kenner Greive Bobak Taylor & Weber 106 South Main Street First National Tower, Suite 400 Akron, OH 44308 UNITED STATES Email: rlskoglund@rennerkenner.com, mjudd@rennerkenner.com Phone: 330-376-1242
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### Applicant Information

Application No	86883226	Publication date	06/20/2017
Opposition Filing Date	10/18/2017	Opposition Period Ends	10/18/2017
Applicant	JB International Holdings Limited 6th Floor St-John's Building 33 Garden Road Central HONG KONG		

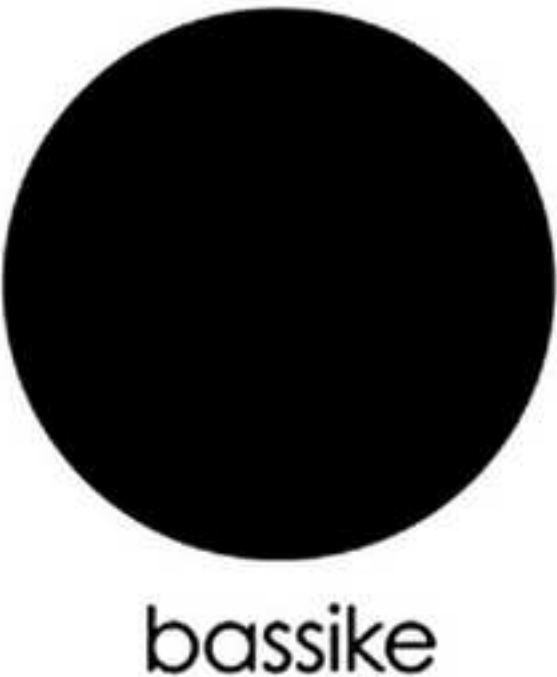
### Goods/Services Affected by Opposition


Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Women's clothing, namely, dresses, shirts, pants, skirts, shorts, halters, suits, blazers, dusters, jumpers, jackets, vests, tops, namely, hooded tops, sweat tops, tube tops, knitted and woven tops, T-shirts and robes, namely, bath robes, beach robes, and women's activewear, namely, jeans, jogging suits, sweat suits, bathing suits, lingerie, headwear, namely, hats and caps, gloves, scarves and outerwear, namely, coats and skiwear; men's activewear, namely, shirts, sweaters, pants, jeans, jogging suits, sweat suits, T-shirts, bathing suits and outerwear namely, jackets, coats and skiwear
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### Grounds for Opposition

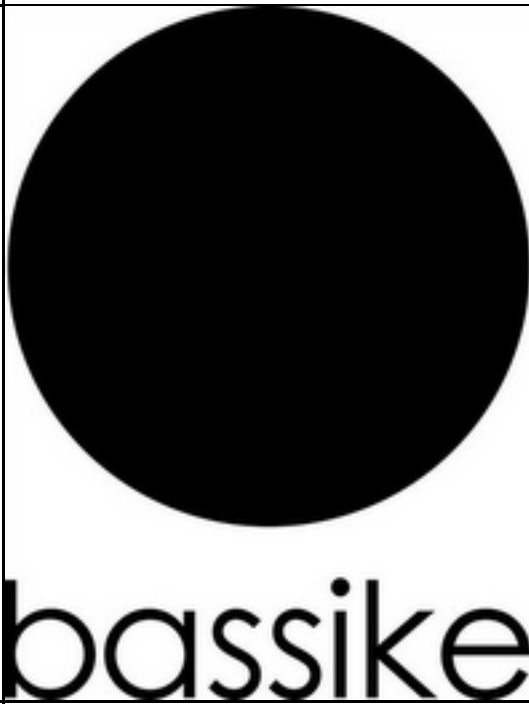
Priority and likelihood of confusion	Trademark Act Section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3712189	Application Date	07/29/2008
Registration Date	11/17/2009	Foreign Priority Date	NONE
Word Mark	BASSIKE		
Design Mark			
Description of Mark	The mark consists of a circle design underneath which is the word "BASSIKE" in a stylized font. The term BASSIKE is pronounced as in the English word "basic" (i.e. bey-sik).		
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, t-shirts, tops, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, shorts, jeans, pants, dresses, suit jackets, casual jackets, scarves, vests headgear, namely, caps and hats		

U.S. Registration No.	4903405	Application Date	04/17/2015
Registration Date	02/23/2016	Foreign Priority Date	NONE
Word Mark	BASSIKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Sunglasses Class 014. First use: First Use: 0 First Use In Commerce: 0 Jewellery Class 024. First use: First Use: 0 First Use In Commerce: 0		

	<p>Beach towels</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0</p> <p>Clothing, namely, shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, suit jackets, casual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear, loungewear, leggings, beachwear, swimwear, underwear, lingerie; headgear in the nature of hats, caps; footwear being shoes; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, pants, sweaters, cardigans, fleece tops, vests</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories</p>
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U.S. Registration No.	4907748	Application Date	06/11/2015
Registration Date	03/01/2016	Foreign Priority Date	NONE
Word Mark	BASSIKE		
Design Mark			
Description of Mark	The mark consists of a circle design with the term "BASSIKE" in a stylized font below the circle design.		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sunglasses</p> <p>Class 014. First use: First Use: 0 First Use In Commerce: 0</p> <p>Jewellery</p> <p>Class 024. First use: First Use: 0 First Use In Commerce: 0</p> <p>Beach towels</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0</p> <p>Shoes; apparel, namely, clothing in the nature of shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, pants, duplicate suit jackets, cas-</p>		

	<p>ual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear, loungewear, leggings, beachwear, swimwear, underwear, lingerie; footwear, and headgear in the nature of hats, caps; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, duplicate pants, sweaters, cardigans, fleece tops, vests</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories</p>
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Attachments	<p>79057566#TMSN.png( bytes )</p> <p>79167762#TMSN.png( bytes )</p> <p>86658737#TMSN.png( bytes )</p> <p>notice of opposition with exhibits.pdf(235937 bytes )</p>
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Signature	/Tama L. Drenski/
Name	Tama L. Drenski
Date	10/18/2017

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

	)	In re Matter of Trademark
	)	Application No. 86/883,226
BASSIKE PTY LTD,	)	For the mark:
Opposer,	)	BASIK BY RD STYLE
	)	Filed on Jan. 22, 2016
v.	)	
	)	Opposition No.
	)	
JB INTERNATIONAL HOLDINGS LIMITED,	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

BASSIKE PTY LTD (OPPOSER), a proprietary limited company of Australia, having a place of business at Studio 14, Daydream Street, Warriewood, NSW, Australia, 2102, believes that it is or will be damaged by the registration of the mark set forth in Application No. 86/883,226, which the United States Patent and Trademark Office (USPTO) records show is owned by JB INTERNATIONAL HOLDINGS LIMITED (Applicant), and hereby opposes the same.

To the best of OPPOSER's knowledge, the name and address of the current owner of the application is JB INTERNATIONAL HOLDINGS LIMITED, a limited liability company of Hong Kong, 6<sup>th</sup> Floor, St-John's Building, 33 Garden Road, Central, Hong Kong.

The grounds for opposition are as follows:

**Likelihood of Confusion under Section 2(d) of the Trademark Act**

1. OPPOSER is the owner of U.S. Trademark Registration No. 3,712,189, for the mark "BASSIKE" and design, which issued from application serial no. 79/057,566. Under Section 66(A) of the Madrid Protocol, this registration has priority to International Registration

No. 973,779, and is therefore entitled to a filing date of July 29, 2008. A combined Section 71 and 15 Declaration was filed on Nov. 2, 2015, and accepted by the U.S. Patent and Trademark Office on Dec. 11, 2015, making this registration incontestable. A printout from the USPTO TDSR database satisfying the requirements of 37 C.F.R. Section 2.122(d) for submitting a current status and title copy of the pleaded registration, is submitted herewith as Exhibit 1. As stated in the registration, “The term BASSIKE is pronounced as in the English word “basic” (*i.e.* bey-sik)”. The registration recites the following goods:

*Clothing, namely, t-shirts, tops, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, shorts, jeans, pants, dresses, suit jackets, casual jackets, scarves, vests headgear, namely, caps and hats in International Class 025.*

2. OPPOSER is the owner of U.S. Trademark Registration No. 4,903,405, for the mark “BASSIKE”, which issued from application serial no. 79/167,762. Under Section 66(A) of the Madrid Protocol, this registration has priority to International Registration No. 1,253,200, and is therefore entitled to a filing date of April 17, 2015. A printout from the USPTO TDSR database satisfying the requirements of 37 C.F.R. Section 2.122(d) for submitting a current status and title copy of the pleaded registration, is submitted herewith as Exhibit 2. The registration recites the following goods:

*Sunglasses in International Class 009*

*Jewelry in International Class 014*

*Beach towels in International Class 024*

*Clothing, namely, shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, suit jackets, casual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear,*

*loungewear, leggings, beachwear, swimwear, underwear, lingerie; headgear in the nature of hats, caps; footwear being shoes; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, pants, sweaters, cardigans, fleece tops, vests in International Class 025*

*Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories in International Class 035.*

3. OPPOSER is the owner of U.S. Trademark Registration No.4,907,748, for the mark “BASSIKE” and design, which issued from application serial no. 86/658,737, filed on July 11, 2015. A printout from the USPTO TDSR database satisfying the requirements of 37 C.F.R. Section 2.122(d) for submitting a current status and title copy of the pleaded registration, is submitted herewith as Exhibit 3. The registration recites the following goods:

*Sunglasses in International Class 009*

*Jewelry in International Class 014*

*Beach towels in International Class 024*

*Shoes; apparel, namely, clothing in the nature of shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, pants, duplicate suit jackets, casual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear, loungewear, leggings, beachwear, swimwear, underwear, lingerie; footwear, and headgear in the nature of hats, caps; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, duplicate pants, sweaters, cardigans, fleece tops, vests in International Class 025*

*Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories in International Class 035.*

4. The three registrations described above, namely U.S. Reg. Nos. 3,712,189, 4,903,405, and 4,907,748, all owned by OPPOSER, are hereinafter referred to collectively as OPPOSER's Registrations.

5. On January 22, 2016, Applicant filed an application, serial no. 86/883,226 (the Subject Application), alleging a *bona fide* intent to use the mark "BASIK BY RD STYLE" in International Class 25 for the following goods, all of which are recited in one or more of OPPOSER's Registrations:

*Women's clothing, namely, dresses, shirts, pants, skirts, shorts, halters, suits, blazers, dusters, jumpers, jackets, vests, tops, namely, hooded tops, sweat tops, tube tops, knitted and woven tops, T-shirts and robes, namely, bath robes, beach robes, and women's activewear, namely, jeans, jogging suits, sweat suits, bathing suits, lingerie, headwear, namely, hats and caps, gloves, scarves and outerwear, namely, coats and skiwear; men's activewear, namely, shirts, sweaters, pants, jeans, jogging suits, sweat suits, T-shirts, bathing suits and outerwear namely, jackets, coats and skiwear.*

6. OPPOSER applied for "BASSIKE" well before Applicant began using or applied for "BASIK BY RD STYLE."

7. The Opposed Application comprises a mark that so resembles OPPOSER's mark "BASSIKE" as to be likely to cause confusion, or to cause mistake, or to deceive. OPPOSER's mark "BASSIKE" and Applicant's mark "BASIK BY RD STYLE" are confusingly similar in appearance, sound, connotation, and overall commercial impression. Applicant's mark "BASIK BY RD STYLE" wholly incorporates a phonetically identical form of OPPOSER's mark "BASSIKE." Far from providing distinction between the marks, the phrase "BY RD STYLE" suggests some sort of affiliation between OPPOSER and Applicant,



who apparently operates under the brand name RD STYLE. The definite connotation that is given by Applicant's mark is that OPPOSER's brand is being produced or provided by RD STYLE. Applicant's combination of OPPOSER's mark with possessive phrase BY RD STYLE creates an overall commercial impression that creates a strong likelihood that the reasonable consumer will be confused into believing that there is some affiliation, sponsorship, or other relationship between OPPOSER and Applicant.

8. The goods, if not identical, are so closely related that the circumstances surrounding their marketing are such that they are likely to be encountered by the same persons under circumstances that, because of the marks used in connection therewith, would lead to the mistaken belief that they originate from the same source. The Subject Application is in International Class 025, the same class as OPPOSER's Registrations. The goods associated with the Subject Application, and the goods that are recited in OPPOSER's registrations are virtually identical, or at least significantly overlap. Given the similar marks and the virtually identical goods, there is a strong likelihood that consumers would be confused as to the source or sponsorship of the goods.

9. The channels of trade are not limited in the Opposed Application, and therefore it must be assumed that the channels of trade would include all possible channels. Therefore, it must be assumed that there would be significant overlap, if not shared identity, with OPPOSER's channels of trade. The very similar marks, being used on the same goods, in the same channels of trade, would lead to a strong likelihood of confusion in the marketplace.

10. OPPOSER has been using their mark in conjunction with the sale of clothing goods over the Internet, including selling and shipping products to the U.S., since well before

Applicant filed the Subject Application. OPPOSER'S mark has gained increasing recognition in the U.S., and in September 2015 OPPOSER opened a brick and mortar storefront in Venice Beach, California. The opening was publicized in various news sources, including The Hollywood Reporter. Together with OPPOSER's Registrations, which gives third-parties constructive notice of OPPOSER's ownership, this notoriety makes it highly likely that Applicant knew of OPPOSER and sought to capitalize on OPPOSER's notoriety and goodwill by adopting a confusingly similar mark.

WHEREFORE: OPPOSER opposes issuance of any registration based upon the Subject Application pursuant to Trademark Act Section 2(d), 15 U.S.C. 1052(d).

Respectfully Submitted,

Date Oct. 18, 2017

/Tama L. Drenski/

Tama L. Drenski (Reg. No. 50,323)

Rodney L. Skoglund (Reg. No. 36,010)

Ray L. Weber (Reg. No. 26,519)

Renner, Kenner, Greive, Bobak, Taylor & Weber

106 S. Main Street, Suite 400

Akron, Ohio 44308-1412

Telephone: (330) 376-1242

FAX: (330) 376-9646

Attorneys for Applicant

## EXHIBIT 1

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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**Generated on:** This page was generated by TSDR on 2017-10-18 14:34:11 EDT

**Mark:** BASSIKE



**US Serial Number:** 79057566

**Application Filing Date:** Jul. 29, 2008

**US Registration Number:** 3712189

**Registration Date:** Nov. 17, 2009

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status  
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Section 71 and 15 declaration has been accepted and acknowledged.

**Status Date:** Dec. 11, 2015

**Publication Date:** Mar. 03, 2009

## Mark Information

**Mark Literal Elements:** BASSIKE

**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 circle design underneath which is the word "BASSIKE" in a stylized font. The term BASSIKE is pronounced as in the English word "basic" (i.e. bey-sik).

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

**Translation:** The term "BASSIKE" has no meaning in English.

**Design Search Code(s):** 26.01.21 - Circles that are totally or partially shaded.

## Related Properties Information

**International Registration  
Number:** [0973779](#)

**International Registration Date:** Jul. 29, 2008

## 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, tops, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, shorts, jeans, pants, dresses, suit jackets, casual jackets, scarves, vests headgear, namely, caps and hats

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

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

### Current Owner(s) Information

<b>Owner Name:</b> Bassike Pty Ltd	
<b>Owner Address:</b> Studio 5, 2 Daydream Street Warriewood, NSW AUSTRALIA 2102	
<b>Legal Entity Type:</b> Australian Proprietary Company, Limited by Shares	<b>State or Country Where Organized:</b> AUSTRALIA

### Attorney/Correspondence Information

#### Attorney of Record

<b>Attorney Name:</b> William H. Brewster	<b>Docket Number:</b> 098338/09470
<b>Attorney Primary Email Address:</b> <a href="mailto:tmadmin@kilpatricktownsend.com">tmadmin@kilpatricktownsend.com</a>	<b>Attorney Email Authorized:</b> Yes

#### Correspondent

**Correspondent Name/Address:** WILLIAM H. BREWSTER  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET, SUITE 2800  
ATLANTA, GEORGIA UNITED STATES 30309

<b>Phone:</b> 404-815-6500	<b>Fax:</b> 404-815-6555
<b>Correspondent e-mail:</b> <a href="mailto:tmadmin@kilpatricktownsend.com">tmadmin@kilpatricktownsend.com</a>	<b>Correspondent e-mail Authorized:</b> Yes

#### Domestic Representative

<b>Domestic Representative Name:</b> William H. Brewster	<b>Phone:</b> 404-815-6500
<b>Fax:</b> 404-815-6555	
<b>Domestic Representative e-mail:</b> <a href="mailto:tmadmin@kilpatricktownsend.com">tmadmin@kilpatricktownsend.com</a>	<b>Domestic Representative e-mail Authorized:</b> Yes

### Prosecution History

Date	Description	Proceeding Number
Dec. 11, 2015	NOTICE OF ACCEPTANCE OF SEC. 71 & 15 - E-MAILED	
Dec. 11, 2015	REGISTERED - SEC. 71 ACCEPTED & SEC. 15 ACK.	76874
Dec. 11, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Nov. 02, 2015	TEAS SECTION 71 & 15 RECEIVED	
Sep. 04, 2015	NEW REPRESENTATIVE AT IB RECEIVED	
Jan. 28, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Mar. 12, 2010	FINAL DISPOSITION NOTICE SENT TO IB	
Mar. 11, 2010	FINAL DISPOSITION PROCESSED	68359
Feb. 17, 2010	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 17, 2009	REGISTERED-PRINCIPAL REGISTER	
Oct. 13, 2009	TTAB RELEASE CASE TO TRADEMARKS	190888
Oct. 13, 2009	OPPOSITION TERMINATED NO. 999999	190888
Oct. 13, 2009	OPPOSITION DISMISSED NO. 999999	190888
Aug. 17, 2009	PAPER RECEIVED	
Aug. 01, 2009	REFUSAL PROCESSED BY IB	
Jul. 03, 2009	OPPOSITION INSTITUTED NO. 999999	190888
Jul. 02, 2009	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
Jul. 02, 2009	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Mar. 31, 2009	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 03, 2009	PUBLISHED FOR OPPOSITION	
Feb. 11, 2009	NOTICE OF PUBLICATION	
Jan. 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Jan. 21, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	

Jan. 20, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 18, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 18, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 30, 2008	NON-FINAL ACTION MAILED	
Dec. 30, 2008	NON-FINAL ACTION WRITTEN	78067
Dec. 29, 2008	AMENDMENT FROM APPLICANT ENTERED	78289
Dec. 29, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78289
Dec. 29, 2008	ASSIGNED TO LIE	78289
Dec. 11, 2008	PAPER RECEIVED	
Dec. 06, 2008	REFUSAL PROCESSED BY IB	
Nov. 10, 2008	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Nov. 10, 2008	REFUSAL PROCESSED BY MPU	68359
Nov. 08, 2008	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Nov. 07, 2008	NON-FINAL ACTION WRITTEN	78067
Nov. 07, 2008	ASSIGNED TO EXAMINER	78067
Sep. 19, 2008	NEW APPLICATION ENTERED IN TRAM	
Sep. 18, 2008	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### International Registration Information (Section 66a)

<b>International Registration Number:</b> 0973779	<b>International Registration Date:</b> Jul. 29, 2008
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> Sep. 18, 2008
<b>Notification of Designation Date:</b> Sep. 18, 2008	<b>Date of Automatic Protection:</b> Mar. 18, 2010
<b>International Registration Renewal Date:</b> Jul. 29, 2018	
<b>First Refusal Flag:</b> Yes	

### Maintenance Filings or Post Registration Information

<b>Affidavit of Incontestability:</b> Section 15 - Accepted
<b>Affidavit of Continued Use:</b> Section 71 - Accepted

### TM Staff and Location Information

<b>TM Staff Information</b>	
<b>TM Attorney:</b> SHOSHO II, ERNEST	<b>Law Office Assigned:</b> LAW OFFICE 117
<b>File Location</b>	
<b>Current Location:</b> GENERIC WEB UPDATE	<b>Date in Location:</b> Dec. 11, 2015

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

### Proceedings - Click to Load

## EXHIBIT 2

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS DOCUMENTS MAINTENANCE

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Mark: BASSIKE

BASSIKE

US Serial Number: 79167762

Application Filing Date: Apr. 17, 2015

US Registration Number: 4903405

Registration Date: Feb. 23, 2016

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: Feb. 23, 2016

Publication Date: Dec. 08, 2015

## Mark Information

Mark Literal Elements: BASSIKE

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

Translation: The wording "BASSIKE" has no meaning in a foreign language.

## Related Properties Information

International Registration  
Number: [1253200](#)

International Registration Date: Apr. 17, 2015

## 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: Sunglasses

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

For: Jewellery

International Class(es): 014 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

For: Beach towels

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 66(a)

For: Clothing, namely, shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, suit jackets, casual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear, loungewear, leggings, beachwear, swimwear, underwear, lingerie; headgear in the nature of hats, caps; footwear being shoes; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, pants, sweaters, cardigans, fleece tops, vests

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

**Class Status:** ACTIVE**Basis:** 66(a)**For:** Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories**International Class(es):** 035 - Primary Class**U.S Class(es):** 100, 101, 102**Class Status:** ACTIVE**Basis:** 66(a)

### Basis Information (Case Level)

**Filed Use:** No**Currently Use:** No**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:** Yes**Currently 66A:** Yes**Filed No Basis:** No**Currently No Basis:** No

### Current Owner(s) Information

**Owner Name:** Bassike Pty Ltd**Owner Address:** 38 Pacific Road  
PALM BEACH NSW 2108  
AUSTRALIA**Legal Entity Type:** Company**State or Country Where  
Organized:** AUSTRALIA

### Attorney/Correspondence Information

**Attorney of Record - None****Correspondent****Correspondent Name/Address:** MILLS OAKLEY LAWYERS  
PO Box 453,  
Collins Street West  
Melbourne VIC 8007 AUSTRALIA**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Jul. 09, 2016	FINAL DECISION TRANSACTION PROCESSED BY IB	
May 24, 2016	FINAL DISPOSITION NOTICE SENT TO IB	
May 24, 2016	FINAL DISPOSITION PROCESSED	67445
May 23, 2016	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Feb. 23, 2016	REGISTERED-PRINCIPAL REGISTER	
Dec. 08, 2015	PUBLISHED FOR OPPOSITION	
Nov. 18, 2015	NOTICE OF PUBLICATION	
Nov. 05, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Nov. 05, 2015	ASSIGNED TO LIE	70633
Sep. 28, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2015	EXAMINERS AMENDMENT MAILED	
Sep. 24, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2015	EXAMINERS AMENDMENT -WRITTEN	85329
Sep. 24, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 23, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 23, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2015	REFUSAL PROCESSED BY IB	
Jul. 30, 2015	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Jul. 30, 2015	REFUSAL PROCESSED BY MPU	72629
Jul. 30, 2015	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Jul. 29, 2015	NON-FINAL ACTION WRITTEN	85329

Jul. 28, 2015	ASSIGNED TO EXAMINER	85329
Jul. 01, 2015	APPLICATION FILING RECEIPT MAILED	
Jun. 27, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 25, 2015	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### International Registration Information (Section 66a)

<b>International Registration Number:</b> 1253200	<b>International Registration Date:</b> Apr. 17, 2015
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> Jun. 25, 2015
<b>Notification of Designation Date:</b> Jun. 25, 2015	<b>Date of Automatic Protection:</b> Dec. 25, 2016
<b>International Registration Renewal Date:</b> Apr. 17, 2025	
<b>First Refusal Flag:</b> Yes	

### TM Staff and Location Information

TM Staff Information - None

File Location

<b>Current Location:</b> PUBLICATION AND ISSUE SECTION	<b>Date in Location:</b> Feb. 23, 2016
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[Proceedings - Click to Load](#)



## EXHIBIT 3

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS DOCUMENTS MAINTENANCE

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2017-10-18 14:42:31 EDT

**Mark:** BASSIKE



**US Serial Number:** 86658737

**Application Filing Date:** Jun. 11, 2015

**US Registration Number:** 4907748

**Registration Date:** Mar. 01, 2016

**Filed as TEAS RF:** Yes

**Currently TEAS RF:** Yes

**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:** Mar. 01, 2016

**Publication Date:** Dec. 15, 2015

## Mark Information

**Mark Literal Elements:** BASSIKE

**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 circle design with the term "BASSIKE" in a stylized font below the circle design.

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

**Translation:** The wording "BASSIKE" has no meaning in a foreign language.

**Design Search Code(s):** 26.01.21 - Circles that are totally or partially shaded.

## Related Properties Information

**Claimed Ownership of US** [3712189](#)

**Registrations:**

## Foreign Information

**Foreign Registration Number:** 1580783

**Foreign Registration Date:** Sep. 17, 2013

**Foreign** AUSTRALIA

**Foreign Expiration Date:** Sep. 17, 2023

**Application/Registration**

**Country:**

## 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:** Sunglasses

**International Class(es):** 009 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 44(e)

**For:** Jewellery**International Class(es):** 014 - Primary Class**U.S Class(es):** 002, 027, 028, 050**Class Status:** ACTIVE**Basis:** 44(e)**For:** Beach towels**International Class(es):** 024 - Primary Class**U.S Class(es):** 042, 050**Class Status:** ACTIVE**Basis:** 44(e)

**For:** Shoes; apparel, namely, clothing in the nature of shirts, pants, dresses, t-shirts, tops, bottoms, sweaters, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, jeans, pants, duplicate suit jackets, casual jackets, scarves, vests, polo tops, pullovers, hooded knitwear tops, fleece tops, cardigans, pyjamas, sleepwear, loungewear, leggings, beachwear, swimwear, underwear, lingerie; footwear, and headgear in the nature of hats, caps; children's clothing, namely, tops, bottoms, rompers, pajamas, dresses, leggings, swimwear, jeans, t-shirts, sweat shirts, track pants, short sleeve and long sleeve shirts, singlets, tank tops, skirts, shorts, duplicate pants, sweaters, cardigans, fleece tops, vests

**International Class(es):** 025 - Primary Class**U.S Class(es):** 022, 039**Class Status:** ACTIVE**Basis:** 44(e)

**For:** Retail store and online retail store services featuring clothing, footwear, headgear and associated fashion accessories

**International Class(es):** 035 - Primary Class**U.S Class(es):** 100, 101, 102**Class Status:** ACTIVE**Basis:** 44(e)

### Basis Information (Case Level)

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

### Current Owner(s) Information

**Owner Name:** Bassike Pty Ltd

**Owner Address:** Studio 5, 2 Daydream Street  
Warriewood, NSW AUSTRALIA 2102

**Legal Entity Type:** proprietary limited company (p/l or pty. ltd.)

**State or Country Where  
Organized:** AUSTRALIA

### Attorney/Correspondence Information

#### Attorney of Record

**Attorney Name:** William H. Brewster**Docket Number:** 98338/947023

**Attorney Primary Email** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com)  
**Address:**

**Attorney Email Authorized:** Yes

#### Correspondent

**Correspondent Name/Address:** WILLIAM H. BREWSTER  
Kilpatrick Townsend & Stockton Llp  
1100 Peachtree St NE Ste 2800  
Atlanta, GEORGIA UNITED STATES 30309-4528

**Phone:** 404-815-6500**Fax:** 404-815-6555**Correspondent e-mail:** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com)

**Correspondent e-mail** Yes  
**Authorized:**

#### Domestic Representative

**Domestic Representative Name:** William H. Brewster**Phone:** 404-815-6500**Fax:** 404-815-6555

**Domestic Representative** [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com)  
**e-mail:**

**Domestic Representative e-mail** Yes  
**Authorized:**

**Prosecution History**

Date	Description	Proceeding Number
Mar. 01, 2016	REGISTERED-PRINCIPAL REGISTER	
Dec. 15, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 15, 2015	PUBLISHED FOR OPPOSITION	
Nov. 25, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 07, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Nov. 07, 2015	ASSIGNED TO LIE	66121
Sep. 29, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 25, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 25, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 25, 2015	EXAMINERS AMENDMENT -WRITTEN	85329
Sep. 24, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 23, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 23, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 29, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2015	NON-FINAL ACTION E-MAILED	6325
Jul. 29, 2015	NON-FINAL ACTION WRITTEN	85329
Jul. 28, 2015	ASSIGNED TO EXAMINER	85329
Jun. 16, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jun. 15, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 15, 2015	NEW APPLICATION ENTERED IN TRAM	

**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Mar. 01, 2016**Assignment Abstract Of Title Information - None recorded****Proceedings - Click to Load**