

Request for Reconsideration after Final Action

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SERIAL NUMBER	87855751
LAW OFFICE ASSIGNED	LAW OFFICE 114
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87855751/large
LITERAL ELEMENT	TOEIC BRIDGE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
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DESCRIPTION OF EVIDENCE FILE	Argument against final refusal and exhibits.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Carrie L. Kiedrowski/
SIGNATORY'S NAME	Carrie L. Kiedrowski
SIGNATORY'S POSITION	Attorney of Record, Ohio and Georgia Bar Member
DATE SIGNED	05/13/2019
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon May 13 20:15:31 EDT 2019
TEAS STAMP	USPTO/RFR-XXX.XX.XXX.XXX- 20190513201531770281-8785 5751-620b768624a878511f21 85352e8e524891127225a5436 d9dfee4d2a831089655d-N/A- N/A-20190513200842102119

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OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **87855751** TOEIC BRIDGE(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87855751/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Evidence in the nature of Argument against final refusal and exhibits. has been attached.

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Converted PDF file(s) (20 pages)

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SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Carrie L. Kiedrowski/ Date: 05/13/2019

Signatory's Name: Carrie L. Kiedrowski

Signatory's Position: Attorney of Record, Ohio and Georgia Bar Member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 87855751

Internet Transmission Date: Mon May 13 20:15:31 EDT 2019
TEAS Stamp: USPTO/RFR-XXX.XX.XXX.XXX-201905132015317
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EDUCATIONAL TESTING SERVICE,

Applicant.

Application Serial No.: 87/855,751

Trademark: TOEIC BRIDGE

Filing Date: March 29, 2018

International Classes: 9 and 16

Examining Attorney: Brian Pino

Law Office: 114

REQUEST FOR RECONSIDERATION

The Applicant, Educational Testing Service (“Applicant”), is in receipt of a Final Office Action dated November 13, 2018, in connection with Application Serial No. 87/855,751 for “TOEIC BRIDGE” (“Applicant’s Mark” covered by the “Application”). Applicant responds to the arguments raised by the Examining Attorney below and concurrently herewith files its Notice of Appeal.

I. Section 2(d) Refusal – Likelihood of Confusion

The Examining Attorney has refused registration of the mark TOEIC BRIDGE based on an alleged likelihood of confusion with the marks BRIDGE (Reg. No. 4087457) (“First Cited Mark”) and BRIDGE & design, depicted below (Reg. No. 4087979) (“Second Cited Mark”) (together, the “Cited Marks” owned by “Cited Registrant”).



Applicant respectfully maintains that it disagrees with this conclusion and hereby requests the Examining Attorney reconsider the grounds for refusing the Application in view of the following discussion.

The United States Patent and Trademark Office has the burden of proving a likelihood of confusion. *In re Giovanni Food Co.*, 97 U.S.P.Q.2d 1990, 1992 (T.T.A.B. 2011). The principal factors to be considered when determining whether there is a likelihood of confusion are described in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 U.S.P.Q. 563 (C.C.P.A. 1973). However, not all of the *Du Pont* factors are relevant or given equal weight in the analysis, and any one factor may be dominant in a given case. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 U.S.P.Q.2d 1201 (Fed. Cir. 2003); *In re E. I. du Pont*, 476 F.2d at 1361-62. In this case, the differences between the respective marks, which is a primary consideration in the likelihood of confusion analysis (*Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 U.S.P.Q. 24, 29 (C.C.P.A. 1976), the degree of care of the relevant consumers, the admissions of the Cited Registrant, and the lack of evidence of actual confusion despite many years of co-existence demonstrate that confusion is not likely.

A. The Marks At Issue Are Dissimilar In Their Entireties.

In analyzing whether a likelihood of confusion exists, the marks must be compared in their entireties. TMEP § 1207.01 (*citing In re E I. DuPont DeNemours & Co.*, 476 F.2d 1357, 1361 (C.C.P.A. 1973)). Even subtle differences in the marks' appearance, sound, connotation, or commercial impression are important to the likelihood of confusion analysis. This is particularly true when the Cited Marks are weak and subject to a limited scope of protection.

It is well established that, in assessing likelihood of confusion, marks must be compared in their entireties and not dissected into their component parts. TMEP § 1207.01; *see also Packard Press, Inc. v. Hewlett Packard Co.*, 227 F.3d 1352, 1357-58, 56 U.S.P.Q.2d 1351 (Fed. Cir. 2000) (reversing T.T.A.B. opinion that improperly dissected marks HEWLETT PACKARD and PACKARD TECHNOLOGIES and placed undue weight on the shared word PACKARD); *Playboy of Miami, Inc. v. John B. Stetson Co.*, 426 F.2d 394, 395-396, 165 U.S.P.Q. 686

(C.C.P.A. 1970) (determining there was no likelihood of confusion when marks were compared as a whole instead of improperly dissected).

A finding that one portion of two marks is similar does not outweigh the differences in overall impressions of the marks. *Massey Junior College, Inc. v. Fashion Inst. of Tech.*, 492 F.2d 1399, 1402 (C.C.P.A. 1974); *In re Lamson Oil Co.*, 6 U.S.P.Q.2d (BNA) 1041, 1042 n.4 (T.T.A.B. 1987) (holding that similarity as to one aspect of a mark does not automatically result in a likelihood of confusion); *In re Bed & Breakfast Registry*, 791 F.2d 157, 159 (Fed. Cir. 1986) (finding BED & BREAKFAST REGISTRY mark not confusingly similar with BED & BREAKFAST INTERNATIONAL mark when marks are considered in their entirety); *Colgate-Palmolive Co. v. Carter-Wallace Inc.*, 58 C.C.P.A. 735, 737, 432 F.2d 1400 (1970) (holding that likelihood of confusion must arise from a consideration of the respective marks in their entirety and finding that PEAK was not confusingly similar to PEAK PERIOD despite the shared word “PEAK”). While the Cited Marks and Applicant’s Mark share the term “BRIDGE,” the marks in their entirety do not look alike, do not sound alike, are not spelled alike, and do not so resemble each other as to create a likelihood of confusion. Importantly, Applicant’s Mark features its famous TOEIC Mark, lessening any possible likelihood of confusion.

As an initial matter, Applicant’s Mark and the Cited Marks are not confusingly similar because they contain a different number of words. *Kegan v. Apple Computer Inc.*, 42 U.S.P.Q.2d 1053, 1061 (N.D. Ill. 1996) (finding the likelihood of confusion between MACINTOSH GUIDE and MACGUIDE to be minimal because the first mark consists of two words while the second is a single word). The addition of a single word or design element may negate any potential likelihood of confusion, despite the presence of a common element, if the additional word creates a different commercial impression or the matter common to the marks is

highly suggestive and/or commonly used. *See* TMEP § 1207.01(b)(iii); *Knight Textile Cmp. v. Jones Inv. Co., Inc.*, 75 U.S.P.Q.2d 1313, 1316 (T.T.A.B. June 21, 2005) (finding ESSENTIALS to be a highly suggestive term as applied to clothing, and applicant's addition of its house mark NORTON MCNAUGHTON rendered NORTON MCNAUGHTON ESSENTIALS and ESSENTIALS sufficiently distinguishable that confusion would not be likely to occur); *Tektronix, Inc. v. Daktronics, Inc.*, 189 U.S.P.Q. 693, 694 (C.C.P.A. 1976) ("Because marks, including any suggestive portions thereof, must be considered in their entireties, the mere presence of a common, highly suggestive portion is usually insufficient to support a finding of likelihood of confusion."). Here, the presence of the additional, highly distinctive mark TOEIC in Applicant's Mark causes the mark to differ in sound and appearance. As "TOEIC BRIDGE" does not sound or look like "BRIDGE," there is no potential confusion with the Cited Marks.

Furthermore, "TOEIC" is the first word in Applicant's Mark, which is often considered the dominant portion of a mark and given greater weight. *See, e.g., Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 73 U.S.P.Q.2d 1689, 1692 (Fed. Cir. 2005) (finding that the word "veuve" is a prominent feature of the mark VEUVE CLIQUOT because it is the first word in the mark as well as the first word to appear on the wine label); *Kangol, Ltd. v. KangaROOS U.S.A., Inc.*, 974 F.2d 161, 163 (Fed. Cir. 1992) ("[A] particular feature of a mark may be more obvious or dominant, and therefore, when determining likelihood of confusion, greater weight ought to be given to the force and effect of such a feature."); *PrestoProducts, Inc. v. Nice-Pak Products, Inc.*, 9 U.S.P.Q.2d 1895, 1897 (T.T.A.B. 1988) ("[I]t is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered."). This is especially true where, as here, the first word of the mark is an arbitrary, coined, or fanciful term, as it is more likely to be perceived as the source-

indicating feature of the mark. *See* TMEP § 1207.01(b)(viii) (“Although there is no mechanical test to select a ‘dominant’ element of a compound word mark, consumers would be more likely to perceive a fanciful or arbitrary term, rather than a descriptive or generic term, as the source-indicating feature of the mark.”).

The Examining Attorney’s assertion that the mark TOEIC is “less dominant” because it “appears to be an unpronounceable term and/or acronym” is, tellingly, unsupported by any legal authority. There is no reasonable basis to assume individuals cannot pronounce TOEIC (which would indeed be ironic given that the mark TOEIC is an English language test that evaluates pronunciation). The mark is pronounced “TOE-IC”. Even if the mark TOEIC were difficult to pronounce, there is no support for the statement that an allegedly difficult-to-pronounce word renders such word the non-dominant portion of a mark and Applicant is unaware of any such support. Indeed, if that were the case, any fanciful word would not be considered the dominant portion of a mark, creating an untenable position. Unsupported suppositions fail to meet the *prima facie* standard required to issue a likelihood of confusion refusal.

Additionally, the Examining Attorney’s assertion that Applicant “emphasizes the identical term BRIDGE by using that wording in italic letters” is unsupported and irrelevant. The Examining Attorney does not cite any case law for the proposition that Applicant’s infrequent italicizing of portions of a mark, especially the second non-dominant word, will affect what consumers remember about the mark. Moreover, Applicant often italicizes (or elects not to italicize) *both* TOEIC and BRIDGE together. An infrequent incident of Applicant italicizing one word but not the other fails to demonstrate that one portion of the mark dominates over another. In addition, various materials submitted in connection with the Application include both TOEIC and BRIDGE typographically emphasized uniformly. By way of example only, Page 1 of

Exhibit E to Applicant's Office Action Response contains TOEIC and BRIDGE both italicized, as shown below.

TOEIC Bridge

Also in Exhibit E, the Sample Test, Score Report, Certificate of Achievement, and the Examinee Handbook all include uniform typographic emphasis of TOEIC and BRIDGE. *See also* screenshot of Applicant's Website and TOEIC BRIDGE Can Do Guide, Exhibit A, italicizing both words. When viewed as a whole, as is required, Applicant's Mark is not confusingly similar to the Cited Marks and most certainly italicizing the word "BRIDGE" does not convert "BRIDGE" to the dominant portion of the mark.

Finally, despite the Examining Attorney's argument that the services are highly related, Applicant does not offer teaching services. If the Application were to proceed to registration, there would be no adverse commercial impact on the owner of the Cited Marks; indeed the Cited Registrant offers Applicant's well-known TOEIC test. Any additional goodwill generated in any of Applicant's TOEIC marks would only serve to benefit the services offered in connection with the Cited Marks. To the extent the Examining Attorney views Applicant as a newcomer, there can be no question that Applicant's goods and services offered in connection with its TOEIC Mark predate the services offered in connection with the Cited Marks. Indeed, the mark TOEIC (Reg. No. 1,191,669) has a date of first use in the U.S. of 1979.

1. Applicant's Use Of A House Mark Diminishes Any Possible Confusion.

It is well-settled that the use of a house mark significantly reduces, if not altogether eliminates, any alleged likelihood of confusion between the marks. *See Nabisco, Inc. v. Warner-Lambert Co.*, 220 F.3d 43, 46 (2d Cir. 2000) (finding DENTYNE ICE and ICE BREAKERS were not confusingly similar, declaring that defendant's "prominent use of its well-known house

brand [DENTYNE] significantly reduces, if not altogether eliminates, the likelihood that consumers will be confused as to the source of the parties' products.”); *Knight Textile Corp. v. Jones Investment Co.*, 75 U.S.P.Q.2d at 1315-16 (finding NORTON MCNAUGHTON ESSENTIALS not confusingly similar to ESSENTIALS for identical and highly similar goods because of the addition of the house mark); *AutoZone, Inc. v. Tandy Corp.*, 373 F.3d 786, 797 (6th Cir. 2004) (noting that “the use of the Radio Shack house mark in proximity to POWERZONE reduces the likelihood of confusion from any similarity that does exist”); *Marcon, Ltd. v. Avon Products, Inc.*, 4 U.S.P.Q.2d 1474, 1476 (T.T.A.B. 1987) (no likelihood of confusion in SILK cosmetics vs. AVON SILKEN SOAP liquid soap as the addition of a house mark is sufficient to differentiate the marks).

The TOEIC Mark is one of Applicant’s key house marks and is highly distinctive, as it is a fanciful, coined term that has no meaning in the English language apart from its use by Applicant as a source-identifier. In fact, Applicant has used TOEIC as a mark in commerce since 1979 and currently owns four U.S. federal registrations for the TOEIC trademark: U.S. Reg. Nos. 1,191,669; 3,180,166; 4,466,074; and 4,728,214. See **Exhibit B**. Moreover, Applicant has 234 registrations that feature the TOEIC Mark worldwide. See representative examples attached as **Exhibit C**. Around 7 million TOEIC tests are administered each year in over 160 countries. See **Exhibit D**. The TOEIC test is used by over 14,000 organizations across the globe. *Id.* The distinctive nature of the TOEIC Mark serves to set it apart from the Cited Marks and prospective customers will understand the addition of the mark TOEIC to be distinguishing. Indeed, the well-known nature of TOEIC has been acknowledged by various WIPO Panels. See *Educational Testing Service v. Ken Gardner, Vancouver English Centre*, WIPO Case No. D2018-1118 (July 17, 2018) (“When the disputed domain names were

registered by the Respondent (between 1999 and 2001) the trademarks TOEFL and TOEIC *were already well-known and directly connected to the Complainant's language proficiency tests.*") (emphasis added); *Educational Testing Service v. Van Zuan Ngoc*, WIPO Case No. D2018-0579 (June 1, 2018) ("*Given the goodwill and fame the Complainant and the trademark TOEIC has gained worldwide*, the Panel finds it implausible that the Respondent chose the Domain Name serendipitously and without knowledge of the TOEIC trademark.") (emphasis added); *Educational Testing Service v. Truong Huy*, WIPO Case No. D2017-2547 (Feb. 19, 2018) ("The Domain Names target the Complainant's *well-known and long established* TOEFL and TOEIC marks...") (emphasis added). See selected WIPO decisions attached hereto as **Exhibit E**.

Thus, consumers who view Applicant's Mark will remember the distinctive and famous term "TOEIC," and view it as the dominant portion. Contrarily, consumers who view the Cited Marks will necessarily perceive the term "BRIDGE" as the dominant portion of the Cited Marks. As the dominant portions of each mark are completely different in appearance, sound, and meaning, there is no risk of confusion. Indeed, focusing on the word "BRIDGE" without giving proper weight to the other portion of Applicant's Mark is improper. *In re Hearst Corp.*, 982 F.2d 493, 494, 25 U.S.P.Q.2d 1238, 1239 (Fed. Cir. 1992) (holding failure to consider the word "girl" in applicant's composite mark VARGA GIRL, opposed on the basis of opposer's registration for VARGAS, "inappropriately changed the mark" because "[m]arks tend to be perceived in their entireties, and all components thereof must be given appropriate weight.").

2. Consumers Can Distinguish Various Marks That Include The Word BRIDGE.


The numerous third party registrations¹ for marks which include the word “BRIDGE” and cover similar goods with respect to “education,” “learning,” and “testing” demonstrate that multiple marks can share common words and coexist on the Principal Registrar without confusion – even when one mark completely incorporates the other. The Examining Attorney cannot simultaneously dismiss the below registrations as not probative for being insufficiently related while also discussing how Applicant’s Mark and the Cited Mark offer related services because both are in the “education field.” The Examining Attorney inexplicably cites Applicant’s own mark for PROPELL (Reg. No. 3,349,202), which is wholly irrelevant to the services Applicant offers in connection with the TOEIC BRIDGE mark. For such evidence to be probative, as the Examining Attorney notes, the goods and services must be offered “under a single mark.” The services at issue here are those offered in connection with the TOEIC BRIDGE mark; any services offered in connection with different marks, such as Reg. No. 3,349,202, are irrelevant. The numerous third party registrations incorporating BRIDGE in Class 41² are listed below, with corresponding registration certificates attached hereto as **Exhibit F**.



Mark	Reg. No. & Date	Relevant Goods
BRIDGES	4390270 August 27, 2013	Printed instructional, educational, and testing materials in the field of mathematics
THE BRIDGE	1873781 January 17, 1995	Magazine, pertaining to religion, philosophy and education
BRIDGEWAY	5338284	Packaged kits comprising printed instructional, educational, and teaching materials for educational

¹ 2 MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION § 11 :90 (4th ed. 2015) (“Third party registrations are relevant to prove that some segment of the composite marks which both contesting parties use has a normally understood and well-recognized descriptive or suggestive meaning, leading to the conclusion that that segment is relatively weak.”).

² International Class 41 is the class for the Cited Marks.

Mark	Reg. No. & Date	Relevant Goods
	November 21, 2017	activities in the field of math, English and science for elementary school, middle school and high school students; Packaged kits comprising printed instructional, educational, and teaching materials for educational activities in the field of Math and English
THE BRIDGE TO TOTAL FREEDOM	5086706 November 22, 2016	Printed matter, namely, books, booklets, fliers, pamphlets and printed educational material pertaining to religion, philosophy and education
HYBRIDGE	4798061 August 25, 2015	<p>Educational software and adaptive instructional software featuring learning management systems, assessments, curriculum, and tutorials for use in educational assessment and instruction, testing and educating students and training teachers at the elementary, secondary and community college levels, providing individualized instruction by diagnosing foundational skill deficiencies or identifying student proficiency levels within a learning progression, and prescribing a learning path comprised of lessons, activities, and assessments uniquely selected to support each individual student's academic growth and skill development;</p> <p>digital educational materials, namely, books, booklets, brochures, leaflets, guides, manuals, learning activities in the nature of software featuring interactive lessons in K-12 core curriculum, educational assessment, curriculum and instructional materials, and tutorials in the nature of software featuring interactive lessons in K-12 core curriculum and questionnaires, lectures and lessons for elementary, middle school and high school teachers for use in testing and educating students in K-12 core curriculum and training teachers at the elementary, secondary and community college levels, providing individualized instruction by diagnosing foundational skill deficiencies or identifying student proficiency levels within a learning progression, and prescribing a learning path comprised of lessons, activities, and assessments uniquely selected to support each individual student's academic growth and skill development</p> <p>Printed educational materials, namely, books, booklets, brochures, leaflets, guides, manuals,</p>

Mark	Reg. No. & Date	Relevant Goods
		learning activities in the nature of K-12 activities, namely, worksheets, problem sets and instructional materials, worksheets for students, educational assessment, curriculum and instructional materials, and tutorials in the nature of questionnaires, lectures and lessons for use in testing and educating students in K-12 core curriculum and training teachers at the elementary, secondary and community college levels, providing individualized instruction by diagnosing foundational skill deficiencies or identifying student proficiency levels within a learning progression, and prescribing a learning path comprised of lessons, activities, and assessments uniquely selected to support each individual student's academic growth and skill development
	4439264 November 26, 2013	Printed instructional, educational, and teaching materials in the fields of business and professional development, marriage and family issues, and social emotional learning skills for children
BRIDGE BUSTERS	4229268 October 23, 2012	Educational kits sold as a unit in the field of science, technology, engineering and math education consisting primarily of printed lesson plans, printed curriculum materials, printed instructional materials for building curriculum, flyers, posters, rack cards, stickers, and pamphlets and also including DVDs
BONEBRIDGE	4181231 July 31, 2012	Speech processors in the nature of processors providing electrical stimulation signals based on sensed acoustic or electric signals for middle ear implants and skull mounted hearing implants; computer software for control and adjustment of implants and speech processors, not for use in connection with audio and visual content transmitted via the Internet and other communications networks to and from mobile devices; audio and visual training software for use in training on the use of speech processors, not for use in connection with audio and visual content transmitted via the Internet and other communications networks to and from mobile devices; computer programmes for data processing, not for use in connection with audio and visual content transmitted via the Internet and other communications networks to and from mobile devices; data carriers containing information for surgical and audiological training; data carriers

Mark	Reg. No. & Date	Relevant Goods
		containing tests for the recording and assessment of speech comprehension
	4741256 May 26, 2015	Computer software downloadable from a global computer network, accessed via a web browser or using mobile applications, in the context of English language learning Educational publications, namely, educational learning cards, flash cards, activity cards, workbooks, textbooks, activity books, story books, puzzle books, printed puzzles, teacher guides, manuals, posters and educational booklets in the field of English language learning
Second Bridge	4626670 October 28, 2014	Apparatus for recording, transmission or reproduction of sound or images; sounds recordings featuring self-improvement and blank optical disks; compact discs featuring self-improvement; DVD's featuring self-improvement
ENBRIDGE	2987646 August 23, 2005	Printed training manuals and instruction materials on the subject of pipeline operations, management, maintenance, efficiency, design, technology and safety
BRIDGE HOUSE	2652366 November 19, 2002	Books, magazines, brochures, pamphlets and catalogs, in the fields of providing access to a global network, education, business, entertainment, religion, communication, advertising, banking, construction, real estate, art, and television and radio broadcasting
THE BRIDGE SCHOOL	2545625 March 12, 2002	Publications – namely, brochures in the field of education, speech and physical impairments, and technology to assist children with speech and physical impairments
HC BRIDGE	2681604 January 28, 2003	Printed educational and training materials, namely brochures, pamphlets, articles, books and booklets in the fields of organizational strategy, human capital strategy and measurement, job analysis and human resources systems analysis
SOUNDBRIDGE	2787461 November 25, 2003	Printed materials, namely, [books,] brochures, calendars, course materials, [greeting cards, guides,] [magazines, music paper,] * and * newsletters [,and sheet music relating to symphonic music]
 BridgeHead	4004319 August 2, 2011	Printed informational, instructional, educational, and teaching materials in the field of proprietary computer software for use in electronic data

Mark	Reg. No. & Date	Relevant Goods
		management, back-up, recovery and archiving; publications, namely, technical manuals, user guides and training manuals relating to proprietary computer software for use in electronic data management, back-up, recovery and archiving
BRIDGE OPAQUE	3271845 July 31, 2007	Printing and writing papers
SAFETYBRIDGE	4266126 January 1, 2013	Printed instructional and teaching material in the fields of automation technology, process control and process engineering, and safety technology
BRIDGES TO SUCCESS	5347887 November 28, 2017	Educational services, namely, conducting continuing education programs in the fields of hospice and palliative care, managed health care, disease management, medical condition management, nursing care, physical therapy, occupational therapy, conducting medical physical evaluations, mental health, respiratory therapy, speech therapy, health care decision support planning, long-term care, home health care, pharmaceuticals, and equipment utilized to treat patients; providing in-person educational meetings in the field of health education
CB BRIDGES	5658864 January 22, 2019	Educational services, namely, providing courses of instruction and orientation for students at the college level, volunteers, and employees of healthcare and education institutions; administering and analyzing educational tests and data for others, namely, standardized HIPAA and OSHA tests
QUESTBRIDGE	5394778 February 6, 2018	Educational counseling services to assist students in planning and preparing for further education; Career counseling, namely, providing advice concerning education options to pursue career opportunities
THE BRIDGE METHOD	5122812 January 17, 2017	Education services, namely, providing live and on-line classes, workshops, training and non-downloadable videos in the field of personal development
BRIDGE UP	5151486 February 28, 2017	Educational services, namely, individualized and small group instruction in the fields of reading, writing, mathematics, study skills, and test preparation; educational counseling services to assist students in planning and preparing for further education
RUBY BRIDGES	3717500	Educational services, namely, providing motivational and educational speakers in the fields

Mark	Reg. No. & Date	Relevant Goods
	December 1, 2009	of social justice, history, community development and related issues and topics, namely, education, faith, forgiveness, racial divide, racism, community development, respect, tolerance and the history of Ruby Bridges
BRIDGEPOINT	2961509 June 7, 2005	Education and training services, namely providing courses, seminars, lectures, and workshops at the post-secondary level
ARBORBRIDGE	4106510 February 28, 2012	Education services, namely, tutoring in the fields of math, science, English and testing preparation; Consulting services in the fields of educational tutoring, namely, comprehensive assessment of competencies in English, math, science and in standardized testing in these subjects for high school students in preparation for collegiate studies
MINDBRIDGE	4986935 June 28, 2016	Education services, namely, providing workshops, seminars, training in the fields of Personal Awareness, Neuro Linguistic Programming, Business Development, Business Coaching
ATLANTIC BRIDGE	4181667 July 31, 2012	Information on education; admission consulting services, namely, consulting in the field of college admissions, specifically, college selection, completing admissions applications, and preparation for college admission interviews
IVY BRIDGE	88133488 Published for Opposition March 12, 2019	Language schools featuring English as a second language; Conducting after school academic subjects assistance tutoring programs; Conducting after school standardized test preparation tutoring programs; Conducting after school homework tutoring programs; Conducting after school English as a second language tutoring programs

With this high number of co-existing marks on the Federal Register alone, consumers are clearly capable of identifying the differences in marks containing a “BRIDGE” component, and will not be likely to confuse Applicant’s Mark with the Cited Marks. *See Carefirst v. FirstHealth*, 77 U.S.P.Q.2d 1492, 1510 (T.T.A.B. 2005) (“[C]onsumers have become conditioned to recognize that many entities in the field use such terms. Thus, consumers likely are able to distinguish between entities based on distinctions among the marks, including

between CAREFIRST and FIRSTCAROLINACARE.”); *In re Broadway Chicken*, 38 U.S.P.Q.2d 1559, 1565-66 (T.T.A.B. 1996) (reversing refusal to register BROADWAY CHICKEN based on prior registration for BROADWAY PIZZA, holding that “[e]vidence of widespread third-party use, in a particular field, of marks containing a certain shared term is competent to suggest that purchasers have been conditioned to look to the other elements of the marks as a means of distinguishing the source of goods or services in the field.”). Surely, if the Cited Marks can coexist with other marks that incorporate the term “BRIDGE” without confusion, then Applicant’s Mark, which differs in appearance, sound, and meaning due to the addition of Applicant’s highly distinctive TOEIC Mark, poses no risk of confusion. Contrary to the Examining Attorney’s assertions, the aforementioned marks, including various additional marks, demonstrate that the educational field is replete with marks incorporating the word “BRIDGE.” The cited third party registrations demonstrate that the Cited Marks are entitled to a narrow scope of protection and consumers can readily distinguish between marks including the word “BRIDGE.” In fact, as discussed below, the owner of the Cited Marks acknowledges the *weak* nature of BRIDGE and the ability of consumers to distinguish between various BRIDGE marks.

B. The Relevant Consumers Exercise A High Degree Of Care.

In addition, Applicant’s standardized test and the educational services offered in connection with the Cited Marks are not the type of goods and services that are purchased or enjoyed on impulse. Rather, they are carefully considered decisions that involve a good deal of thought and deliberation. Applicant’s standardized tests provide fair, valid, and reliable assessments used to evaluate performance and placement by educational institutions and employers, which will have a significant impact on a test taker’s future. See Exhibit C to Applicant’s First Response to Office Action. Furthermore, the “classes, seminars, and

workshops” provided under the Cited Marks are costly and offered over a long period of time. In fact, Registrant’s courses can cost **\$2,925** per week and can extend beyond 11 weeks with students attending as many as 50 lessons per week. See Bridge Price List 2019 attached as **Exhibit D** to Applicant’s First Response to Office Action. Given the nature of these services and the degree of care exercised by customers when purchasing these services, they are not likely to be misled into believing that Applicant’s and Registrant’s goods and services are the same or originate from the same source. See *In Re Cummings*, 2017 WL 2572817, at *6 (T.T.A.B. 2017) (assuming that consumers are likely to exercise some degree of care in selecting educational services regardless of price point); *Apollo Group, Inc v. International Foundation for Retirement Education*, 2002 WL 448715, at *5 (T.T.A.B. 2002) (“the evidence establishes that the decision to pursue one course of study over another is not lightly taken.”); *Manufacturers Technical Institutes, Inc. v. Pinnacle College, LLC*, 2013 WL 5402083 at *15 (T.T.A.B. 2013) (“Source confusion is less likely when services are relatively high-priced, as consumers are more likely to research the source of such services.”); *Weiss Association., Inc. v. HRL Associations., Inc.*, 902 F.2d 1546 (Fed. Cir. 1990) (holding that in making purchasing decisions regarding expensive goods the reasonably prudent person standard is elevated to the standard of the discriminating purchaser); *Elec. Design & Sales, Inc. v. Elec. Data Sys. Corp.*, 954 F.2d 713, 717–18 (Fed. Cir. 1992) (noting confusion is less likely to exist where the goods or services are purchased after careful consideration).

C. The Only Similarity In The Goods/Services Come From Registrant’s Use of Applicant’s Products.

The Examining Attorney states in the Office Action that the “respective goods and/or services of the parties are closely related.” But the only similarity is that the Cited Registrant is allegedly offering Applicant’s TOEIC test and other proprietary tests, such as the IELTS test.

No tests are offered under its own BRIDGE trademarks. Applicant's goods focus on test preparation and testing materials for its TOEIC BRIDGE test, while the Cited Registrant *teaches* students how to speak and understand English. The Cited Registrant is not offering its own English-language test called "BRIDGE" that might be confused with Applicant's "TOEIC BRIDGE" branded test. Rather, the Cited Registrant is allegedly offering Applicant's TOEIC test itself, further demonstrating the widespread and well-known nature of Applicant's TOEIC Mark. As the Cited Registrant is only offering the TOEIC test based on an alleged license from Applicant, no confusion is likely, given any association between Applicant and Cited Registrant is based on the shared distribution of the TOEIC test, under Applicant's alleged authorization.

D. The Second Cited Mark Includes A Design Element That Further Distinguishes The Mark.

In addition to the arguments outlined above, Applicant's Mark and the Second Cited Mark are not confusingly similar because the Second Cited Mark includes a prominent design. As in the foregoing analysis, it is improper to dissect a mark when that mark contains both word and design elements. *See Jack Wolfskin Ausrüstung Für Draussen GmbH & Co. KGaA v. New Millennium Sports, S.L. U.*, 797 F.3d 1363, 1371 (Fed. Cir. 2015) ("Marks must be viewed in their entireties, and it is improper to dissect a mark when engaging in the [likelihood of confusion] analysis, including when a mark contains both words and a design.") (internal quotation marks omitted).

Here, the Second Cited Mark includes a distinctive design element not present in Applicant's Mark, including a large speech balloon containing colorful shapes representing the world's continents (shown below):



This distinct bubble design is prominently featured above the stylized word “BRIDGE.” As a consequence, it is the dominant portion of the mark and creates a distinct commercial impression. *See, e.g., Parfums de Coeur, Ltd. v. Lazarus*, 83 U.S.P.Q.2d 1012, 1016 (T.T.A.B. Feb. 27, 2007) (stating that the design is the dominant element of the mark, in part because it was the largest element in the mark and positioned at the top of the mark). When this design element is considered in conjunction with the other differences between the marks, it is clear that there is no risk of confusion. *See, e.g., Steve’s Ice Cream, Inc. v. Steve’s Famous Hot Dogs*, 1987 T.T.A.B. LEXIS 53, 3 U.S.P.Q.2d 1477, 1479 (T.T.A.B. June 23, 1987) (finding no likelihood of confusion despite common use of the word “STEVE’S” where applicant’s mark included a distinct design element and opposer’s mark simply consisted of the word “STEVE’S” in block letter form).

E. The Cited Registrant’s Arguments Against Refusal Of Its Own Application Support Applicant’s Position.

In an attempt to register BRIDGE EDUCATION GROUP, the Cited Registrant recently argued against an initial refusal based on a likelihood of confusion with two other marks featuring BRIDGE. *See Exhibit G*. Tellingly, the Cited Registrant argued that: “there are over four hundred live records at the USPTO that: (a) include the word ‘BRIDGE’; and (b) claim services in International Class 041.” *See Exhibit G*, p. 5. In arguing against the refusal to register its mark for BRIDGE EDUCATION GROUP, the Cited Registrant even stated that, “it is clear that the USPTO has previously, and continuously, allowed the co-existence of many, many

registrations for marks incorporating the word “BRIDGE” in association for similar services.”

Id. Similarly, the owner of the Cited Marks argued, “[t]here is no explicit rule that likelihood of confusion automatically applies where one mark contains in part the whole of another mark. . . .

To that end, numerous marks that have common or similar elements have avoided a finding of likelihood of confusion.” *Id.* at 6.

The owner of the Cited Marks admitted that the ubiquitous nature of BRIDGE marks in Class 41 entitles each owner to a narrow scope of protection and even minimal additions to marks are sufficiently distinguishing. Here, the Examining Attorney should withdraw its refusal given the highly distinguishing nature of the TOEIC Mark used in connection with a word that is extremely common in the educational field.

F. There Have Been No Instances of Actual Confusion.

To Applicant’s knowledge, despite many years of co-existence, there have been no instances of actual confusion. When marks have coexisted for a period of time without any evidence of confusion, this is evidence that weighs against a finding of likelihood of confusion. *See In Re Gen. Motors Corp.*, 23 U.S.P.Q.2d 1465 (T.T.A.B. 1992) (reversing a refusal to register based on likelihood of confusion, holding that “[t]he absence of any known incident of actual confusion in an extensive period of contemporaneous use of the marks is strong evidence that confusion is not likely to occur in the future”). Applicant’s date of first use is 2014. The Cited Mark claims a first use in commerce date of 2009. As such, the marks have existed for at least five years and there have been no instances of actual confusion. The absence of confusion weighs heavily against a finding of likelihood of confusion and no likelihood of confusion exists here. *G.H. Mumm & Cie v. Desnoes & Geddes, Ltd.*, 917 F.2d 1292, 1295, 16 U.S.P.Q.2d 1635 (Fed. Cir. 1990).

For the foregoing reasons, Applicant submits that there is no likelihood of confusion between Applicant's Mark and the Cited Marks, and respectfully requests the refusal be withdrawn.

II. Conclusion

Given the differences in the marks and the high degree of care exercised by the relevant consumers, no likelihood of confusion exists between Applicant's Mark and the Cited Marks. There have been no instances of actual confusion to date and the Cited Registrant has argued principles that support Applicant's position. Therefore, Applicant respectfully submits that the Examining Attorney's concerns with respect to the application have been fully addressed. As such, Applicant respectfully requests the refusal be withdrawn and the Application proceed to publication. The Applicant invites the Examining Attorney to contact the undersigned with any additional questions or requirements.

EXHIBIT A

Can-Do Guide Executive Summary

TOEIC BRIDGE™ TEST

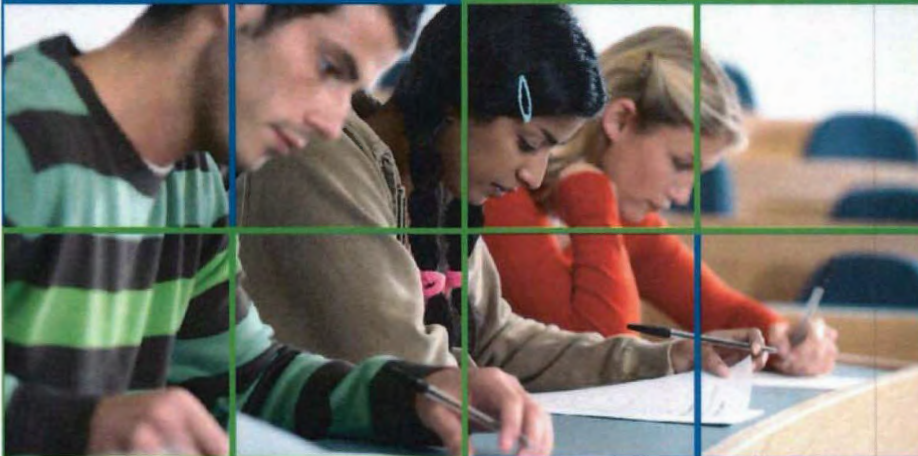


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For more information, visit us on the web at www.ets.org/toEICbridge or contact your local ETS Preferred Vendor. A list of local ETS Preferred Associates can be found on the web at www.ets.org/toEICbridge.

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Executive Summary of the *TOEIC Bridge™ Can-Do Study*



In order to facilitate the interpretation of test scores from the *TOEIC Bridge™* as a measure of English-language proficiency, we performed a “Can-Do Study” to establish the relationship between scores on the *TOEIC Bridge* and test taker reports of their ability to perform selected, everyday language tasks in English. In the study, a form of the *TOEIC Bridge* test was administered to several thousand test takers in Chile and Ecuador along with a self-assessment questionnaire to gather examinees’ perceptions of their ability to perform a variety of everyday English-language tasks. Several of the tasks were academic-related¹ and some were linked to the various levels of the Common European Framework (CEF; Tannenbaum & Wiley, 2005).²

Results revealed that *TOEIC Bridge* scores were moderately related to test takers’ self-assessments both for listening and for reading. The correlations that were observed compare very favorably with those typically observed in validity studies using other kinds of validation criteria, such as course grades and supervisor ratings. Moreover, for each of the individual tasks that we asked about, *TOEIC Bridge* scores were predictive of examinees’ perceptions of their ability to perform the task. This was true also for the tasks that were included to represent each level of the CEF. The difficulty of the CEF-related tasks was ranked perfectly, according to expectations for the CEF levels. Further evidence of the trustworthiness of examinee reports was apparent from the moderately strong retest correlations between ratings of selected task statements that were re-administered.

Thus, the Can-Do Study provided evidence of the validity of *TOEIC Bridge* scores by linking them to test takers’ assessments of their ability to perform a variety of everyday English language activities. The relationships that were detected are practical and meaningful ones. Although examinee self-reports cannot be accepted uncritically as a validity criterion, they do have characteristics that seem to suggest their trustworthiness, especially as examinees in this low-stakes research study had no incentive to intentionally distort their reports. In addition, the results of the study reported here are consistent with previous meta-analytic summaries (e.g., Ross, 1998) that have documented substantial correlations between the self-ratings of learners of English as a second language and a variety of criterion measures.

References

- Ross, S. (1998). Self-assessment in Second Language Testing: A Meta-analysis and Analysis of Experiential Factors. *Language Testing*, 15, 1-20.
- Tannenbaum, R. J., & Wylie, E. C. (2004). *Mapping test scores onto the Common European Framework* (ETS RR-05-18). Princeton, NJ: Educational Testing Service.
- Upshur, J. (1975). Objective Evaluation of Oral Proficiency in the ESOL Classroom. In L. Palmer & B. Spolsky (Eds.), *Papers on language testing 1967-1974* (pp. 53-65). Washington, DC: TESOL.

¹For example, one of the tasks was about understanding a complex presentation or demonstration given in a classroom.

²For example, the task related to CEF reading level A1 is about recognizing familiar words and simple phrases when people speak slowly and clearly.

Table 1. Correlations Among Can-Do Self-Assessments and TOEIC Bridge™ Scores

No	Measure	M (SD)	1	2	3	4
TOEIC						
1	<i>Listening</i>	57.4 (15.1)	1.00			
2	<i>Reading</i>	58.0 (14.1)	.84*	1.00		
Can-Do						
3	<i>Listening</i>	81.9 (23.5)	.46*	.45*	1.00	
4	<i>Reading</i>	80.6 (26.0)	.43*	.44*	.83*	1.00

Note: Ns range from 3,524 to 3,660.

* $p < .001$

Table 2:
Percentages of TOEIC Bridge™ Test Takers, by Listening Score Level, Who Indicated That They Could Perform Various English–Language Listening Tasks Either Easily or With Little Difficulty

Listening	10-30	32-40	42-50	52-60	62-70	72-90	MEAN	SD
Understand simple questions in social situations such as "How are you?" and "Where do you live?"	40	65	82	90	94	99	4.47	0.90
Understand the days of the week and the months of the year	60	77	83	89	90	97	4.48	0.82
Understand a person's name when he or she gives it over the telephone	52	70	81	86	88	96	4.37	0.86
Recognize familiar words and simple phrases when people speak slowly and clearly (CEF level A1)	43	60	76	84	91	99	4.29	0.89
Understand some memorized words and phrases	47	63	75	81	88	96	4.25	0.89
R. Understand the main point of simple messages and short, clear announcements (CEF level A2)	35	60	69	79	89	98	4.19	0.93
R. Understand the main points of standard speech on familiar matters when people speak slowly and clearly (CEF level B1)	40	54	67	78	88	98	4.15	0.93
Understand someone who is speaking slowly and deliberately about his or her hobbies and interests	33	46	63	78	88	98	4.10	0.96
Understand directions about what time to come to a class and where it will be held	34	47	62	77	87	96	4.08	0.95
Understand a salesperson when he or she tells me prices of various items	21	37	49	63	79	92	3.84	1.00
Understand someone speaking slowly and deliberately, who is giving directions on how to walk to a nearby location	27	35	46	61	79	91	3.81	1.03
Understand a classmate discussing a simple problem that arose in class	30	29	41	54	75	91	3.70	1.04
Understand the main ideas in news reports broadcast on the radio or TV	23	25	35	47	64	82	3.53	1.02
Understand explanations about how to perform a routine task related to my class	21	29	35	47	67	87	3.56	1.03
Understand headline news broadcasts on the radio	28	23	31	44	60	79	3.44	0.98
Understand public announcements that are broadcast	21	29	35	43	58	77	3.47	1.01
Understand a person in social situations talking about his or her background, family, or interests	10	16	27	40	61	84	3.38	1.06
R. Understand extended speech and lectures, and follow complex arguments on familiar topics (CEF level B2)	18	15	20	27	44	63	3.05	1.04
Understand a discussion of current events taking place among a group of persons speaking English	12	14	16	25	39	62	3.03	1.02
Understand a complex presentation or demonstration given in a classroom	21	18	20	24	34	56	3.00	0.97

Table 2: Continued

Listening	10-30	32-40	42-50	52-60	62-70	72-90	MEAN	SD
Understand an explanation of why a road has been temporarily closed given over the radio	19	16	18	22	39	60	3.02	1.01
Understand play-by-play descriptions on the radio of sports events (e.g., soccer)	18	23	24	28	34	46	3.00	1.04
Understand extended speech even when it is not clearly structured (CEF level C1)	16	10	11	14	22	37	2.62	1.00
Understand an extended debate on a complex topic such as public health	13	12	11	10	16	32	2.57	0.97
Understand any kind of spoken language, even when people speak quickly (CEF level C2)	15	11	11	11	17	30	2.42	1.07
N. For score interval	109	460	681	952	702	756		
Note: Table entries (percentages) have been shaded in various colors to indicate their magnitude according to the key at the right.	[0-29]	[30-50]	[50-70]	[70-80]	[80-90]	[90-100]		

Note: Number of responses for each statement range from 2,951 to 3,583. Responses were on a 5-point scale from 5 = Can do easily, to 1 = Cannot do at all. "R" signifies a statement that was re-administered. Common European Framework – related statements are shown in bold.

Table 3:

Percentages of TOEIC Bridge™ Test Takers, by Reading Score Level, Who Indicated That They Could Perform Various English–Language Reading Tasks Either Easily or With Little Difficulty

Reading	10-30	32-40	42-50	52-60	62-70	72-90	MEAN	SD
Recognize memorized words and phrases (for example, "Exit," "Entrance," and "Stop")	60	75	81	87	94	99	4.50	0.81
R. Understand familiar words and very simple sentences (CEF level A1)	35	61	73	86	93	98	4.36	0.88
Read and understand traffic signs	46	57	65	80	88	97	4.24	0.92
R. Understand short, simple texts (e.g., personal letters) (CEF level A2)	31	50	62	78	89	98	4.17	0.93
Read, on storefronts, the type of store or services provided (e.g., "dry cleaning," "book store")	19	36	59	77	91	97	4.11	1.01
Read and understand a simple e-mail from a friend	26	46	59	75	85	96	4.08	0.97
Read and understand a train or bus schedule	33	47	57	74	85	96	4.09	0.98
Read and understand simple, step-by-step instructions (for example, how to operate an electronic machine, like a CD player)	37	52	58	70	82	93	4.00	0.97
Understand texts that consist mainly of everyday words or vocabulary (CEF level B1)	27	43	52	68	80	93	3.92	0.98
Read and understand a restaurant menu	22	36	48	66	80	92	3.87	1.00
Find information that I need in a telephone directory	25	39	48	62	79	90	3.84	1.01
Read and understand a letter of thanks from a friend or a relative	17	38	43	56	75	93	3.76	1.01
Read information about products (for example, advertisements)	22	35	45	61	75	89	3.76	0.98
Read and understand the main points of an article on a familiar academic topic	16	33	35	52	68	86	3.58	0.99
Read and understand directions and explanations presented in manuals written for beginning users	11	30	35	48	68	88	3.62	1.05
Read entertainment-related information (for example, tourist guides)	17	26	35	49	67	86	3.57	1.00
Read highly technical material related to my classes with little use of a dictionary	22	29	33	38	49	67	3.30	1.05
Read English to translate text into my own language (for example, letters and technical documents)	13	24	25	32	47	70	3.23	1.03
Read and understand magazine articles without using a dictionary	10	19	24	32	46	73	3.23	1.01
Read a newspaper editorial and understand its meaning as well as the writer's intent	11	19	23	32	44	67	3.17	1.01
R. Understand the viewpoints expressed in articles and reports about contemporary issues or problems (CEF level B2)	11	20	25	30	43	68	3.17	0.99

Table 3: Continued

Reading	10-30	32-40	42-50	52-60	62-70	72-90	MEAN	SD
Read and understand a popular novel	9	13	18	22	34	61	2.95	1.07
Identify inconsistencies or differences in points of view in two newspaper interviews with politicians of opposing parties	5	16	14	15	25	44	2.75	1.00
R. Understand long, complex texts, even technical ones that do not relate to my classes (CEF level C1)	7	15	14	16	23	37	2.68	1.03
Understand virtually all forms of written language, including abstract and linguistically complex texts (CEF level C2)	7	15	13	13	18	28	2.46	1.07
N. For score interval	79	307	763	1107	666	738		
Note: Table entries (percentages) have been shaded in various colors to indicate their magnitude according to the key at the right.	[0-29]	[30-50]	[50-70]	[70-80]	[80-90]	[90-100]		

Note: Ns range from 2,888 to 3,564.

Responses were on a 5-point scale from 5 = Can do easily to 1 = Cannot do at all.

"R" signifies a statement that was re-administered.

Common European Framework – related statements are shown in bold.

Using the Can-Do Tables



The tables on the following pages allow users of the *TOEIC Bridge*[™] test to determine which English-language activities a test taker can be expected to perform given a certain *TOEIC Bridge* Score. This is generally how decision-makers in organizations use *TOEIC Bridge* test scores: Test scores help them make decisions about such things as employee selection, placement, and training.

The can-do statements are arranged in three categories: Can Do, Can Do With Difficulty, and Cannot Do. Each task is placed into one of three category bands on the average ratings of a group of examinees in a certain score band.

These levels correspond to the type of information needed for placement and training decisions. A rating of “Cannot Do” indicates that test takers can only perform can-do statements with a great deal of difficulty or not at all (in practical terms, this means that they are unable to perform the task). Ratings of “Can Do With Difficulty” indicate that the task can be performed with some difficulty. This level of proficiency may be acceptable in most situations, but a higher level of English language proficiency is often needed. A rating of “Can Do” reflects an ability to perform the can-do statement with no difficulty.

Table 4: TOEIC Bridge™ Listening & Reading Score of 10–50

	Listening	Reading
Can Do	NONE	NONE
Can Do with Difficulty	<ul style="list-style-type: none"> understand simple questions in social situations such as “How are you?” and “Where do you live?” understand the days of the week and the months of the year understand a person’s name when she or he gives it to me over the telephone recognize familiar words and simple phrases when people speak slowly and clearly understand some memorized words and phrases understand the main point of simple messages and short, clear announcements understand the main points of standard speech on familiar matters when people speak slowly and clearly understand someone who is speaking slowly and deliberately about his or her hobbies and interests understand directions about what time to come to a class and where it will be held 	<ul style="list-style-type: none"> recognize memorized words and phrases (e.g., “Exit,” “Entrance,” and “Stop”) understand familiar words and very simple sentences read and understand traffic signs understand short, simple texts (e.g., personal letters) read, on storefronts, the type of store or services provided (e.g., “dry cleaning,” “book store”) read and understand a simple e-mail from a friend read and understand a train or bus schedule read and understand simple, step-by-step instructions (for example, how to operate an electronic machine, like a CD player)
Cannot Do	<ul style="list-style-type: none"> understand a salesperson when she or he tells me prices of various items understand someone speaking slowly and deliberately, who is giving me directions on how to walk to a nearby location understand a classmate discussing a simple problem that arose in class understand the main ideas in news reports broadcast on the radio or TV understand explanations about how to perform a routine task related to my class understand headline news broadcasts on the radio understand public announcements that are broadcast understand a person in social situations talking about his/her background, family, or interests understand extended speech and lectures, and follow complex arguments on familiar topics understand a discussion of current events taking place among a group of persons speaking English understand a complex presentation or demonstration given in a classroom understand an explanation given over the radio of why a road has been temporarily closed understand play-by-play descriptions on the radio of sports events that I like (e.g., soccer) understand extended speech even when it is not clearly structured understand an extended debate on a complex topic such as public health understand any kind of spoken language, even when people speak quickly 	<ul style="list-style-type: none"> understand texts that consist mainly of everyday words or vocabulary read and understand a restaurant menu find information that I need in a telephone directory read and understand a letter of thanks from a friend or a relative read information about products (e.g., advertisements) read and understand the main points of an article on a familiar academic topic read and understand directions and explanations presented in manuals written for beginning users read entertainment-related information (e.g., tourist guides) read highly technical material related to my classes with little use of a dictionary read English to translate text into my own language (e.g., letters and technical documents) read and understand magazine articles without using a dictionary read a newspaper editorial and understand its meaning as well as the writer’s intent understand the viewpoints expressed in articles and reports about contemporary issues or problems read and understand a popular novel identify inconsistencies or differences in points of view in two newspaper interviews with politicians of opposing parties understand long, complex texts, even technical ones that do not relate to my classes understand virtually all forms of written language, including abstract and linguistically complex texts

TOEIC Bridge™ Listening & Reading

Score of 51–70



	Listening	Reading
Can Do	<ul style="list-style-type: none"> understand simple questions in social situations such as "How are you?" and "Where do you live?" understand the days of the week and the months of the year understand a person's name when she or he gives it to me over the telephone recognize familiar words and simple phrases when people speak slowly and clearly understand some memorized words and phrases understand the main point of simple messages and short, clear announcements understand the main points of standard speech on familiar matters when people speak slowly and clearly understand someone who is speaking slowly and deliberately about his or her hobbies and interests understand directions about what time to come to a class and where it will be held 	<ul style="list-style-type: none"> recognize memorized words and phrases (e.g., "Exit," "Entrance," and "Stop") understand familiar words and very simple sentences read and understand traffic signs understand short, simple texts (e.g., personal letters) read, on storefronts, the type of store or services provided (e.g., "dry cleaning," "book store")
Can Do with Difficulty	<ul style="list-style-type: none"> understand a salesperson when she or he tells me prices of various items understand someone speaking slowly and deliberately, who is giving me directions on how to walk to a nearby location understand a classmate discussing a simple problem that arose in class understand the main ideas in news reports broadcast on the radio or TV understand explanations about how to perform a routine task related to my class understand headline news broadcasts on the radio 	<ul style="list-style-type: none"> read and understand a simple e-mail from a friend read and understand a train or bus schedule read and understand simple, step-by-step instructions (e.g., how to operate an electronic machine, like a CD player) understand texts that consist mainly of everyday words or vocabulary read and understand a restaurant menu find information that I need in a telephone directory read and understand a letter of thanks from a friend or a relative read information about products (e.g., advertisements) read and understand the main points of an article on a familiar academic topic read and understand directions and explanations presented in manuals written for beginning users read entertainment-related information (e.g., tourist guides)
Cannot Do	<ul style="list-style-type: none"> understand public announcements that are broadcast understand a person in social situations talking about his/her background, family, or interests understand extended speech and lectures, and follow complex arguments on familiar topics understand a discussion of current events taking place among a group of persons speaking English understand a complex presentation or demonstration given in a classroom understand an explanation given over the radio of why a road has been temporarily closed understand play-by-play descriptions on the radio of sports events that I like (e.g., soccer) understand extended speech even when it is not clearly structured understand an extended debate on a complex topic such as public health understand any kind of spoken language, even when people speak quickly 	<ul style="list-style-type: none"> read highly technical material related to my classes with little use of a dictionary read English to translate text into my own language (e.g., letters and technical documents) read and understand magazine articles without using a dictionary read a newspaper editorial and understand its meaning as well as the writer's intent understand the viewpoints expressed in articles and reports about contemporary issues or problems read and understand a popular novel identify inconsistencies or differences in points of view in two newspaper interviews with politicians of opposing parties understand long, complex texts, even technical ones that do not relate to my classes understand virtually all forms of written language, including abstract and linguistically complex texts

TOEIC Bridge™ Listening & Reading Score of 71–90

	Listening	Reading
Can Do	<ul style="list-style-type: none"> understand simple questions in social situations such as “How are you?” and “Where do you live?” understand the days of the week and the months of the year understand a person’s name when she or he gives it to me over the telephone recognize familiar words and simple phrases when people speak slowly and clearly understand some memorized words and phrases understand the main point of simple messages and short, clear announcements understand the main points of standard speech on familiar matters when people speak slowly and clearly understand someone who is speaking slowly and deliberately about his or her hobbies and interests understand directions about what time to come to a class and where it will be held understand a salesperson when she or he tells me prices of various items understand someone speaking slowly and deliberately, who is giving me directions on how to walk to a nearby location understand a classmate discussing a simple problem that arose in class understand the main ideas in news reports broadcast on the radio or TV understand explanations about how to perform a routine task related to my class understand a person in social situations talking about his/her background, family, or interests 	<ul style="list-style-type: none"> recognize memorized words and phrases (e.g., “Exit,” “Entrance,” and “Stop”) understand familiar words and very simple sentences read and understand traffic signs understand short, simple texts (e.g., personal letters) read, on storefronts, the type of store or services provided (e.g., “dry cleaning,” “book store”) read and understand a simple e-mail from a friend read and understand a train or bus schedule read and understand simple, step-by-step instructions (e.g., how to operate an electronic machine, like a CD player) understand texts that consist mainly of everyday words or vocabulary read and understand a restaurant menu find information that I need in a telephone directory read and understand a letter of thanks from a friend or a relative read information about products (e.g., advertisements) read and understand the main points of an article on a familiar academic topic read and understand directions and explanations presented in manuals written for beginning users read entertainment-related information (e.g., tourist guides)
Can Do with Difficulty	<ul style="list-style-type: none"> understand headline news broadcasts on the radio understand public announcements that are broadcast understand extended speech and lectures, and follow complex arguments on familiar topics understand a discussion of current events taking place among a group of persons speaking English understand a complex presentation or demonstration given in a classroom understand an explanation given over the radio of why a road has been temporarily closed 	<ul style="list-style-type: none"> read highly technical material related to my classes with little use of a dictionary read English to translate text into my own language (e.g., letters and technical documents) read and understand magazine articles without using a dictionary read a newspaper editorial and understand its meaning as well as the writer’s intent understand the viewpoints expressed in articles and reports about contemporary issues or problems read and understand a popular novel
Cannot Do	<ul style="list-style-type: none"> understand play-by-play descriptions on the radio of sports events that I like (e.g., soccer) understand extended speech even when it is not clearly structured understand an extended debate on a complex topic such as public health understand any kind of spoken language, even when people speak quickly 	<ul style="list-style-type: none"> identify inconsistencies or differences in points of view in two newspaper interviews with politicians of opposing parties understand long, complex texts, even technical ones that do not relate to my classes understand virtually all forms of written language including abstract and linguistically complex texts

We declare that the examinees in any score range cannot do a task if less than 50% of them indicated that they can do it easily or with little difficulty. We declare that the examinees in any score range can do a task with difficulty if between 50% and 80% of them indicated that they can do it easily or with little difficulty.

We declare that the examinees in any score range can do a task if more than 80% of them indicated that they can do it easily or with little difficulty. Table 4 was created using the information contained in Tables 2 and 3.

Common European Framework-related statements are shown in bold.

ETS provides a comprehensive suite of English Language Learning products and services that encourage learning, assess progress and measure proficiency. Backed by years of research, our programs support teachers and decision makers and help individuals achieve academic, business and personal success.

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Rosedale Road • Princeton, NJ 08541

Phone: 1-609-771-7170 • Fax: 1-609-771-7111

E-mail: TOEIC@ets.org • www.ets.org/toEIC



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777487



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EXHIBIT B

Int. Cls.: 16 and 42

Prior U.S. Cls.: 38 and 100

United States Patent and Trademark Office

Reg. No. 1,191,669

Registered Mar. 9, 1982

**TRADEMARK
SERVICE MARK**
Principal Register

TOEIC

Educational Testing Service (New York corporation)
Rosedale Rd.
Princeton, N.J. 08540

For: PRINTED PUBLICATIONS PERTAINING TO A SERIES OF EXAMINATIONS DEALING WITH LANGUAGES—NAMESLY, BROCHURES, PAMPHLETS, REPORTS, TEST BOOKLETS AND ANSWER SHEETS, in CLASS 16 (U.S. Cl. 38).

First use Oct. 19, 1979; in commerce Oct. 19, 1979.

For: SERVICES—NAMESLY, DEVELOPING,

PERFORMING RESEARCH AND VALIDITY STUDIES, ADMINISTERING, AND SCORING A SERIES OF EXAMINATIONS DEALING IN LANGUAGES, in CLASS 42 (U.S. Cl. 100).

First use Oct. 19, 1979; in commerce Oct. 19, 1979.

Ser. No. 236,699, filed Oct. 26, 1979.

JOSEPH DIAMANTE, Primary Examiner

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,180,166

Registered Dec. 5, 2006

TRADEMARK
PRINCIPAL REGISTER

TOEIC

EDUCATIONAL TESTING SERVICE (NEW
YORK NON-PROFIT CORPORATION)
ROSEDALE ROAD
PRINCETON, NJ 08541

FOR: AUDIO RECORDINGS FEATURING CON-
TENT FOR TESTING LANGUAGE PROFICIENCY,
FOR PREPARING FOR TESTS OF LANGUAGE
PROFICIENCY AND FOR VOCABULARY ENRICH-
MENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-0-2000; IN COMMERCE 11-0-2000.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,191,669 AND
2,561,226.

SER. NO. 78-724,439, FILED 9-30-2005.

DAVID MURRAY, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

TOEIC

Reg. No. 4,466,074

Registered Jan. 14, 2014

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

EDUCATIONAL TESTING SERVICE (NEW YORK NON-PROFIT CORPORATION)
ROSEDALE ROAD
PRINCETON, NJ 08541

FOR: DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION
FEATURING CONTENT FOR TESTING LANGUAGE PROFICIENCY, FOR PREPARING FOR
AND PRACTICING TESTS OF LANGUAGE PROFICIENCY AND FOR VOCABULARY EN-
RICHMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-20-2011; IN COMMERCE 11-20-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,191,669 AND 3,180,166.

SER. NO. 85-952,800, FILED 6-6-2013.

HEATHER BIDDULPH, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

United States of America
United States Patent and Trademark Office

TOEIC

Reg. No. 4,728,214

Registered Apr. 28, 2015

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

EDUCATIONAL TESTING SERVICE (NEW YORK NON-PROFIT CORPORATION)
ROSEDALE ROAD
PRINCETON, NJ 08541

FOR: DOWNLOADABLE ELECTRONIC PUBLICATIONS, NAMELY, EBOOKS AND BOOKLETS FEATURING CONTENT FOR TESTING LANGUAGE PROFICIENCY, FOR PREPARING FOR TESTS OF LANGUAGE PROFICIENCY AND FOR VOCABULARY ENRICHMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-12-2014; IN COMMERCE 8-12-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,191,669 AND 3,180,166.

SN 85-952,820, FILED 6-6-2013.

HEATHER BIDDULPH, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

EXHIBIT C

711 836209



核定使用商品 第 9 类

测验英文语言流利程度用的听觉及视听暗盒式录音带及磁带

注册有效期限

自公元 1995 年 8 月 28 日至 20



局长签发

白桦

商标注册证

第 763206 号

商 标

TOEIC

注 册 人

教育考试服务处
EDUCATIONAL TESTING
SERVICE

注册人地址

美国

7/19

TOEIC
and appl
Class 9

Approval Certification of Renewal of Registered Trademark

This is to certify that the registered trademark under Reg. No. 763206 be approved for renewal. The duration of validity From August 28, 2005 To August 27, 2015.

Issuing date: November 2, 2005
(Seal of the Trademark Office of the State
Administration for Industry and Commerce
of the People's Republic of China)

~~Remarks:~~ 1. *This certificate should be in use together with original trademark registration certificate.*
2. *According to Article 37 of the Chines Trademark Law, the name of the trademark which is not included in the trademark specimen has no exclusive rights.*

IT010E_RN_T

ТИИ 936209

209



核准续展注册证明

兹核准第 763206 号商标续展注册，续展注册有效期自 2005 年 8 月 28 日至 2015 年 8 月 27 日。



注：本证明应与《商标注册证》一并使用。

THE PEOPLE'S REPUBLIC OF CHINA
CERTIFICATE OF TRADEMARK REGISTRATION

No. 763206

Registered Proprietor:

EDUCATIONAL TESTING SERVICE

Goods for which the mark is used:

*Audio and audio visual cassettes and tapes used in connection with testing
english language proficiency*

In Class: 09

Trade mark: *TOEIC*

Duration of validity:

From *August, 28, 1995*

To *August, 27, 2005*

**Seal of State Administration for Industry &
Commerce of the People's Republic of China**

商 标 注 册 证

第 728756 号

商 标

TOEIC

注 册 人 教育考试服务处
EDUCATIONAL TESTING SERVICE

注册人地址美国

中... 11924118



核定使用商品 第 16 类

用于一系列英文语言流畅程度测验的印刷出版物,即小册子,手册,报告,测验册及答案纸

注册有效期限 自公元1995 年2 月7 日至2005



局长签发

白桦

Approval Certification of Renewal of Registered Trademark

This is to certify that the registered trademark under Reg. No. 728756 be approved for renewal. The duration of validity From February 7, 2005 To February 6, 2015.

Issuing date: August 25, 2004
(Seal of the Trademark Office of the State
Administration for Industry and Commerce
of the People's Republic of China)

Remarks: 1. This certificate should be in use together with original trademark registration certificate.
2. According to Article 37 of the Chinese Trademark Law, the name of the trademark which is not included in the trademark specimen has no exclusive rights.

IT010E_RN_T



XZ20041341ZZM

核准续展注册证明

兹核准第 728756 号商标续展注册，续展注册有效期自 2005 年 2 月 7 日至 2015 年 2 月 6 日。



注：本证明应与《商标注册证》一并使用。



Australian Government

IP Australia

Discovery House, Phillip ACT 2606

PO Box 200, Woden ACT 2606

Australia

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Facsimile: +61-2 6283 7999

Email: assist@ipaaustralia.gov.au

Website: www.ipaustralia.gov.au

RECEIVED

25 MAY 2009

21/05/2009

Mallesons Stephen Jaques
Level 50 Bourke Place
600 Bourke Street
MELBOURNE VIC 3000

NOTICE OF RENEWAL OF REGISTRATION

RE: Trade Mark no. 823281
Educational Testing Service a New York corporation

Date registration renewed to 11/02/2020

The registration of your trade mark has been renewed for a further 10 years to the date shown above.

If you have any enquiries, please contact the Customer Support Centre on:
Phone (02) 6283 2999
Fax: (02) 6283 7999
email: assist@ipaaustralia.gov.au

** This name may contain abbreviations. The owner's full name is contained in the Register of Trade Marks.

प्रारूप आरजी - 2
Form RG - 2



भारत सरकार

Government of India

व्यापार चिन्ह रजिस्ट्री

Trade Marks Registry

व्यापार चिन्ह अधिनियम, 1999

Trade Marks Act, 1999

व्यापार चिन्ह के रजिस्ट्रीकरण का प्रमाणपत्र, धारा 23 (2), नियम 56 (1)

Certificate of Registration of Trade Mark, Section 23 (2), Rule 56 (1)



क्रमांक

No. 2126526

व्यापार चिन्ह संख्या / Trade Mark No. 3952718

दिनांक /Date 22/09/2018

ज. संख्या /J. No. 1873

यह प्रमाणित किया जाता है कि जिस प्रकार चिन्ह की समाकृति इसके साथ संलग्न है, वह
के बारे में दिनांकनाम से रजिस्ट्रीकृत हो चुका है।

Certified that Trade Mark / a representation is annexed hereto, has been registered in the name(s) of:-
Educational Testing Service, Rosedale Road, Princeton, New Jersey 08541, United States of America, A non-profit corporation organised and existing under the Laws of the State of New York, United States of America, (Body Incorporate)
Priority claimed: from 29/03/2018 Priority Application No. 87/855,751 Country: United States of America

In Class 99 Under No. 3952718 as of the date 22 September 2018 in respect of

Goods and service as annexed

TOEIC BRIDGE

मेरे निर्देश पर आज के मास के वे दिन को इस पर मुद्रा लगायी गई

Sealed at my direction, this 19th day of March, 2019



OKSupta

व्यापार चिन्ह रजिस्ट्री
Trade Marks Registry MUMBAI

व्यापार चिन्ह रजिस्ट्रार
Registrar of Trademarks

रजिस्ट्रीकरण आवेदन की तारीख से 10 वर्ष के लिए है और तदोपरंतव 10 वर्ष की कालावधि के लिए और प्रत्येक 10 वर्ष की कालावधि के अवसान पर भी नवीनीकृत किया जा सकेगा।

Registration is for 10 years from the date of application and may then be renewed for a period of 10 years and also at the expiration of each period of 10 years.

यह प्रमाणपत्र विधि कार्यवाहियों में प्रयोग के लिए या विदेश में रजिस्ट्रीकरण अर्जिप्त करने के लिए नहीं है।

This certificate is not for use in legal proceedings or for obtaining Registration abroad.

टिप्पणी - इस व्यापार चिन्ह के स्वामित्व में कोई परिवर्तन होने पर, या कारोबार के मुख्य स्थान के पते में या भारत में तामोत के लिए पते में परिवर्तन होने पर परिवर्तन के लिए आवेदन तुरंत किया जाना चाहिए।

Note: Upon any change of ownership of this Trademark, or change in address, of the principal place of business or address for service in India a request should AT ONCE be made to register the change.

Annexure of Certificate No.: 2126526

Trade Mark No. 3952718

Date 22/09/2018

Class	Goods Description
9	Audio recordings on disc featuring content for preparing for and practicing tests of English proficiency; prerecorded computer software for preparing for and practicing tests of English language proficiency in the field of educational testing related to examinations of English proficiency; downloadable electronic publications, namely, handbooks and practice tests for preparing for tests of English language proficiency
16	Printed materials, namely, manuals, booklets, tests, test answer sheets, printed teaching materials and score reports for use in testing English language proficiency



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Y MODELOS

**CERTIFICATE
OF REGISTRATION**

This Certificate of Registration is hereby issued for the Community trade mark identified below. The corresponding entries have been recorded in the Register of Community Trade Marks.

**CERTIFICADO
DE REGISTRO**

Se expide el presente certificado de registro para la marca comunitario que se identifica a continuación. Las menciones y las informaciones relativas a tal marca han sido inscritas en el Registro de marcas comunitarias.

N° 000103010

TOEIC



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450 15/02/1999

210 000103010

220 01/04/1996

442 24/11/1997

541

732 EDUCATIONAL TESTING SERVICE
Rosedale Road
Princeton, New Jersey 08541
ESTADOS UNIDOS (DE AMÉRICA)740 Alberto Elzaburu Márquez
Miguel Angel, 21
E-28010 Madrid
ESPAÑA

270 EN ES

511 ES - 9 - Cintas de audio, casetes de audio, cintas de vídeo, programas de ordenador de transmisión digital, programas de ordenador pregrabados en discos magnéticos, cintas, discos compactos, cd-rom, discos láser, discos de vídeo y discos ópticos.

ES - 16 - Productos de imprenta, libros, folletos, panfletos, manuales, tests, folletos de tests, hojas de respuestas de tests, hojas de puntuación de tests, boletines e informes; publicaciones periódicas impresas y publicaciones no periódicas, impresos.

ES - 41 - Servicios educacionales, servicios consistentes en medir las cualificaciones y capacidades lingüísticas, o relacionados con esta actividad, servicios de puntuación y registros de puntuaciones de tests

tests y programas de tests; programas de ordenador instructivos.

DA - 9 - Lydbånd, kassettebånd, videobånd, videokassetter, digitalt overførte computerprogrammer, computerprogrammer lagret på magnetiske plader, bånd, cd'er, cd-rom'er, laserdiske, videodiske og optiske diske.

DA - 16 - Tryksager, bøger, hæfter, brochurer, foldere, manualer, test, testhæfter, ark til testsvar, ark til testpoint, nyhedsbreve og rapporter; trykte periodisk udkommende og ikke-periodisk udkommende publikationer, trykte formularer.

DA - 41 - Uddannelsesvirksomhed, aktiviteter inden for måling af sprogkunderskaber, testresultater og rapportering af testresultater; afholdelse af seminarer og workshops; testvirksomhed rettet mod uddannelsessektoren, herunder aktiviteter i forbindelse med forskning i test og målinger.

DA - 42 - Gennemførelse af forskning og studier inden for uddannelse, uddannelsesmetoder, test og testteori i forbindelse med uddannelse; tilvejebringelse af elektronisk og ikke-elektronisk overført information om uddannelsesprogrammer, testadministration og testprogrammer; computer-støttet undervisning.

DE - 9 - Tonbänder, Tonkassetten, Videobänder, Videokassetten, digital übertragene Computerprogramme, auf Magnetplatten, Bändern, CDs, CD-ROMs, Laserplatten, Videoplatten und optischen Platten gespeicherte Computerprogramme.

DE - 16 - Druckereierzeugnisse, Bücher, Hefte, Broschüren, Schriften, Handbücher, Tests, Testhefte, Testantwortblätter, Testbewertungsblätter, Mitteilungsblätter und Berichte; gedruckte periodische und nichtperiodische Veröffentlichungen, Vordrucke.

DE - 41 - Erziehung, Messung von Fähigkeiten, Fertigkeiten und Bildungsgrad; Testbewertung un



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Tests und Testprogramme; computergestützte Lernprogramme.

EL - 9 - Ταινίες ήχου, κασέτες ήχου, βιντεοταινίες, βιντεοκασέτες, ηλεκτρονικά μεταδιδόμενα προγράμματα ηλεκτρονικών υπολογιστών, προγράμματα ηλεκτρονικών υπολογιστών προεγγεγραμμένα σε μαγνητικούς δίσκους, ταινίες, δίσκοι οπτικής ανάγνωσης, CD-ROM, δίσκοι λέιζερ και δίσκοι εικόνας (βίντεο) και οπτικοί δίσκοι.

EL - 16 - Έντυπα, βιβλία, τεύχη, φυλλάδια, εγχειρίδια, δοκιμασίες, τεύχη δοκιμασιών, φύλλα απαντήσεων δοκιμασιών, φύλλα βαθμολογίας δοκιμασιών, ενημερωτικά δελτία και εκδόσεις έντυπες περιοδικές και μη περιοδικές εκδόσεις, έντυπα.

EL - 41 - Εκπαιδευτικές υπηρεσίες, υπηρεσίες που συνίστανται ή συνδέονται με τη μέτρηση γλωσσικών δεξιοτήτων και ικανοτήτων, υπηρεσίες βαθμολογίας και ανακοίνωσης βαθμολογίας δοκιμασιών, διοργάνωση σεμιναρίων και εργαστηρίων, υπηρεσίες εκπαιδευτικών δοκιμασιών, στις οποίες περιλαμβάνονται υπηρεσίες έρευνας σε σχέση με τις δοκιμασίες και τη μέτρηση

EL - 42 - Διεξαγωγή έρευνας και μελετών σε σχέση με την εκπαίδευση, τις εκπαιδευτικές πρακτικές, τις εκπαιδευτικές δοκιμασίες και τη θεωρία των δοκιμασιών, παροχή υπηρεσιών ηλεκτρονικής και μη ηλεκτρονικής πληροφόρησης για εκπαιδευτικά προγράμματα, διατυπώσεις δοκιμασιών και προγράμματα δοκιμασιών, εκπαιδευτικά προγράμματα ηλεκτρονικών υπολογιστών.

EN - 9 - Audio tapes, audio cassettes, video tapes, video cassettes, digitally-transmitted computer programs, computer programs prerecorded on magnetic disks, tapes, compact disks, cd-roms, laser disks, video disks and optical disks.

seminars and workshops; educational testing services, including test and measurement related research services.

EN - 42 - Conducting research and studies with respect to education, educational practices, educational testing and educational theory; providing electronically and non-electronically delivered information services about educational programs, test administrations and test programs; instructional computer programs.

FR - 9 - Bandes audio, cassettes audio, bandes vidéo, cassettes vidéo, programmes d'ordinateurs transmis par voie digitale, programmes d'ordinateurs enregistrés sur disques, bandes magnétiques, CD-ROM, disques laser, vidéodisques et disques optiques.

FR - 16 - Produits de l'imprimerie, livres, livrets, brochures, dépliants, manuels, guides, tests, formulaires de test, cahiers de tests, feuilles de réponse pour tests, grilles de résultats de tests, bulletins et rapports; publications périodiques et non périodiques, formulaires imprimés.

FR - 41 - Services d'éducation, services d'évaluation du niveau des compétences et aptitudes linguistiques, services de notation des tests et de communication des notes obtenues; conduite de séminaires et d'ateliers; services de tests pédagogiques, y compris les services de recherche et d'évaluation en la matière.

FR - 42 - Conduite de recherches et d'études dans le domaine de l'éducation, des méthodes pédagogiques, des tests pédagogiques et de la théorie pédagogique; services d'information électronique ou non sur les programmes d'enseignement, la gestion et les programmes de test; programmes informatiques d'instruction.

IT - 9 - Nastri audio, audiocassette, nastri video, videocassette, programmi per elaboratori elettronici trasmessi digitalmente, programmi per elaboratori elettronici preregistrati su dischi magnetici, nastri, CD, CD-ROM, videodischi e dischi ottici.



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IT - 42 - Gestione di ricerche e di studi in materia di educazione, prassi didattiche, verifiche didattiche e teoria didattica; servizi di informazioni forniti elettronicamente e non elettronicamente riguardo a programmi didattici, conduzione di test e programmi relativi a test; programmi d'istruzione per elaboratori elettronici.

NL - 9 - Audiobanden, audiocassettes, videobanden, videocassettes, computerprogramma's die digitaal worden verzonden, computerprogramma's opgenomen op magneetschijven, -banden, compact discs, cd-roms, laserschijven, videoschijven en optische schijven.

NL - 16 - Drukwerken, boeken, boekjes, brochures, handleidingen, tests, testboekjes, antwoordvellen voor tests, scorevellen voor tests, mededelingenbladen en verslagen; gedrukte periodieke en niet-periodieke publikaties, gedrukte formulieren.

NL - 41 - Onderwijs, diensten bestaande uit of met betrekking tot het meten van taalvaardigheden en bekwaamheden, dienstverlening inzake testcores en het bekendmaken van testcores; het verzorgen van seminars en workshops; het testen van onderwijs, waaronder het testen en meten van onderzoek.

NL - 42 - Het uitvoeren van onderzoek en studies met betrekking tot onderwijs, onderwijspraktijken, het testen van onderwijs en onderwijstheorie; het verschaffen van elektronische en niet-elektronische informatie over onderwijsprogramma's, de administratie van tests en testprogramma's; educatieve computerprogramma's.

PT - 9 - Fitas áudio, cassetes áudio, fitas de vídeo, cassetes de vídeo, programas de computador transmitidos digitalmente, programas de computador interactivos e não interactivos registados em discos magnéticos, fitas, discos compactos, CD-ROM, discos de "laser" e discos ópticos.

PT - 16 - Produtos de impressão, livros, folhetos, brochuras, panfletos, manuais, testes, folhetos de testes, folhas de testes, etc.

PT - 42 - Condição de investigação e de estudos relacionados com educação, práticas educativas, testes educativos e teoria educativa; prestação de informação, fornecida electrónica e não electronicamente, acerca de programas educativos, ministração de testes e programas de testes; programas de computador educativos.

FI - 9 - Ääninauhat, äänikasetit, videonauhut, videokasetit, digitaalisesti siirrettävät tietokoneohjelmat, magneettilevyille, nauhoille, CD-levyille, CD-tietolevyille, laserlevyille, videolevyille ja optisille levyille tallennetut tietokoneohjelmat.

FI - 16 - Painotuotteet, kirjat, kirjaset, esitteet, pamfletit, käsikirjat, testit, testikirjaset, testivastausvihkoset, testien pisteytysvihkoset, jäsenlehdet ja raportit; painetut aikakaus- ja satunnaisesti ilmestyvät julkaisut, esipainetut lomakkeet.

FI - 41 - Koulutus, kielitaidon mittaamiseen, testien pisteytykseen ja pisteiden raportointiin sekä seminaarien ja työpajojen järjestämiseen liittyvät palvelut; koulutukseen liittyvät testauspalvelut, mukaan lukien testaukseen ja mittaukseen liittyvät tutkimuspalvelut.

FI - 42 - Koulutukseen, koulutusmenetelmiin, testaukseen ja koulutusteorioiden liittyvä tutkimus; elektroniset ja muut kuin elektroniset tiedonjakelupalvelut liittyen koulutusohjelmiin, testien hallintaan ja testiohjelmiin; tietokoneopetusohjelmat.

SV - 9 - Ljudband, ljudkassetter, videoband, videokassetter, datorprogram som överfärs på elektronisk väg, datorprogram inspelade på magnetiskivor, band, kompaktskivor, CD-ROM, laserskivor och optiska skivor.

SV - 16 - Trycksaker, böcker, häften, broschyrer, pamfletter, handböcker, prov, provhäften, svarformulär för prov, testutvärderingsformulär, nyhetsbrev och rapporter; tryckta periodiska och icke-periodiska publikationer, tryckta formulär.



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DIBUJOS
Y MODELOS

information om utbildningsprogram samt
provadministration och provprogram; datoriserade
instruktionsprogram.

350

FR
(a) 1712786

FR
(a) 1712786

DE
(a) 2022009

PT
(a) 279399

PT
(a) 279400

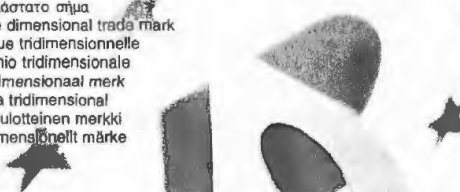
ES
(a) 1272122

ES
(a) 1272123

GB
(a) 1469987

GB
(a) 1469825

GB
(a) 1469988

<p>4 5 0</p> <p>Fecha de publicación del registro Registreringens offentliggørelsesdato Tag der Veröffentlichung der Eintragung Ημερομηνία δημοσίευσης της καταχώρησης Date of publication of the registration Date de publication de l'enregistrement Data di pubblicazione della registrazione Datum van publikatie van de inschrijving Data de publicação do registro Rekisteröinnin julkaisemispäivä Datum för offentliggörandet av registreringen</p>	<p>5 5 4</p> <p>Marca tridimensional Tredimensionellt varemærke Dreidimensionale Marke Τρισδιάστατο σήμα Three dimensional trade mark Marque tridimensionnelle Marchio tridimensionale Driedimensionaal merk Marca tridimensional Kolmiulotteinen merkki Tredimensionellt märke</p> 
<p>2 1 0</p> <p>Número de expediente atribuido a la solicitud Ansøgningsnummer Aktenzeichen der Anmeldung Αριθμός φακέλλου της αίτησης File number given to the application Numéro de dossier attribué à la demande Numero d'ordine del fascicolo relativo alla domanda Nummer van de aanvraag Número de processo atribuído ao pedido Hakemuksella annettu numero Ansökningsnummer</p>	<p>5 5 6</p> <p>Marca sonora Lydmærke Hörmärke Ηχητικό σήμα Sound mark Marque sonore Marchio sonoro Klankmerk Marca sonora Äänimerkki Ljudmärke</p>
<p>2 2 0</p> <p>Fecha de presentación de la solicitud Ansøgningsdato Anmeldetag Ημερομηνία κατάθεσης της αίτησης Filing date of application Date du dépôt de la demande Data del deposito della domanda Datum van de aanvraag Data de depósito do pedido Hakemispäivä Ansökningsdag</p>	<p>5 5 1</p> <p>Marca colectiva Fællesmærke Kollektivmarke Συλλογικό σήμα Collective mark Marque collective Marchio collettivo Collectief merk Marca colectiva Yhteismerkki Kollektivmärke</p>
<p>4 4 2</p> <p>Fecha de publicación de la solicitud Ansøgnings offentliggørelsesdato Tag der Veröffentlichung der Anmeldung Ημερομηνία δημοσίευσης της αίτησης Date of publication of the application Date de publication de la demande Data di pubblicazione della domanda Datum van publikatie van de aanvraag Data da publicação do pedido Hakemuksen julkaisemispäivämäärä Datum för offentliggörandet av ansökan</p>	<p>5 7 1</p> <p>Descripción de la marca Beskrivelse af varemærket Beschreibung der Marke Περιγραφή του σήματος Description of the trade mark Description de la marque Descrizione del marchio Beschrjving van het merk Descrição da marca Selostus merkistä Beskrivning av märket</p>
<p>5 4 1</p> <p>Reproducción de la marca en caracteres normalizados Gengivelse af varemærket, med standardtyper Wiedergabe der Marke in üblicher Schreibweise Αναπαρασταση του σήματος με τυποποιημένους χαρακτήρες Reproduction of trade mark in standard script Reproduction de la marque en écriture standard Riproduzione del marchio secondo le usuali modalità di scrittura Afbeelding van het merk in gewoon schrift Reprodução da marca em escrita normal Tavaramerkin kuvaus esitettyinä vakiokirjaimin Återgivnin av märke med standardtext</p>	<p>5 9 1</p> <p>Indicación del (de los) color(es) Angivelse af farve(r) Angabe der Farbe(n) Ένδειξη του χρώματος (των χρωμάτων) Indication of colour or colours Indication de la ou des couleur(s) Indicazione del/dei colore/i Aanduiding van de kleur(en) Indicação da(s) cor(es) Värefjä koskeva maininta Uppgift om färg eller färger</p>

<p>5 2 6</p> <p>Renuncia a invocar derechos exclusivos Disclaimer Δήλωση μη διεκδίκησης αποκλειστικών δικαιωμάτων στοιχεία του σήματος Disclaimer Renonciation à invoquer un droit exclusif Renuncia a far valere un diritto esclusivo Disclaimer Renúncia a invocar direitos exclusivos sobre elementos da marca Erottamislauseuma Disclaimer</p>	<p>3 0 0</p> <p>País, fecha y número de la solicitud cuya prioridad se reivindica Land, dato og nummer for prioritetsansøgningen Land, Datum und Aktenzeichen der Anmeldung(en), deren Priorität in Anspruch genommen wird Χώρα, ημερομηνία και αριθμός αίτησης για την οποία διεκδικείται προτεραιότητα Country, date and number of application for which priority is claimed Pays, date et numéro du dépôt dont la priorité est revendiquée Paese, data e numero del deposito relativamente a cui si rivendica la priorità Land, datum en nummer van het verzoek om voorrang País, data e número do depósito cuja prioridade se reivindica Valtio, päivämäärä ja numero, josta vaaditaan etuoikeutta Land, datum och ansökningsnummer för prioritetsgrundande ansökan</p>
<p>5 2 1</p> <p>Adquisición de carácter distintivo a consecuencia del uso Opnåelse af særpræg som følge af den brug, der er gjort deraf Erfangung von Unterscheidungskraft durch Benutzung Απόκτηση διακριτικής δύναμης με χρήση Acquisition of distinctive character by use Acquisition de caractère distinctif par l'usage Aquisito del carattere distintivo in seguito all'uso Verkrijging van onderscheidend vermogen door gebruik Aquisição de carácter distintivo na sequência de utilização Erottamiskyky käytön perusteella Särskiljningsförmåga uppnådd genom användning</p>	<p>2 3 0</p> <p>Nombre de la exposición y fecha de la primera presentación (prioridad según el art. 33) Udstillingens navn og dato for den første udstilling (prioritet i henhold til Artikel 33) Name der Ausstellung und Tag der ersten Zurschaustellung (Priorität gemäß Artikel 33) Όνομα της έκθεσης και ημερομηνία πρώτης παρουσίασης (προτεραιότητα σύμφωνα με το άρθρο 30) Name of the exhibition and date of first display (priority under Art. 33) Nom de l'exposition et date de première présentation (priorité selon l'art. 33) Nome dell'esposizione e data di prima presentazione (priorità ai sensi dell'art. 33) Naam van de tentoonstelling en datum van de eerste expositie (voorrang overeenkomstig artikel 33) Nome da exposição e data primeira apresentação (prioridade nos termos do art. 33º) Näyttelyn nimi ja ensimmäisen esittelyajankohdan päivämäärä (33 artiklan mukainen etuoikeus) Namn på utställningen och dagen för den första förelisningen (prioritet enl. art. 33)</p>
<p>7 3 2</p> <p>Nombre, dirección y nacionalidad del solicitante Ansøgers navn, adresse og nationalitet Name, Anschrift und Staatsangehörigkeit des Anmelders Όνομα, διεύθυνση και εθνικότητα του αιτούντος Name, address and nationality of the applicant Nom, adresse et nationalité du demandeur Nome, indirizzo e nazionalità del richiedente Naam, adres en nationaliteit van de aanvrager Nome, morada e nacionalidade do requerente Hakijan nimi, osoite ja kansalaisuus Sökandens namn, adress och nationalitet</p>	<p>3 5 0</p> <p>Antigüedad: país, (a) número de registro, (b) fecha de registro, (c) fecha de presentación, (d) fecha de prioridad Anciennitet: land, (a) registreringsnummer, (b) registreringsdato, (c) ansøgningsdato, (d) prioritetsdato Zeitrang: Land, (a) Nummer der Eintragung, (b) Tag der Eintragung, (c) Anmeldetag, (d) Prioritätsdatum Αρχαιότητα: χώρα, (α) αριθμός καταχώρησης, (β) ημερομηνία καταχώρησης, (γ) ημερομηνία κατάθεσης, (δ) ημερομηνία προτεραιότητας Seniority: country, (a) registration number, (b) date of registration, (c) filing date, (d) date of priority Ancienneté: pays, (a) numéro d'enregistrement, (b) date d'enregistrement, (c) date de dépôt, (d) date de priorité Preesistenza: paese, (a) numero di registrazione, (b) data di registrazione, (c) data di deposito, (d) data di priorità Anciennitet: land, (a) inschrijvingsnummer, (b) inschrijvingsdatum, (c) datum van aanvraag, (d) datum van de voorrang Antigüedad: país, (a) número de registro, (b) data de registro, (c) data do depósito, (d) data de prioridade Aiemuus: valtio, (a) rekisterinumero, (b) rekisteröintipäivä, (c) hakemispäivä, (d) etuoikeuspäivämäärä Senioritet: land, (a) registreringsnummer, (b) registreringsdatum, (c) ansökningsdatum, (d) prioritetsdatum</p>
<p>7 4 0</p> <p>Nombre y dirección del representante Fuldmægtigs navn og adresse Name und Anschrift des Vertreters Όνομα και διεύθυνση του εκπροσωπού Name and address of representative Nom et adresse du représentant Nome e indirizzo del rappresentante Naam en adres van de vertegenwoordiger Nome e morada do mandatário Edustajan nimi ja osoite Ombudets namn och adress</p>	
<p>2 7 0</p> <p>Lengua de presentación de la solicitud y segunda lengua Angivelse af første og andet sprog som anført i ansøgningen Sprache, in der die Anmeldung eingereicht wurde, und zweite Sprache Γλώσσα κατάθεσης της αίτησης και δεύτερη γλώσσα Language in which application is filed and second language Langue de dépôt de la demande et deuxième langue Lingua di deposito della domanda e seconda lingua Taal van de aanvraag en een tweede taal Língua de depósito do pedido e segunda língua Kieli, jolla hakemus on tehty ja toinen kieli Språk på vilken ansökan ingivits samt andraspråk</p>	
<p>5 1 1</p> <p>Productos y servicios agrupados (Clasificación de Niza) Fortegnelse over varer og tjenesteydelse (Nice-klassifikationen) Waren und Dienstleistungen in klassifizierter Reihenfolge (Nizzaer Klassifikation) Προϊόντα και υπηρεσίες ταξινομημένα σε κλάσεις (Ταξινόμηση της Νίκιας) Goods and services grouped (Nice Classification) Produits et services regroupés (Classification de Nice) Prodotti e servizi raggruppati (Classificazione di Nizza) Opgave van de waren en diensten (Classificatie van Nice) Produtos e serviços agrupados (Classificação de Nice) Tavarat ja palvelut luokiteltuina (Nizzan luokitus) Grupperade varor och tjänster (Nice-klassificering)</p>	

प्ररूप ओ - 2
FORM O-2



सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

व्यापार चिन्ह रजिस्ट्री
TRADE MARKS REGISTRY

व्यापार चिन्ह अधिनियम, 1999
TRADE MARKS ACT, 1999



बौद्धिक सम्पदा, भारत
Intellectual Property, India

MULTICLASS APPLICATION

क्रमांक
No. 621768

व्यापार चिन्ह के रजिस्ट्रीकरण का प्रमाणपत्र, धारा 23 (2) नियम 62 (I)
Certificate of Registration of Trade Mark, Section 23 (2), Rule 62 (I)

व्यापार चिन्ह संख्या/ Trade Mark No. 1396583 दिनांक/ Date 02-11-2005 ज.संख्या/ J.No. 1,346

यह प्रमाणित किया जाता है कि जिस प्रकार चिन्ह की समाकृति इसके साथ संलग्न है, वह
के बारे में दिनांक नाम से रजिस्ट्रीकृत हो चुका है।

Certified that the Trade Mark / a representation is annexed hereto, has been registered in the name(s) of

EDUCATIONAL TESTING SERVICE (A NOM PROFIT CORPORATION DULY ORGANISED AND EXISTING UNDER THE
LAWS OF THE STATE OF NEW YORK, U. S. A.)ROSEDALE ROAD, PRINCETON, NEW JERSEY 08541, UNITED STATES
OF AMERICA. MANUFACTURERS, MERCHANTS AND DISTRIBUTORS

In Class 9 Under No. 1396583 as of the Date 02-11-2005 in respect of
16.

Continue Next Page For Goods/Services Details



TOEIC

मेरे निदेश पर आज मास के वे दिन को इस पर मुद्रा लगायी गई।
Sealed at my direction, this March 22, day of 2007

व्यापार चिन्ह रजिस्ट्री, मुम्बई।
Trade Marks Registry, Mumbai

व्यापार चिन्ह रजिस्ट्रार
Registrar of Trade Marks

रजिस्ट्रीकरण आवेदन की तारीख से 10 वर्ष के लिए है और तदुपरान्त वह 10 वर्ष की कालावधि के लिए और प्रत्येक 10 वर्ष की कालावधि के अवसान पर भी नवीनीकृत किया जा सकेगा।
Registration is for 10 years from the date of application and may then be renewed for a period of 10 years and also at the expiration of each period of 10 years.
यह प्रमाणपत्र विधि कार्यवाहियों में प्रयोग के लिये या विदेश में रजिस्ट्रीकरण अधिप्राप्त करने के लिये नहीं है।

This certificate is not for use in Legal proceedings or for obtaining Registration abroad.

टिप्पणी - इस व्यापार चिन्ह के स्वामित्व में कोई परिवर्तन होने पर, या कारेबार के मुख्य स्थान के पते में या भारत में तामील के लिये पते में परिवर्तन होने पर परिवर्तन के लिये आवेदन
दुरस्त किया जाना चाहिये।

Note : Upon any change of ownership of this Trade Mark, or change in address, of the principal place of business or address for service in India a request should
AT ONCE be made to register the change.



GOVERNMENT OF INDIA
TRADE MARKS REGISTRY
TRADE MARKS ACT 1999

1000
10/20/05

Details of Classwise Goods/Services

APPL NO.	APPL DATE	JOURNAL NO	CERTIFICATE NO
1396583	02-11-2005	1.346	621,768
9	PRERECORDED DIGITAL AND MAGNETIC MEDIA, PRERECORDED COMPUTER PROGRAMS AND COMPUTER PROGRAMS PROVIDED ON A GLOBAL COMPUTER NETWORK FOR DOWNLOADING, ALL FOR USE IN ENGLISH LANGUAGE SKILLS ASSESSMENT AND CAREER GUIDANCE.		
16	PAPER GOODS AND PRINTED MATTER, NAMELY TESTS, BOOKLETS, BOOKS, NEWSLETTERS, CERTIFICATES, MANUALS, GUIDES, PAMPHLETS, POSTERS, ROSTERS, REPORTS, VOUCHERS, SUMMARIES AND PAPERS, ALL FOR USE IN ENGLISH LANGUAGE SKILLS ASSESSMENT AND CAREER GUIDANCE.		



**TRADE/SERVICE MARK REGISTER
INFORMATION RECORD**

COUNTRY: SWITZERLAND

TRADE/SERVICE MARK: TOEIC
REGISTRANT: EDUCATIONAL TESTING SERVICE
APPLN DATE: DECEMBER 5, 1996
REG. NUMBER: 442025
REG. DATE: JANUARY 8, 2007
DURATION: 10 YEARS
RENEWAL DUE: DECEMBER 5, 2026

BASED ON:

GOODS/SERVICES: SPECIFICATION OF GOODS/SERVICES ATTACHED

RENEWAL RECORD

LAST RENEWED: DECEMBER 5, 2016
DECEMBER 5, 2006

SPECIAL ACTION

SPECIAL REMARKS

USER REQUIREMENTS: A registration can be invalidated, totally or partially, by court proceedings, on the basis of unjustified non-use during the last five years or five years after expiration of publication date.

MARKING: "Registrierte Marke" OR "Marque Déposée" OR "Marca Depositata" optional

SPECIFICATION OF GOODS/SERVICES

- Class 9:** AUDIO TAPES, AUDIO CASSETTES, VIDEO TAPES, VIDEO CASSETTES, ELECTRONICALLY TRANSMITTED COMPUTER PROGRAMS, INTERACTIVE AND NON-INTERACTIVE COMPUTER PROGRAMS RECORDED ON MAGNETIC DISCS, TAPES, COMPACT DISCS, CD-ROMS, LASER DISCS AND OPTICAL DISCS
- Class 41:** EDUCATIONAL SERVICES, SERVICES CONSISTING OF OR RELATED TO LANGUAGE MEASURING SKILLS, ABILITIES AND LEARNING; TEST-SCORING AND TEST SCORE REPORTING SERVICES, CONDUCTING SEMINARS AND WORKSHOPS; CONDUCTING RESEARCH AND STUDIES WITH RESPECT TO EDUCATION, EDUCATIONAL PRACTICES, EDUCATIONAL TESTING AND TEST THEORY; PROVIDING ELECTRONICALLY AND NON-ELECTRONICALLY DELIVERED INFORMATION SERVICES ABOUT EDUCATIONAL PROGRAMS, TEST ADMINISTRATIONS AND TESTING PROGRAMS; PROVIDING INFORMATIONAL AND SUPPORT SERVICES VIA COMPUTER AND TELEPHONE TO USERS OF INSTRUCTIONAL COMPUTER PROGRAMS; PROVIDING COMPUTER-DELIVERED EDUCATIONAL TESTING AND ASSESSMENTS



Eidgenössisches Institut für Geistiges Eigentum
Institut Fédéral de la Propriété Intellectuelle
Istituto Federale della Proprietà Intellettuale
Swiss Federal Institute of Intellectual Property

Stauffacherstrasse 65/59g | CH-3003 Bern
T +41 31 377 77 77
F +41 31 377 77 78
info@ipi.ch | www.ige.ch

Markenabteilung

E. Blum & Co. AG
Patent- und Markenanwälte VSP
Vorderberg 11
8044 Zürich

RECEIVED

21. Okt. 2016

E. BLUM & CO. AG

18. Oktober 2016

Unser Zeichen: MAREG AMV/P-442025
Ihr Zeichen: M-1996/3396

Direktwahl:

Verlängerung der Markeneintragung Nr. P-442025 - TOEIC

Sehr geehrte Damen und Herren

Wir bestätigen Ihnen die Verlängerung der eingangs genannten Marke.

Verlängerung für 10 Jahre.

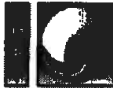
Neuer Schutzablauf: **05.12.2026**

ACHTUNG:

Die Marke wird nach Ablauf dieser neuen Schutzfrist nicht von Amtes wegen, sondern nur auf Gesuch hin verlängert (Art. 10 Abs. 2 MSchG).


Mit freundlichen Grüssen

Markenabteilung



SOLICITUD DE RENOVACIÓN

(Antes de llenar el formato, sírvase leer las consideraciones generales)

<p>Por la presente se solicita la Renovación de: (Marque sólo una opción)</p> <p><input checked="" type="checkbox"/> Registro de Marca</p> <p><input type="checkbox"/> Registro de Aviso Comercial</p> <p><input type="checkbox"/> Publicación de Nombre Comercial</p> <p>Número: <u>424327</u></p>	<p>Uso exclusivo Delegaciones y Subdelegaciones Federales de la Secretaría de Economía.</p> <p>Sello, Fecha y hora de presentación, No. de folio de entrada.</p>	<p>Instituto Mexicano de la Propiedad Industrial</p> <p>MARCA</p> <p>Registro: 0424327 Expediente: 0128549 Folio: 0210557</p> <p>FECHA: 11/11/2011 HORA: 12.32</p> <p>DENOMINACION TOEIC 650: RENOVACION</p> <p>Clave: 987825</p>  <p>R23391458</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

I. DATOS DEL TITULAR DEL REGISTRO O PUBLICACIÓN

01) Nombre, Denominación o Razón Social: **EDUCATIONAL TESTING SERVICE**

02) Teléfono (clave):* _____ Correo-e:* _____

II. DOMICILIO PARA OÍR Y RECIBIR NOTIFICACIONES

03) Calle, número y colonia: **JUAN BAUTISTA MOLIERE No. 13-401, COL. POLANCO CHAPULTEPEC**

Población y Estado: **MÉXICO D.F.**

Código postal: **11560**

04) Teléfono (clave):* **(55) 52800964** Correo-e:* **beltran@beltran.mx**

El titular declara bajo protesta de decir verdad, que usa dentro del territorio nacional el signo distintivo antes identificado en por lo menos uno de los productos o servicios a los que se aplica y que no ha interrumpido dicho uso en un plazo igual o mayor a tres años.

Bajo protesta de decir verdad, el firmante manifiesta que los datos asentados en esta solicitud son ciertos y que en caso de actuar como mandatario, cuenta con facultades para llevar a cabo el presente trámite.

LIC. RAFAEL BELTRÁN RIVERA

MÉXICO, D.F., a 11 de Noviembre del 2011

Nombre y firma del titular o su mandatario

Lugar y fecha

Consideraciones generales para su llenado:

- Los datos contenidos en la presente solicitud y sus documentos anexos son de carácter público. Los rubros marcados con un asterisco * son datos opcionales.
- Este formato es de distribución gratuita. Se autoriza su libre reproducción, siempre y cuando éste no sea alterado y sea presentado impreso su anverso (Página 1) y reverso (Página 2) en una sola hoja de papel blanco y en tamaño carta.
- El formato de solicitud por duplicado, redactado en idioma español, debidamente requisitado y firmado en todos sus ejemplares, así como sus documentos anexos, deben presentarse en la Coordinación Departamental de Recepción y Control de Documentos de la Dirección Divisional de Marcas del Instituto Mexicano de la Propiedad Industrial, con domicilio en Arenal # 550, Piso 2, Pueblo Santa María Tepepan, Delegación Xochimilco, C.P. 16020, México, D.F., con horario de atención de 8:45 a 16:00 horas de lunes a viernes o en la ventanilla de las Oficinas Regionales del IMPI o las Delegaciones o Subdelegaciones Federales de la Secretaría de Economía.
- La información de la solicitud debe ser requisitada toda por el mismo medio utilizado para su llenado, sin tachaduras ni enmendaduras.
- También podrá remitirse la solicitud por correo, servicios de mensajería u otros equivalentes o, en su caso, presentarse por transmisión telefónica facsimilar, en los términos previstos en el artículo 5o. del Reglamento de la Ley de la Propiedad Industrial.
- Los documentos anexos redactados en idioma distinto al español deberán acompañarse de la traducción correspondiente.
- Los documentos anexos provenientes del extranjero, cuando proceda, deberán acompañarse de la legalización o, en su caso, apostilla correspondiente.

Por la presente se solicita la Renovación de: En el recuadro correspondiente marque con una "X" la solicitud de renovación de registro o publicación que se desea presentar y proporcione el número correspondiente.

Domicilios señalados en la solicitud: Deberá señalar de manera completa y precisa los domicilios que indique en la solicitud, incluyendo el Código Postal y el asentamiento en donde se ubique el domicilio bajo la denominación en que sea conocido; por ejemplo: Colonia, Pueblo, Municipio, etcétera.

Las resoluciones, requerimientos y demás actos del Instituto se notificarán a los solicitantes por correo certificado con acuse de recibo al domicilio que hubiesen señalado al efecto. También podrán notificarse personalmente en el domicilio señalado, en las oficinas del Instituto o por publicación en la Gaceta, en términos del Reglamento de la Ley de la Propiedad Industrial.

Los datos consistentes en Teléfono y Correo electrónico contenidos en el presente formato son opcionales y tiene por objeto el facilitar un medio de contacto entre el solicitante y los usuarios interesados en la solicitud en trámite.

Nombre y firma del titular o su mandatario: Anote el nombre completo de una sola persona, ya sea del titular o su mandatario, quien deberá firmar la solicitud. En caso de que el titular sea una persona moral, deberá proporcionar únicamente el nombre y firma de la persona física que esté actuando en su representación.

Trámite al que corresponde la forma: Solicitud de Renovación de Signos Distintivos.

Número de Registro Federal de Trámites y Servicios: IMPI-01-007.

Fecha de autorización de la forma por parte de la Dirección General Adjunta de Propiedad Industrial del IMPI: 15-II-2010.

Fecha de autorización de la forma por parte de la Comisión Federal de Mejora Regulatoria: 1-III-2010.

Fundamento jurídico-administrativo:

Ley de la Propiedad Industrial. Arts. 6 fracción III, 95, 103, 104, 110, 112, 133-135 y 179-183 (D.O.F. 27-VI-91, reformas D.O.F. 2-VIII-94, 25-X-96, 26-XII-97, 17-V-99, 26-I-04, 16-VI-05, 25-I-06, 06-V-09 y 06-I-2010).

Reglamento de la Ley de la Propiedad Industrial. Arts. 5-7, 16, 17, 62 y 67 (D.O.F. 23-XI-94, reformas D.O.F. 10-IX-02 y 19-IX-03).

Acuerdo por el que se da a conocer la Tarifa por los servicios que presta el Instituto Mexicano de la Propiedad Industrial Arts. 14b, 14d y 14f, (D.O.F. 23-VIII-95, reformas D.O.F. 28-XII-95, 10-XII-96, 2-V-97, 4-V-98, 23-II-99, 11-X-00, 17-X-01, 13-XI-01, 24-XII-01, 27-II-02, 14-III-02, 14-XI-02, 04-II-03, 8-X-03, 27-X-04, 23-III-05, 13-IX-07, 23-II-09, 1-VI-09, 10-VIII-09 y 24-VIII-09).

Acuerdo que establece las reglas para la presentación de solicitudes ante el Instituto Mexicano de la Propiedad Industrial. Arts. 34 (D.O.F. 14-XII-94, reformas D.O.F. 22-III-99, 14-XII-00, 20-VI-03 y 11-VII-03).

Acuerdo por el que se establecen los plazos máximos de respuesta a los trámites ante el IMPI. Art. 3, fracción V (D.O.F. 10-XII-96).

Acuerdo por el que se dan a conocer los horarios de trabajo del Instituto Mexicano de la Propiedad Industrial. Arts. 3 y 6. (D.O.F. 31-III-99).

Documentos anexos:

Comprobante de pago de la tarifa (original y copia).

Documento mediante el cual se acredita la personalidad del mandatario (original o copia certificada) o, en su caso, copia simple de la constancia de inscripción en el Registro General de Poderes del IMPI.

Tiempo de respuesta: El plazo de primera respuesta es de 4 meses. No aplica la negativa ni la positiva ficta.

Número telefónico para quejas:

Órgano Interno de Control en el Instituto Mexicano de la Propiedad Industrial: 5624-04-12 ó 13 (directo), 5624-04-00 (conmutador)

Extensiones: 11237 y 11231, Fax: 5624-04-35

Correo electrónico: quejanel@impi.gob.mx

Para cualquier aclaración, duda y/o comentario con respecto a este trámite, sírvase llamar al Sistema de Atención Telefónica a la Ciudadanía-SACTEL a los teléfonos: 20002000 en el D.F. y área metropolitana, del interior de la República sin costo para el usuario al 01-800-FUNCION (386-2466) o desde Estados Unidos y Canadá al 1-800-475-23-93.

Número telefónico del responsable del trámite para consultas: 53-34-07-00 en el D.F. y área metropolitana, del interior de la República sin costo para el usuario 01-800-570-59-90, extensiones 10120, 10124 y 10182, o bien, consultar la página en Internet : www.impi.gob.mx

FORMATO ELECTRÓNICO DE PAGOS POR SERVICIOS

Instituto
Mexicano
de la Propiedad
Industrial



NUMERO DE FOLIO
10006865421

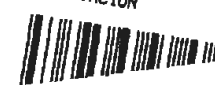


10006865421

PERIFÉRICO SUR 3106
CD. LUIS CABRERA DEL PEDREGAL
CD. ALVARO OBREGÓN
01900 MEXICO, D.F.
RFC: IMP-931211-NE1

CONCEPTO	CANTIDAD	ARTICULO TARIFA	IMPORTE
Por la renovación de un registro de marca, por cada clase	1	14b	\$2,433.41
<p>PAGO EN UNA SOLA EXHIBICION</p>			
50% DE DESCUENTO		TOTAL TARIFA	\$2,433.41
NO APLICA		I.V.A	\$389.35
		SUBTOTAL	\$2,822.76
		ACTUALIZACION	\$0.00
		RECARGOS	\$0.00
		TOTAL A PAGAR	\$2,822.76

Instituto Mexicano de
la Propiedad Industrial
MARCA
Registro: 0424327
Expediente: 0128549
Folio: 0210557
FECHA: 11/11/2011 HORA: 12.32
DENOMINACION: TOEIC
650:RENOVACION
Clave: 897825



LA REPRODUCCION NO AUTORIZADA DE ESTE COMPROBANTE CONSTITUYE UN DELITO EN LOS TERMINOS DE LAS DISPOSICIONES FISCALES

--- DOS MIL OCHOCIENTOS VEINTIDOS PESOS 76/100 MN ---

Sello Este documento es una representación impresa de un CFD
 IhEAX96hDb+kgwALCPYz2pxleMlrPDXP20BKERd2dRPV2OUckVY+7amPyfNeU7xxhPBmyQn2RXI2vi29PCyDhwv0Z5QKj9yeAtWP8Ch5dTQUh1bhAZ
 XdUH+qgzow9Jet1viQJfq2j18AClfwBZeXZSVexzDYIZ48TQIQ6Xe6=
Cadena Original
 ||2.0|556536|2011-11-11T09:55:47|1588|2006|ingreso|Pago una sola exhibición|2433.41|2822.76||MP931211NE1||Instituto Mexicano de la Propiedad Industrial|Periférico Sur|3106|Jardines del Pedregal|Ciudad de México|Luis Cabrera|Alvaro Obregón|Distrito Federal|México|01900|XEXX010101000|EDUCATIONAL TESTING SERVICE|Rosedale Road|.|.Princeton, New Jersey, EUA|SIN DATO|SIN DATO|México|08541|1|PZA|14b|2433.41|2433.41|IVA|16.00|389.35|389.35|

ANOTACIONES
Mr. 424327 TOEIC

Factura No:556538
Número de Certificado:00001000000101854244
Número de aprobación:1586
Año de aprobación:2006
Fecha:2011-11-11T09:55:47

DATOS DEL TITULAR O SOLICITANTE
 NOMBRE: EDUCATIONAL TESTING SERVICE
 DIRECCIÓN: Calle. Rosedale Road No.Ext. . No.Int. . Col.
 Princeton, New Jersey, EUA CP.08541 SIN DATO SIN DATO
 RFC: XEXX010101000

BANCO
 Scotiabank Inverlat
 CONVENIO: 133
 FECHA DE OPERACION: 2011-11-11.10.13. 27. 0
 FOLIO INTERNET: 231871

6259017504

ORIGINAL CLIENTE/EXPEDIENTE DEL SOLICITANTE



SOLICITUD DE RENOVACIÓN

(Antes de llenar el formato, sírvase leer las consideraciones generales)

Por la presente se solicita la Renovación de:
(Marque sólo una opción)

- Registro de Marca
 Registro de Aviso Comercial
 Publicación de Nombre Comercial

Número: 424328

Uso exclusivo
Delegaciones y Subdelegaciones
Federales
de la Secretaría de Economía.

Instituto Mexicano de
la Propiedad Industrial
MARCA
Registro: **0424328**
Expediente: **0128550**
Folio: **0210560**
FECHA: 11/11/2011 HORA: 12:32
DENOMINACION: TDEIC
650: RENOVACION

Clave: 887825



Sello, Fecha y hora de presentación
No. de folio de entrada.

I. DATOS DEL TITULAR DEL REGISTRO O PUBLICACIÓN

01) Nombre, Denominación o Razón Social: **EDUCATIONAL TESTING SERVICE**

02) Teléfono (clave):*

Correo-e:*

II. DOMICILIO PARA OÍR Y RECIBIR NOTIFICACIONES

03) Calle, número y colonia: **JUAN BAUTISTA MOLIERE No. 13-401, COL. POLANCO CHAPULTEPEC**

Población y Estado: **MÉXICO D.F.**

Código postal: **11560**

04) Teléfono (clave):* **(55) 52800964**

Correo-e:* **beltran@beltran.mx**

El titular declara bajo protesta de decir verdad, que usa dentro del territorio nacional el signo distintivo antes identificado en por lo menos uno de los productos o servicios a los que se aplica y que no ha interrumpido dicho uso en un plazo igual o mayor a tres años.

Bajo protesta de decir verdad, el firmante manifiesta que los datos asentados en esta solicitud son ciertos y que en caso de actuar como mandatario, cuenta con facultades para llevar a cabo el presente trámite.


LIC. RAFAEL BELTRÁN RIVERA

MÉXICO, D.F., a 11 de Noviembre del 2011

Nombre y firma del titular o su mandatario

Lugar y fecha

Consideraciones generales para su llenado:

- Los datos contenidos en la presente solicitud y sus documentos anexos son de carácter público. Los rubros marcados con un asterisco * son datos opcionales.
- Este formato es de distribución gratuita. Se autoriza su libre reproducción, siempre y cuando éste no sea alterado y sea presentado impreso su anverso (Página 1) y reverso (Página 2) en una sola hoja de papel blanco y en tamaño carta.
- El formato de solicitud por duplicado, redactado en idioma español, debidamente requisitado y firmado en todos sus ejemplares, así como sus documentos anexos, deben presentarse en la Coordinación Departamental de Recepción y Control de Documentos de la Dirección Divisional de Marcas del Instituto Mexicano de la Propiedad Industrial, con domicilio en Arenal # 550, Piso 2, Pueblo Santa María Tepepan, Delegación Xochimilco, C.P. 16020, México, D.F., con horario de atención de 8:45 a 16:00 horas de lunes a viernes o en la ventanilla de las Oficinas Regionales del IMPI o las Delegaciones o Subdelegaciones Federales de la Secretaría de Economía.
- La información de la solicitud debe ser requisitada toda por el mismo medio utilizado para su llenado, sin tachaduras ni enmendaduras.
- También podrá remitirse la solicitud por correo, servicios de mensajería u otros equivalentes o, en su caso, presentarse por transmisión telefónica facsimilar, en los términos previstos en el artículo 5o. del Reglamento de la Ley de la Propiedad Industrial.
- Los documentos anexos redactados en idioma distinto al español deberán acompañarse de la traducción correspondiente.
- Los documentos anexos provenientes del extranjero, cuando proceda, deberán acompañarse de la legalización o, en su caso, apostilla correspondiente.

Por la presente se solicita la Renovación de: En el recuadro correspondiente marque con una "X" la solicitud de renovación de registro o publicación que se desea presentar y proporcione el número correspondiente.

Domicilios señalados en la solicitud: Deberá señalar de manera completa y precisa los domicilios que indique en la solicitud, incluyendo el Código Postal y el asentamiento en donde se ubique el domicilio bajo la denominación en que sea conocido; por ejemplo: Colonia, Pueblo, Municipio, etcétera.

Las resoluciones, requerimientos y demás actos del Instituto se notificarán a los solicitantes por correo certificado con acuse de recibo al domicilio que hubiesen señalado al efecto. También podrán notificarse personalmente en el domicilio señalado, en las oficinas del Instituto o por publicación en la Gaceta, en términos del Reglamento de la Ley de la Propiedad Industrial.

Los datos consistentes en Teléfono y Correo electrónico contenidos en el presente formato son opcionales y tiene por objeto el facilitar un medio de contacto entre el solicitante y los usuarios interesados en la solicitud en trámite.

Nombre y firma del titular o su mandatario: Anote el nombre completo de una sola persona, ya sea del titular o su mandatario, quien deberá firmar la solicitud. En caso de que el titular sea una persona moral, deberá proporcionar únicamente el nombre y firma de la persona física que esté actuando en su representación.

Trámite al que corresponde la forma: Solicitud de Renovación de Signos Distintivos.

Número de Registro Federal de Trámites y Servicios: IMPI-01-007.

Fecha de autorización de la forma por parte de la Dirección General Adjunta de Propiedad Industrial del IMPI: 15-II-2010.

Fecha de autorización de la forma por parte de la Comisión Federal de Mejora Regulatoria: 1-III-2010.

Fundamento jurídico-administrativo:

Ley de la Propiedad Industrial. Arts. 6 fracción III, 95, 103, 104, 110, 112, 133-135 y 179-183 (D.O.F. 27-VI-91, reformas D.O.F. 2-VIII-94, 25-X-96, 26-XII-97, 17-V-99, 26-I-04, 16-VI-05, 25-I-06, 06-V-09 y 06-I-2010).

Reglamento de la Ley de la Propiedad Industrial. Arts. 5-7, 16, 17, 62 y 67 (D.O.F. 23-XI-94, reformas D.O.F. 10-IX-02 y 19-IX-03).

Acuerdo por el que se da a conocer la Tarifa por los servicios que presta el Instituto Mexicano de la Propiedad Industrial Arts. 14b, 14d y 14f, (D.O.F. 23-VIII-95, reformas D.O.F. 28-XII-95, 10-XII-96, 2-V-97, 4-V-98, 23-II-99, 11-X-00, 17-X-01, 13-XI-01, 24-XII-01, 27-II-02, 14-III-02, 14-XI-02, 04-II-03, 8-X-03, 27-X-04, 23-III-05, 13-IX-07, 23-II-09, 1-VI-09, 10-VIII-09 y 24-VIII-09).

Acuerdo que establece las reglas para la presentación de solicitudes ante el Instituto Mexicano de la Propiedad Industrial. Arts. 34 (D.O.F. 14-XII-94, reformas D.O.F. 22-III-99, 14-XII-00, 20-VI-03 y 11-VII-03).

Acuerdo por el que se establecen los plazos máximos de respuesta a los trámites ante el IMPI. Art. 3, fracción V (D.O.F. 10-XII-96).

Acuerdo por el que se dan a conocer los horarios de trabajo del Instituto Mexicano de la Propiedad Industrial. Arts. 3 y 6. (D.O.F. 31-III-99).

Documentos anexos:

Comprobante de pago de la tarifa (original y copia).

Documento mediante el cual se acredita la personalidad del mandatario (original o copia certificada) o, en su caso, copia simple de la constancia de inscripción en el Registro General de Poderes del IMPI.

Tiempo de respuesta: El plazo de primera respuesta es de 4 meses. No aplica la negativa ni la positiva ficta.

Número telefónico para quejas:

Órgano Interno de Control en el Instituto Mexicano de la Propiedad Industrial: 5624-04-12 ó 13 (directo), 5624-04-00 (conmutador)

Extensiones: 11237 y 11231, Fax: 5624-04-35

Correo electrónico: quejanet@impi.gob.mx

Para cualquier aclaración, duda y/o comentario con respecto a este trámite, sírvase llamar al Sistema de Atención Telefónica a la Ciudadanía-SACTEL a los teléfonos: 20002000 en el D.F. y área metropolitana, del interior de la República sin costo para el usuario al 01-800-FUNCION (386-2466) o desde Estados Unidos y Canadá al 1-800-475-23-93.

Número telefónico del responsable del trámite para consultas: 53-34-07-00 en el D.F. y área metropolitana, del interior de la República sin costo para el usuario 01-800-570-59-90, extensiones 10120, 10124 y 10182, o bien, consultar la página en Internet : www.impi.gob.mx

FORMATO ELECTRÓNICO DE PAGOS POR SERVICIOS

Instituto Mexicano de la Propiedad Industrial



MERCEDES RUE 3108
COL. JARDINES DEL PEDREGAL
DEL. SC. ALVARO OBREGÓN
01900 MÉXICO, D.F.
RFC: 847-931211-NE1

NUMERO DE FOLIO
10006865462



10006865462

CONCEPTO	CANTIDAD	ARTICULO TARIFA	IMPORTE
Por la renovación de un registro de marca, por cada clase	1	14b	\$2,433.41
<p>Instituto Mexicano de la Propiedad Industrial</p> <p>MARCA</p> <p>Registro: 0424328 Expediente: 0128550 Folio: 0210580 FECHA: 11/11/2011 HORA: 12.32 DENOMINACION TOEIC BSO: RENOVACION</p>			
<p>PAGO EN UNA SOLA EXHIBICION</p>			
50% DE DESCUENTO		TOTAL TARIFA	\$2,433.41
NO APLICA		I.V.A	\$389.35
		SUBTOTAL	\$2,822.76
		ACTUALIZACION	\$0.00
		RECARGOS	\$0.00
		TOTAL A PAGAR	\$2,822.76

— DOS MIL OCHOCIENTOS VEINTIDOS PESOS 76/100 MN —

LA REPRODUCCION NO AUTORIZADA DE ESTE COMPROMISANTE CONSTITUYE UN DELITO EN LOS TERMINOS DE LAS DISPOSICIONES FEDERALES

Sello Este documento es una representación impresa de un CFD
 mMVkQT3joZWdymWGvm9w46Qf4aEmLIRP96WipfSvoJi2YGGTf7bh3+CRYPbkjy34Bc9ID9TcFjzEdmm7wqiAglcdT3n7VUQ+1Lp5yDx6nCzPRq17Ow
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Cadena Original
 [[2.0]558535]2011-11-11T09:55:47[1586]2006[ingreso]Pago una sola exhibición[2433.41]2822.76[IMP931211NE1][Instituto Mexicano de la Propiedad Industrial][Periférico Sur][3106][Jardines del Pedregal][Ciudad de México][Luis Cabrera][Alvaro Obregón][Distrito Federal][México][01900][XEXX010101000]EDUCATIONAL TESTING SERVICE[Rosedale Road][Princeton, New Jersey, EUA][SIN DATO][SIN DATO][México][08541][1]PZA[14b][2433.41][2433.41][IVA][16.00][389.35][389.35]

ANOTACIONES
Mr. 424328 TOEIC

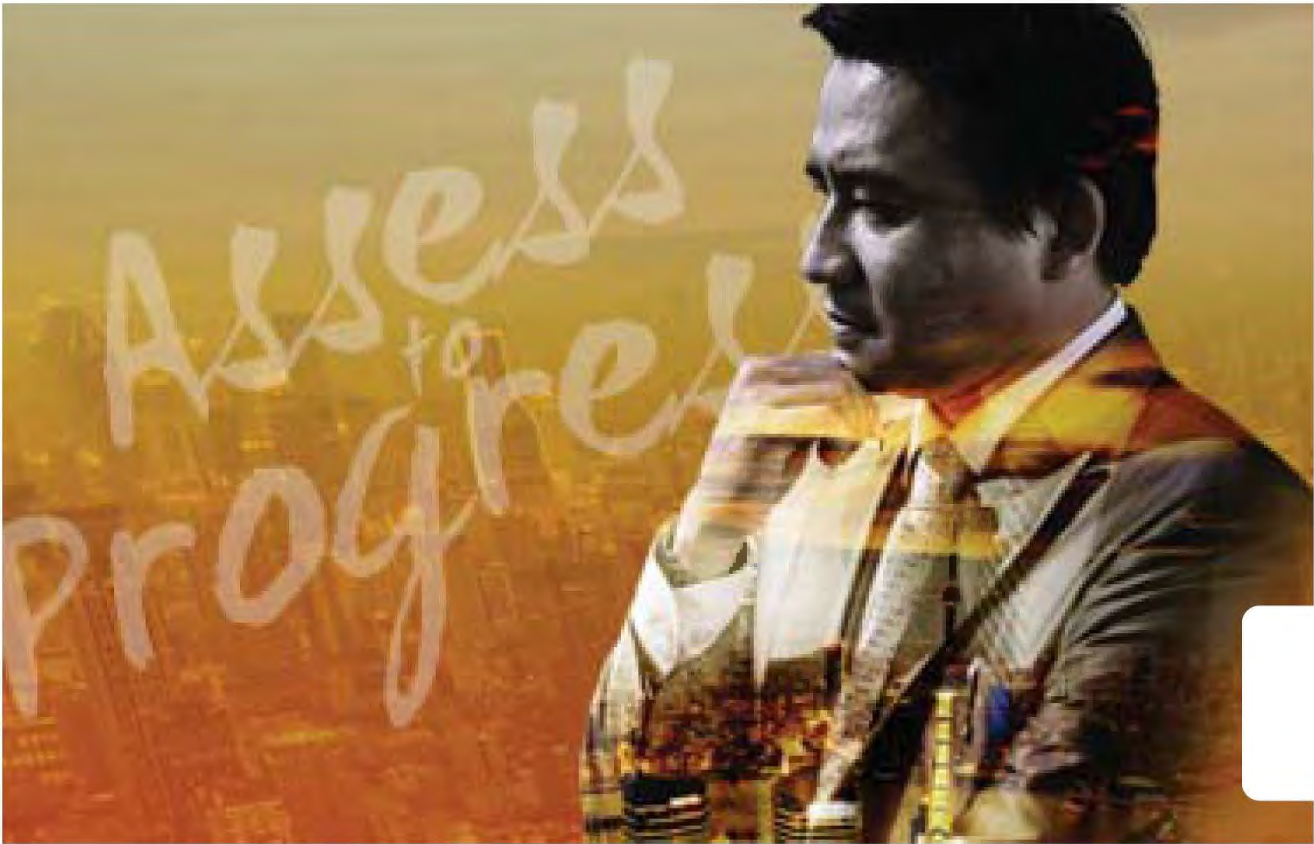
Factura No:556535
Número de Certificado:00001000000101854244
Número de aprobación:1586
Año de aprobación:2006
Fecha:2011-11-11T09:55:47

DATOS DEL TITULAR O SOLICITANTE
 NOMBRE: EDUCATIONAL TESTING SERVICE
 DIRECCIÓN: Calle. Rosedale Road No.Ext. . No.Int. . Col. Princeton, New Jersey, EUA CP.08541 SIN DATO SIN DATO
 RFC: XEXX010101000

BANCO
 Scotiabank Inverlat
 CONVENIO: 133
 FECHA DE OPERACION: 2011-11-11.10.13. 27. 0
 FOLIO INTERNET: 231871

491279486

EXHIBIT D



The *TOEIC*[®] Program

The Global Leader in English-language Assessment for the Workplace

Now more than ever, English proficiency is a necessity in the global work environment.

Whether you are an individual who wants to stand out against the competition or an organization seeking to build a more skilled team or prepare work-ready students, the *TOEIC*[®] program can help you achieve your goal.

As the industry leader, the *TOEIC* program has set the standard for assessing English-language skills needed in the workplace for over 35 years. **With about 7 million tests administered every year, the *TOEIC* tests are the most widely used around the world. 14,000+ organizations across more than 160 countries trust *TOEIC* scores to make decisions.**

I am ...



A Test Taker



An Organization

The TOEIC Program



TOEIC® Listening and Reading Test

Assesses the English-language listening and reading skills needed in the workplace and everyday life

[Learn more](#)



TOEIC® Speaking and Writing Tests

Demonstrate English-language speaking and writing proficiency in the workplace and everyday life

[Learn more](#)



TOEIC Bridge® Test

Measures English-language proficiency for beginner to intermediate learners

[Learn more](#)

Teaching, Learning and Test Preparation Resources

The TOEIC program offers various teaching and preparation resources for the TOEIC tests. These resources support the success of test takers through both individual learning products aimed at test takers and products that support English-language teaching.

[For Test Takers](#)

[For Organizations](#)



TOEIC Program Client Spotlight Series

Learn how leading global organizations use the TOEIC program to enable better performance results and positive organizational impact. Read about their successes and find out how you too can benefit from the TOEIC program.

[View all spotlight stories](#)

The Language of Hospitality

"We believe the TOEIC exam will effectively improve our employees' English-language skills, providing a solid foundation for China Southern Airlines' international operations."

— **Li Tongjiang,**

Vice General Manager of HR, China Southern Airlines

Registration for Test Takers

See test dates and times and learn how to register for your test.

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and Reading Test](#)

[TOEIC Speaking
and Writing Tests](#)

[TOEIC Bridge Test](#)

Order the TOEIC Tests for Your Organization

Contact your local ETS Preferred Network (EPN) member to schedule a testing session at your location.

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office](#)

TOEIC Research

See how ETS's unwavering commitment to research helps support the quality of the TOEIC tests.

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Principles of Quality Assessments

Watch this informative motion graphic video to learn about the underlying key principles of the TOEIC Program.

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EXHIBIT E



WIPO Arbitration and Mediation Center

ADMINISTRATIVE PANEL DECISION

Educational Testing Service v. Ken Gardner, Vancouver English Centre

Case No. D2018-1118

1. The Parties

The Complainant is Educational Testing Service of Princeton, New Jersey, United States of America ("United States"), represented by Jones Day, United States.

The Respondent is Ken Gardner, Vancouver English Centre of Vancouver, British Columbia, Canada.

2. The Domain Names and Registrar

The disputed domain names <toefl-canada.com>, <toefl-preparation.com>, <toefl-usa.com>, <toefl-vancouver.org>, <toeic-canada.com>, <toeic-canada.org>, and <toeic-vancouver.org> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 17, 2018. On May 18, 2018, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 21 and 30, 2018, the Registrar transmitted by email to the Center its verification responses confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on May 31, 2018. In accordance with the Rules, paragraph 5, the due date for Response was June 20, 2018. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 21, 2018.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on July 3, 2018. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a large private non-profit educational testing and assessment organization that since 1964 develops and manages well-known English proficiency tests, including TOEFL and TOEIC.

The TOEFL and TOIC tests are made available worldwide by the Complainant and administered by authorized institutions under contract with the Complainant.

The Complainant has also developed numerous TOEFL and TOEIC test preparation products and services, including but not limited to, print publications, compact discs, computer software, and online writing exercises, offered for sale worldwide on its official website and on the websites of the Complainant's authorized business partners for the TOEFL and TOEIC tests, which are accessible through the domain names <toefl.org>, <toefl.com>, <toefl.net>, <toeflgoanywhere.org> and <toeflgoanywhere.com>, as well as <toeic.com>, <toeic.net> and <toeic.org>. There, the Complainant and its business partners also provide general information about the TOEFL and TOEIC tests, as well as registration information for taking the tests anywhere it is available in the world. The Complainant also owns numerous other domain names comprising the terms "toefl" or "toeic".

The Complainant first applied to register the TOEFL trademark in the United States in 1978, indicating first use of the TOEFL mark in 1964 (United States Reg. No. 1,103,427, registered October 3, 1978). The Complainant first applied for the TOEIC trademark in 1979 in the United States, indicating first use of the TOEIC mark in 1979 (United States Reg. No. 1,119,169, registered March 9, 1982). Currently the Complainant holds numerous trademark registrations for TOEFL and TOEIC trademarks in several countries throughout the world, for various products and services related to educational testing.

The disputed domain names were registered by the Respondent in the following dates:

- <toefl-canada.com> on December 6, 1999;
- <toefl-preparation.com> on December 6, 1999;
- <toefl-usa.com> on December 6, 1999;
- <toefl vancouver.org> on March 27, 2001;
- <toeic-canada.com> on March 2, 2000;
- <toeic-canada.org> on March 27, 2001; and
- <toeic-vancouver.org> on March 27, 2001.

The Panel accessed the disputed domain names on July 12, 2018, which resolved to websites reproducing the Complainant's trademarks TOEFL or TOEIC, advertising the Respondent's services related to preparation for TOEFL or TOEIC exams. Specifically, the websites at the disputed domain names <toefl preparation.com>, <toeic-canada.com>, <toeic-canada.org> and <toeic-vancouver.org> contain a small disclaimer stating that TOEFL and TOEIC are registered trademarks of the Complainant and that the said websites are not endorsed or approved by the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant makes the following contentions:

- The disputed domain names are identical or confusingly similar to trademarks in which the Complainant has rights. All of the disputed domain names incorporate the TOEFL or TOEIC marks in their entireties. It has been well-established by previous UDRP decisions that a domain name incorporating a distinctive trademark in its entirety creates sufficient similarity between the mark and the disputed domain name so as to render it confusingly similar. Moreover, the mere addition of the generic and geographic terms "vancouver", "canada", "preparation" and "usa" to the TOEFL and TOEIC marks does not decrease the confusing similarity arising from the incorporation of those marks in their entireties. In fact, the addition of the geographic terms "vancouver", "canada" and "usa" actually increases rather than mitigates the likelihood of confusion since users would believe that the disputed domain names are the official TOEFL and TOEIC websites for the United States, Canada, or Vancouver areas. And the term "preparation" is descriptive of the test preparation materials provided by the Complainant. Furthermore, the Respondent's disclaimers at the very bottom of some of the websites associated with the disputed domain names do not diminish the likelihood of confusion that arises with the use of the TOEFL and TOEIC marks in the disputed domain names. When Internet users have access to the website associated with the disputed domain names, they have already been misled into a website that purports to be associated with the Complainant, rendering the disclaimer contained in the website useless. Finally, given that the websites associated with the disputed domain names reproduce and display the Complainant's trademarks, the registration and use of the disputed domain names is clearly intended to cause consumers to falsely believe that the disputed domain names are official websites, owned by the Complainant.

- The Respondent has no rights or legitimate interests in respect of the disputed domain names. As noted in previous panel decisions, the Complainant must only establish a prima facie case that the Respondent lacks rights or legitimate interests in a domain name in order to shift the burden of proof to the Respondent. First, the Respondent is not a licensee of or otherwise affiliated with the Complainant. The Complainant has never authorized or otherwise condoned or consented to the Respondent's registration of the disputed domain names. From the beginning the Complainant advised the Respondent that maintenance of these confusingly similar domain names was not authorized. Moreover, the Respondent is not now, and never was, commonly known by any of the disputed domain names. Rather, the Respondent operated under the name "Vancouver English Center". Furthermore, although the Respondent did provide test preparation courses for the Complainant's TOEFL and TOEIC tests, the use of the Complainant's marks in the disputed domain names was not necessary for any legitimate noncommercial or fair use purpose. The Respondent could have just as easily advertised his business on a website with the name of the business, e.g., <vancouverenglishcenter.com>. Rather than using the disputed domain names in connection with a bona fide offering of goods or services, or otherwise using the disputed domain names for any legitimate purpose, the Respondent registered and operated the disputed domain names in an attempt to deceive Internet users into thinking that the Respondent was affiliated with the Complainant, both before and after the Respondent had any affiliation with the Complainant. Furthermore, since the Final Non-Compliance Notice was sent in January 2016, the Respondent was on notice that he did not have the Complainant's permission to use the disputed domain names. And since the Respondent's English Center closed down in May 2017, he certainly does not have any rights or legitimate interests in the domains. The Respondent's inclusion of a disclaimer at the very bottom of some of the websites associated with the disputed domain names does not diminish the likelihood of confusion. Users seeking information regarding the TOEFL and TOEIC tests would access the Respondent's websites without previously knowing that the websites were not affiliated with the Complainant. Furthermore, <toefl-vancouver.org>, <toeic-vancouver.org>, and <toeic-canada.org> are currently inactive. Prior Panels have repeatedly found that inactive websites fail to establish that the Respondent has made a bona fide offering of goods or services or preparations to make such an offering.

- The disputed domain names were registered and are being used in bad faith. The Respondent's actions constitute numerous instances of bad faith as set forth in paragraph 4(b) of the Policy. As an initial matter, the Respondent clearly knew of the Complainant's well-known TOEFL and TOEIC marks at the time he registered

and used the disputed domain names. The Respondent registered the first disputed domain name on December 6, 1999, more than 30 years after the Complainant began using the TOEFL mark, and 20 years after it began using the TOEIC mark. The Respondent also clearly knew of the Complainant's rights to the Complainant's marks at the time he registered and used the disputed domain names, as evidenced by the Respondent's disclaimer of affiliation with the Complainant (visible only on some of the websites and only once users have been misled to the websites by a confusingly similar domain name). Such knowledge is sufficient to establish that the disputed domain names were appropriated and used by the Respondent in bad faith. Moreover, the Respondent has demonstrated bad faith by intentionally attempting to attract, for commercial gain, Internet users to the website associated with the disputed domain names by creating a likelihood of confusion with the Complainant's TOEFL and TOEIC marks. The Respondent has registered the disputed domain names to attract Internet users to his websites under the belief that the Respondent's websites are authorized by or associated with the Complainant, and to profit from sales of test preparation services through those websites. Such use amounts to clear and blatant bad faith registration of the disputed domain names for commercial gain. Moreover, the Complainant warned the Respondent repeatedly that his conduct violates the Policy and infringes its rights to the TOEFL and TOEIC marks. The Respondent's failure to answer the letters sent to him in 2017 requesting that he transfer the disputed domain names lends additional support to a finding of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

- (i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) The respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) The disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Panel has no doubt that "toeff" and "toeic" are terms directly connected with the Complainant's trademarks.

Annex 7 to the Complaint shows trademark registrations for TOEFL and TOEIC registered in the United States as long ago as in 1978 and in 1982. Annexes 8 and 9 describe several other TOEFL and TOEIC trademarks obtained by the Complainant in Canada and in numerous other countries.

The trademarks TOEFL and TOEIC are wholly encompassed within the disputed domain names. The disputed domain names differ from the Complainant's trademarks TOEFL and TOEIC by the inclusion of the suffixes "-canada", "-preparation", "-usa" and "vancouver", as well as of the generic Top-Level Domain ("gTLD") extensions ".com" or ".org".

Previous UDRP decisions have found that the mere addition of symbols (such as a hyphen), as well as of descriptive expressions (such as "preparation", in the context of educational testing) or geographical terms (such as "usa" – that usually corresponds to the acronym of the United States of America –, "canada" and "vancouver") to a trademark in a domain name does not avoid a finding of confusing similarity (see, e.g., BHP Billiton Innovation Pty Ltd v. Oloyi, WIPO Case No. D2017 0284; Allianz SE v. IP Legal, Allianz Bank Limited,

WIPO Case No. D2017 0287; Inter-IKEA Systems B.V. v. Evezon Co. Ltd., [WIPO Case No. D2000-0437](#); The British Broadcasting Corporation v. Jaime Renteria, WIPO Case No. D2000 0050; Volvo Trademark Holding AB v. SC-RAD Inc., [WIPO Case No. D2003-0601](#); Wal-Mart Stores, Inc. v. Lars Stork, [WIPO Case No. D2000-0628](#); and America Online, Inc. v. Dolphin@Heart, WIPO Case No. D2000 0713).

It is also already well established that the addition of gTLD extensions such as “.com” or “.org” are typically irrelevant when determining whether a domain name is confusingly similar to a complainant’s trademark.

As a result, the Panel finds that the disputed domain names are confusingly similar to the Complainant’s trademarks, and that the Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides some examples without limitation of how a respondent can demonstrate rights or legitimate interests in a domain name:

- (i) before receiving any notice of the dispute, the respondent used or made demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services; or
- (ii) the respondent has been commonly known by the domain name; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark at issue.

Based on the Respondents’ default and on the prima facie evidence in the Complaint, the Panel finds that the above circumstances are not present in this particular case and that the Respondent has no rights or legitimate interests in the disputed domain name.

Although the Respondent registered the disputed domain names more than fifteen years ago, the TOEFL and TOEIC trademarks were registered by the Complainant decades before. Furthermore, the Complainant showed its dissatisfaction with the registration and use of its trademarks to compose the disputed domain names from the outset, as indicated by the cease-and-desist letter sent in 2003, concerning the “Improper use of ETS trademarks on various websites”.

It is also to be noted that, as the Complainant himself acknowledges, for a certain period the use of the TOEFL and TOEIC marks in the context of the websites linked to the disputed domain names had been regulated by Complainant. However, shortly thereafter, the Respondent failed to meet the conditions set forth by the Complainant. Moreover, in recent years the Respondent has repeatedly been notified of the inadequacy of its websites and of the misuse of the trademarks TOEFL and TOEIC on the disputed domain names. Finally, it was evidenced that at this moment the Respondent is no longer operating, which prevents concluding that the Respondent is using the disputed domain names in connection with a bona fide offering of goods or services.

According to the [WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition](#) (“WIPO Overview 3.0”), Panels tend to assess claimed respondent rights or legitimate interests in the present, i.e., with a view to the circumstances prevailing at the time of the filing of the complaint. Without prejudice to the complainant’s duty to establish that a domain name has been registered and used in bad faith, a respondent claiming a right or legitimate interest in a domain name for example based on a prior agreement or relationship between the parties or based on past good-faith use (thus demonstrating merely a past right or legitimate interest) would not necessarily have rights or legitimate interests in the domain name, at the time a decision is rendered.

Currently, the Complainant has not licensed or authorized the usage of its trademarks to the Respondent to compose the disputed domain names, and it does not appear from the present record that the Respondent is commonly known by the disputed domain names.

Consequently, the Panel is satisfied that the Respondent has no rights or legitimate interests in the disputed domain names, and the Complainant has proven the second element of the Policy.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy states that the following circumstances in particular, but without limitation, shall be evidence of registration and use of a domain name in bad faith:

(i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

When the disputed domain names were registered by the Respondent (between 1999 and 2001) the trademarks TOEFL and TOEIC were already well-known and directly connected to the Complainant's language proficiency tests.

Also, the contents published at the disputed domain names make direct references to the Complainant's services and products, reproducing the Complainant's trademarks TOEFL and TOEIC.

Therefore, the Panel concludes that it would not be possible to consider that the Respondent – at the time of the registration of the disputed domain name – could not have been aware of the Complainant's trademarks.

The cease-and-desist letter sent to the Respondent in 2003 makes clear that the Complainant had not initially agreed with the use of its trademarks TOEFL and TOEIC to compose the disputed domain names.

Even if at some point the use of these marks on the websites at the disputed domain names had been regulated by Complainant, the evidence in this case makes it clear that this condition has not existed for a long time.

In recent years, repeating what happened at the time of registration of the disputed domain names, the Respondent has been successively challenged to cease the use of the TOEFL and TOEIC marks, without presenting any answer or justification to the Complainant.

The use of the Complainant's well-known trademarks TOEFL and TOEIC to compose the disputed domain names, together with a descriptive term such as "preparation" or with geographic indications such as "usa", "canada" and "vancouver" clearly creates a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites or disputed domain names.

Some of the disputed domain names present a disclaimer stating that TOEFL and TOEIC are registered trademarks of the Complainant and that the said websites are not endorsed or approved by the Complainant. However, in addition to the fact that this reference is not being present in all websites at the disputed domain names, according to the [WIPO Overview 3.0](#), the mere existence of a disclaimer cannot cure a finding of bad faith, especially where the overall circumstances of a case point to the respondent's bad faith. In such cases, panels may consider the respondent's use of a disclaimer as an admission by the respondent that users may be confused.

The passive holding of some of the disputed domain names does not prevent a finding of bad faith.

Finally, the passive and non-collaborative posture of the Respondent, not at least providing justifications for the use of the Complainant's trademarks certainly cannot be used in benefit of the Respondent in the present case.

Accordingly, the Panel finds that the Complainant has met its burden under the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <toefl-canada.com>, <toefl-preparation.com>, <toefl-usa.com>, <toefl-vancouver.org>, <toeic-canada.com>, <toeic-canada.org>, and <toeic-vancouver.org> be transferred to the Complainant.

Rodrigo Azevedo
Sole Panelist
Date: July 17, 2018



WIPO Arbitration and Mediation Center

ADMINISTRATIVE PANEL DECISION

Educational Testing Service v. Van Xuan Ngoc

Case No. D2018-0579

1. The Parties

The Complainant is Educational Testing Service of Princeton, New Jersey, United States of America ("USA"), represented by T&G Law Firm LLC, Viet Nam.

The Respondent is Van Xuan Ngoc of Ha Noi, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <toeic365.com> (the "Domain Name") is registered with Nhan Hoa Software Company Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 16, 2018. On March 16, 2018, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 19, 2018, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Complaint was submitted in the English language. The language of the Registration Agreement for the Domain Name is Vietnamese. On March 20, 2018, the Center sent an email communication to the Parties in both English and Vietnamese regarding the language of the proceeding. On March 23, 2018, the Complainant requested that English be the language of the proceeding as submitted in the Complaint. The Respondent did not reply to the Center's communication regarding the language of the proceeding or the Complainant's submission.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 26, 2018. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2018. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 18, 2018.

The Center appointed Linda Chang as the sole panelist in this matter on May 8, 2018. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a non-profit educational testing and assessment organization in the United States and develops, administers and scores more than 50 million tests per year in more than 180 countries and 9,000 locations. Well-known tests developed by the Complainant or its related companies include the TOEIC test, which the Complainant has been administering since 1979. The Complainant has developed numerous TOEIC test preparation products and services, including but not limited to print publications, compact discs, computer software and online writing exercises, and offers for sale worldwide including on its official websites and websites of its business partners.

The Complainant holds numerous trademark registrations of the TOEIC mark, including trademark registration No. 1191669 registered in the United States in Classes 16 and 42 as of March 9, 1982, and trademark registration No. 14847 registered in Classes 9, 16 and 41 in Viet Nam as of December 31, 1994.

The Domain Name was registered on August 26, 2013, and does not resolve to any active website at the moment. The Domain Name previously resolved to a website in English and Vietnamese offering competing services to the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant asserts that the Domain Name is confusingly similar to its TOEIC trademark notwithstanding the addition of the generic term "365" and the generic Top-Level Domain ("gTLD") ".com".

The Complainant argues that the Respondent is not a licensee of or affiliated with the Complainant, and the Complainant has never authorized or condoned or consented to the Respondent's registration of the Domain Name. The Respondent thus has no rights or legitimate interests in respect of the Domain Name.

The Complainant contends that the Respondent clearly knew of the TOEIC trademark at the time of registering the Domain Name and is trying to attract Internet users to its website in order to profit from sales of its TOEIC test preparation services. The Respondent therefore registered and is using the Domain Name in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Language of the Proceeding

The Complainant requested for English to be the language of the proceeding. Arguments include that the Respondent has the ability to understand English and the Complainant would be unfairly disadvantaged by being forced to translate.

Under paragraph 11(a) of the Rules, the language of the proceeding shall be the language of the registration agreement, unless both parties agree otherwise, or the registration agreement specifies otherwise, or the panel determines otherwise. Paragraph 11(a) of the Rules further allows the Panel to determine the language of the proceeding by taking into account all relevant circumstances.

In the present case, the Panel notices that: 1) the Registrar has confirmed that the registration agreement is in Vietnamese; 2) the Respondent resides in Viet Nam; and 3) the website associated with the Domain Name used to resolve to a website displaying contents in Vietnamese.

The Panel however also notices that the Respondent is offering TOEIC test preparation service through the website associated with the Domain Name, including holding online tests and selling documents related to the TOEIC test. It should be fair inference that the Respondent perfectly understands English so that it is capable of selecting and categorizing these English tests and documents before uploading and selling them online.

Besides, the Respondent has been notified of the proceeding in both Vietnamese and English, and provided with the opportunity to object to the use of English as the language of the proceeding.

Having considered all the circumstances, the Panel finds that the Respondent would not suffer undue prejudice as a result of the language of the proceeding being English. In order not to unduly burden the Parties and unduly delay the proceeding, the Panel determines the language of the proceeding shall be English and the decision will be rendered in English.

B. Identical or Confusingly Similar

It is clear on the submitted evidence that the Complainant has rights over the trademark TOEIC throughout the world, including in Viet Nam where the Respondent resides.

The Panel views that the dominant part of the Domain Name is "toeic365". "365" is a term commonly used to refer to 365 days in a year, and such addition cannot avoid the finding of confusing similarity. The Panel further finds that ".com" being the gTLD is not a distinguishing factor and does not affect the domain name under the confusingly similarity test.

Accordingly, the Panel holds the Domain Name is confusingly similar to the Complainant's trademark TOEIC, and the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

C. Rights or Legitimate Interests

The Complainant contends that the Respondent is not its licensee nor affiliated with it. The Complainant has never authorized or condoned or consented to the Respondent's registration of the Domain Name.

The Domain Name used to resolve to a competing website for TOEIC test preparation services without authorization of the Complainant. The Panel does not consider it legitimate noncommercial or fair use of the Domain Name under the Policy, nor, for the reasons discussed in the following section, a *bona fide* offering of goods or services. Accordingly, the Panel determines that there is no indication that the Respondent may have rights or legitimate interests in respect of the Domain Name.

The Panel is satisfied that the Complainant has established *prima facie* evidence that the Respondent has no rights or legitimate interests in respect of the Domain Name under paragraph 4(c) of the Policy, and the burden of production shifts to the Respondent. See *International Hospitality Management – IHM S.p.A. v. Enrico Callegari Ecostudio*, [WIPO Case No. D2002-0683](#). The Respondent however chose not to prove its rights or legitimate interests in the Domain Name by responding to this Complaint.

For all of the above reasons, the Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the Domain Name.

D. Registered and Used in Bad Faith

The Complainant has trademark registrations of the mark TOEIC worldwide, and developed tremendous goodwill in the trademark TOEIC.

Given the goodwill and fame the Complainant and the trademark TOEIC has gained worldwide, the Panel finds it implausible that the Respondent chose the Domain Name serendipitously and without knowledge of the TOEIC trademark. The Respondent's awareness of the trademark TOEIC when registering the Domain Name could be further evidenced by its offering of TOEIC test preparation services on the website. The Panel thus concludes that the Respondent's obvious awareness of the trademark TOEIC at the time of registering the Domain Name constituted opportunistic bad faith registration. See *Deutsche Bank AG v. Diego-Arturo Bruckner*, [WIPO Case No. D2000-0277](#).

The Panel agrees that the Respondent intentionally chose the trademark TOEIC to register the Domain Name and later used it to offer TOEIC test related services in a manner which mimics the Complainant and causes confusion as to the source of the services. By using the Domain Name, the Respondent is intentionally attempting to attract, for commercial gain, Internet users to its own website, by creating a likelihood of confusion with the Complainant's trademark TOEIC as to the source, sponsorship, affiliation, or endorsement of its own website or of a product or service on the website.

Finally, the Respondent's failure to respond to this Complaint and the warning letter from the Complainant is further indicative of bad faith. See *The Argento Wine Company Limited v. Argento Beijing Trading Company*, [WIPO Case No. D2009-0610](#), "The failure of the Respondent to respond to the Complaint further supports an inference of bad faith (*Bayerische Motoren Werke AG v. (This Domain is For Sale) Joshuathan Investments, Inc.*, [WIPO Case No. D2002-0787](#))".

In light of the above facts and reasons, the Panel therefore determines that the Domain Name was registered and is being used in bad faith pursuant to the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <toeic365.com> be transferred to the Complainant.

Linda Chang
Sole Panelist
Date: June 1, 2018



WIPO Arbitration And Mediation Center

ADMINISTRATIVE PANEL DECISION

Educational Testing Service v. Truong Huy / Bill Huy / Huy Truong, toefltestonline / Truong Huy, Think Big / Huy, Think Big

Case No. D2017-2547

1. The Parties

The Complainant is Educational Testing Service of Princeton, New Jersey, United States of America ("United States" or "US"), represented by Jones Day, US.

The Respondent is Truong Huy of Downers Grove, Illinois, US / Bill Huy of Ha Noi, Viet Nam / Huy Truong, toefltestonline of Ha Noi, Viet Nam / Truong Huy, Think Big of Ha Noi, Viet Nam / Huy, Think Big of Ha Noi, Viet Nam (collectively the "Respondent").

2. The Domain Names and Registrars

The disputed domain names <toefl-books.com> and <toefltestonline.net> are registered with Domain.com, LLC. The disputed domain names <toeflplanet.com> and <wikitoeflibt.com> are registered with PDR Ltd. d/b/a PublicDomainRegistry.com. The disputed domain name <toefltips.info> is registered with GoDaddy.com, LLC. The disputed domain names <toeicmateiral.com> and <toeicmateiral.net> are registered with DNC Holdings, Inc. The disputed domain name <wiki-toefl.com> is registered with NameCheap, Inc. The disputed domain names are referred to herein as the "Domain Names".

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 21, 2017. On December 21, 2017, the Center transmitted by email to the Registrars a request for registrar verification in connection with the Domain Names. On December 22, 2017, December 23, 2017, and December 26, 2017, the respective registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the Domain Names which differed from the named Respondent and contact information in the Complaint. On December 23, 2017, the Registrar eNom, Inc. transmitted by email to the Center its verification response, confirming that the Domain Name <wiki-toefl.com> was registered with it and placed under lock status, and disclosing registrant and contact information for the Domain Name which differed from the named Respondent and contact information in the Complaint. In response to a notification by the Center that the Complaint was administratively deficient, the Complainant filed an amended Complaint on January 6, 2018.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 10, 2018. In accordance with the Rules, paragraph 5, the due date for Response was January 30, 2018. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 31, 2018.

Despite the Registrar eNom, Inc.'s confirmation that the Domain Name <wiki-toefl.com> was locked and registered with it, the Center learned that the Domain Name had become registered at the Registrar NameCheap, Inc. and on February 2, 2018 requested that NameCheap, Inc. confirm the lock for the duration of these proceedings. On February 5, 2018, the Registrar NameCheap, Inc. confirmed the domain name lock.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on February 5, 2018. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

On February 16, 2018, the Panel instructed the Center to request Registrar Verification from the Registrar NameCheap, Inc. in relation to the Domain Name <wiki-toefl.com>, which it did on the same day. On February 16, 2018, the Registrar NameCheap, Inc. confirmed the same registrant details previously confirmed by the Registrar eNom, Inc. for the Domain Name <wiki-toefl.com>.

4. Factual Background

The Complainant is a nonprofit corporation organized under the law of the US State of New York and is headquartered in New Jersey. According to the Complaint, the Complainant is the world's largest private, nonprofit educational testing and assessment organization. It develops, administers, and scores more than 50 million tests per year, in more than 180 countries and 9,000 locations worldwide. These examinations are known by their English acronyms and include the TOEFL (Teaching of English as a Foreign Language) test, TOEFL iBT (the TOEFL Internet Based Test), TOEFL ITP (the TOEFL Institutional Testing Program paper-based tests), and the TOEIC (Test of English for International Communication). These are described and promoted on the Complainant's main website at "www.ets.org" and related mobile apps and social media sites.

The TOEFL test has been used since 1964 to measure proficiency in the English language for college admissions and teaching positions. The TOEFL iBT test, administered online, was launched in 2005. The TOEIC, used by employers and job seekers, has been available since 1979. The Complainant distributes numerous test preparation products and services relating to its TOEFL and TOEIC tests.

The Complainant holds numerous trademark registrations consisting of TOEFL or TOEIC, including these:

MARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE
TOEFL	United States	1103427	October 3, 1978
TOEIC	United States	1191669	March 9, 1982
TOEFL	Viet Nam	14687	December 19, 1994
TOEIC	Viet Nam	14847	December 31, 1994

The Complainant has also registered hundreds of domain names incorporating the TOEFL and TOEIC marks (as evidenced in an annex to the Complaint), such as the following: <toeftips.guru>, <toeflonlinetest.com>, <toeflexamtips.com>, <toeflexamonline.com>, <freetoeicmaterials.com>, <onlinetoeicetest.com>, <toeftoeiconline.com>. These are typically used to redirect visitors to the TOEFL or TOEIC pages of the Complainant's main website.

The Domain Names were registered on dates ranging from August 22, 2016 to April 27, 2017. The Domain Names <toefl-books.com>, <toeflplanet.com>, and <toefltestonline.net> redirect to the same website associated with the Domain Name <wiki-toefl.com> (the "Respondent's website"). At the time of this Decision, the Domain Name <toeftips.info> resolves only to the registrar's parking page with pay-per-click ("PPC") advertising links, and the other three Domain Names do not resolve to an active website.

The Respondent's website, which is in the English language, was formerly headed with the Complainant's trademarked ETS and TOEFL logos and advertised test preparation materials, along with unrelated third-party advertising. Following communications from the Complainant in November 2017, the Respondent changed its website to display at the top a "WIKI TOEFL" logo that is similar in shape and color scheme to the Complainant's ETS and TOEFL logos. The Respondent's website continues to display the TOEFL marks, with no disclaimer of affiliation with the Complainant.

The website operator is not identified in relation to the Complainant. The "About Us" section at the bottom of the home page of the Respondent's website reads as follows:

"Wiki-Toefl.com is a brand new blog dedicated to bringing the TOEFL Community together. It offers you free TOEFL Materials/ Books/Tips, Helps, Advice, Interactive Forum about TOEFL. From these pages I hope you can maximize your TOEFL score. WIKI TOEFL Material Team".

Although many materials on the website are free, others are promoted for a "free trial", and many of the books, materials, tutoring services, and unrelated goods and services are clearly offered on a commercial basis.

The Complaint recounts the Complainant's efforts to take down the Respondent's website, because of copyright infringements, as that website and a similar website formerly associated with one of the Domain Names were successively moved from one web hosting company to another. The Complaint also demonstrates that the US and Vietnamese postal addresses given for the Domain Name registrants are false.

5. Parties' Contentions

A. Complainant

The Complainant asserts that the Domain Names are confusingly similar to its registered TOEFL and TOEIC marks, respectively, which the Respondent has used without authorization or other right or legitimate interest.

The Complainant argues that its marks are well-known and long established and that the Respondent clearly targeted them for commercial gain, given the appearance and content of the Respondent's website. The Complainant cites the Respondent's inaccurate identification and evasive conduct as further evidence of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Preliminary Matter: Consolidation

As an initial matter, the Panel notes the complaint was filed against multiple respondents, and considers the Complainant's request to consolidate all eight Domain Names and their respective registrants in this proceeding. Previous UDRP panels considering similar consolidation requests examined whether the domain names or corresponding website are "subject to common control", and also whether such consolidation would be "fair and equitable to all parties". See [WIPO Overview of WIPO Panel Views on Selected UDRP Questions](#), Third Edition ("WIPO Overview 3.0"), [section 4.11.2](#). The registrants' names and postal addresses varied slightly, and five different registrars were used. There are persuasive reasons to believe, however, that the same person or persons are involved with all eight Domain Names. All of the registrants include the name "Huy" and give the same contact email address and/or telephone number. Furthermore, the Domain Names <toefl-books.com>, <toeflplanet.com>, <toefltestonline.net> and <wiki-toefl.com> redirect to the same website. The Panel also finds the consolidation fair and equitable to all parties, as the Respondent had the opportunity to object to the Complainant's request and declined to do so. Accordingly, the Panel grants the Complainant's request to consolidate all eight Domain Names in this proceeding.

Paragraph 4(a) of the Policy provides that in order to divest a respondent of a disputed domain name, a complainant must demonstrate each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Under paragraph 15(a) of the Rules, "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

B. Identical or Confusingly Similar

The Complainant indisputably holds registered TOEFL and TOEIC trademarks. Each of the Domain Names incorporates one of these distinctive and arbitrary marks in its entirety and adds generic words or initials, which do not avoid confusion. In fact, they tend to heighten confusion by using terms employed by the Complainant itself in its related domain names and on its website, such as "test", "online", "tips", "materials", "book", and "ibt".

The first element of a UDRP complaint “serves essentially as a standing requirement” and entails “a straightforward visual or aural comparison of the trademark with the alphanumeric string in the domain name”. See [WIPO Overview 3.0, section 1.7](#). The Panel concludes under this test that the Domain Names are all confusingly similar to the Complainant’s marks for purposes of the first element of the Policy.

C. Rights or Legitimate Interests

Paragraph 4(c) of the Policy gives non-exclusive examples of instances in which the Respondent may establish rights or legitimate interests in the Domain Names, by demonstrating any of the following:

- (i) before any notice to it of the dispute, the Respondent’s use of, or demonstrable preparations to use, the Domain Names or a name corresponding to the Domain Names in connection with a *bona fide* offering of goods or services; or
- (ii) that the Respondent has been commonly known by the Domain Names, even if it has acquired no trademark or service mark rights; or
- (iii) the Respondent is making a legitimate noncommercial or fair use of the Domain Names, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Since a respondent in a UDRP proceeding is in the best position to assert rights or legitimate interests in a disputed domain name, it is well established that after a complainant makes a *prima facie* case, the burden of production on this element shifts to the respondent to come forward with relevant evidence of its rights or legitimate interests in the domain name. See [WIPO Overview 3.0, section 2.1](#).

The Complainant demonstrates confusing similarity, and the Respondent has not offered evidence of rights or legitimate interests, nor are these evident from a review of the Respondent’s website. There is no evidence in the record that the Respondent is known by a name corresponding to any of the Domain Names. The website is commercial, in addition to providing free information about the Complainant’s tests. The website has misleadingly displayed the Complainant’s marks, featured links to both the Complainant and third parties, advertised third-party products and services, and failed to identify accurately the website operator and its relationship to the Complainant. The Respondent’s website itself shows that the Respondent is not making fair or legitimate use of the Complainant’s marks in the Domain Names. See [WIPO Overview 3.0, sections 2.4, 2.5](#).

The Panel concludes that the Complainant prevails on the second element of the Complaint.

D. Registered and Used in Bad Faith

The Policy, paragraph 4(b), furnishes a non-exhaustive list of circumstances that “shall be evidence of the registration and use of a domain name in bad faith”, including the following (in which “you” refers to the registrant of the domain name):

“(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.”

This example applies in the present circumstances. The Domain Names target the Complainant’s well-known and long established TOEFL and TOEIC marks, and four of the Domain Names are used for the Respondent’s website that advertises a variety of goods and services, some related to the Complainant’s tests and some

unrelated, with a misleading use of the Complainant's marks and content, as well as a lack of identification and a disclaimer of affiliation. Another Domain Name is parked for PPC advertising.

The remaining three Domain Names that do not yet resolve to an active website fit the commonly accepted criteria for a finding of bad faith under the "passive holding" doctrine articulated in *Telstra Corporation Limited v. Nuclear Marshmallows*, [WIPO Case No. D2000-0003](#), and following decisions: (i) highly distinctive and well known marks, (ii) a respondent that failed to respond or provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity and use of false contact details (in breach of ICANN-mandated terms in its registration agreement), and (iv) the implausibility of any good faith use for these Domain Names, especially given this Respondent's use of the other Domain Names to date. See [WIPO Overview 3.0, section 3.3](#).

The inference of bad faith is further supported by the Respondent's pattern of misleading and evasive measures to obscure its identity and contact details, move its website between a succession of hosting companies to avoid copyright infringement takedown notices, and avoid or ignore communications from the Complainant and the Center.

The Panel concludes on this record that the Respondent registered and used the Domain Names in bad faith within the meaning of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Names, <toefl-books.com>, <toeflplanet.com>, <toefltestonline.net>, <toefltips.info>, <toeicmateiral.com>, <toeicmateiral.net>, <wiki-toefl.com>, and <wikitoeflibt.com> be transferred to the Complainant.

W. Scott Blackmer
Sole Panelist
Date: February 19, 2018

EXHIBIT F

United States of America
United States Patent and Trademark Office

BRIDGES

Reg. No. 4,390,270

Registered Aug. 27, 2013

Int. Cls.: 16 and 28

TRADEMARK

PRINCIPAL REGISTER

THE MATH LEARNING CENTER (OREGON PUBLIC BENEFIT CORPORATION)
PO BOX 12929
SALEM, OR 97309

FOR: PRINTED INSTRUCTIONAL, EDUCATIONAL, AND TESTING MATERIALS IN THE
FIELD OF MATHEMATICS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-2-1999; IN COMMERCE 6-24-1999.

FOR: EDUCATIONAL MANIPULATIVE TOYS FOR TEACHING MATH PRINCIPLES, IN
CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 6-2-1999; IN COMMERCE 6-24-1999.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-191,617, FILED 12-6-2010.

GISELLE AGOSTO, EXAMINING ATTORNEY



Kevin Street
Acting Director of the United States Patent and Trademark Office

Int. Cl.: 16

Prior U.S. Cl.: 38

United States Patent and Trademark Office **Reg. No. 1,873,781**
Registered Jan. 17, 1995

**TRADEMARK
PRINCIPAL REGISTER**

THE BRIDGE

RELIGIOUS TECHNOLOGY CENTER (CALI-
FORNIA NON-PROFIT CORPORATION)
1710 IVAR AVENUE
LOS ANGELES, CA 90028

FOR: MAGAZINE, PERTAINING TO RELI-
GION, PHILOSOPHY AND EDUCATION, IN
CLASS 16 (U.S. CL. 38).

FIRST USE 0-0-1975; IN COMMERCE
0-0-1975.

OWNER OF U.S. REG. NOS. 1,054,317,
1,307,485, AND 1,307,548.

SER. NO. 74-265,220. FILED 4-13-1992.

LINDA E. BLOHM, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

BRIDGEWAY

Reg. No. 5,338,284

Registered Nov. 21, 2017

Int. Cl.: 16, 41

Service Mark

Trademark

Principal Register

Northeast Educational Associates (PENNSYLVANIA CORPORATION)
334 Second Street
Catasauqua, PENNSYLVANIA 18032

CLASS 16: Packaged kits comprising printed instructional, educational, and teaching materials for educational activities in the field of math, English and science for elementary school, middle school and high school students; Packaged kits comprising printed instructional, educational, and teaching materials for educational activities in the field of Math and English

FIRST USE 6-1-2002; IN COMMERCE 6-1-2002

CLASS 41: Education services, namely, pre-kindergarten through 12th grade classroom instruction, vocational instruction, mentoring, tutoring, classes, seminars and workshops for individuals with autism and other developmental disorders; On-line education credit and degree evaluation and comparison services; Organizing on-line exhibitions and conferences in the fields of education, culture, sports and entertainment for non-business and non-commercial purposes; Providing courses of instruction at the high school level for adult learners to earn a high school diploma; Teaching at elementary schools; Teaching at junior high schools; Teaching in the field of math, science, English and other high school subjects; Education services, namely, providing live and on-line classes in the field of Elementary, Middle, High School and College education; On-line academic library services; On-line educational parental training classes; Providing on-line religious instruction promoting Christian and family values

FIRST USE 6-1-2002; IN COMMERCE 6-1-2002

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 3989019

SER. NO. 87-225,737, FILED 11-03-2016



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

THE BRIDGE TO TOTAL FREEDOM

Reg. No. 5,086,706

RELIGIOUS TECHNOLOGY CENTER (CALIFORNIA non-profit corporation)
1710 Ivar Avenue

Registered Nov. 22, 2016

Los Angeles, CA 90028

Int. Cl.: 16

CLASS 16: Printed matter, namely, books, booklets, fliers, pamphlets and printed educational material pertaining to religion, philosophy and education

Trademark

FIRST USE 8-28-1970; IN COMMERCE 11-30-1983

Principal Register

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 1307485, 1873781, 1307548

SER. NO. 87-020,800, FILED 05-01-2016

PAUL A MORENO, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America
United States Patent and Trademark Office

HYBRIDGE

Reg. No. 4,798,061

Registered Aug. 25, 2015

Int. Cls.: 9, 16 and 41

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

COMPASSLEARNING, INC. (DELAWARE CORPORATION)
203 COLORADO STREET
AUSTIN, TX 78701

FOR: EDUCATIONAL SOFTWARE AND ADAPTIVE INSTRUCTIONAL SOFTWARE FEATURING LEARNING MANAGEMENT SYSTEMS, ASSESSMENTS, CURRICULUM, AND TUTORIALS FOR USE IN EDUCATIONAL ASSESSMENT AND INSTRUCTION, TESTING AND EDUCATING STUDENTS AND TRAINING TEACHERS AT THE ELEMENTARY, SECONDARY AND COMMUNITY COLLEGE LEVELS, PROVIDING INDIVIDUALIZED INSTRUCTION BY DIAGNOSING FOUNDATIONAL SKILL DEFICIENCIES OR IDENTIFYING STUDENT PROFICIENCY LEVELS WITHIN A LEARNING PROGRESSION, AND PRESCRIBING A LEARNING PATH COMPRISED OF LESSONS, ACTIVITIES, AND ASSESSMENTS UNIQUELY SELECTED TO SUPPORT EACH INDIVIDUAL STUDENT'S ACADEMIC GROWTH AND SKILL DEVELOPMENT; DIGITAL EDUCATIONAL MATERIALS, NAMELY, BOOKS, BOOKLETS, BROCHURES, LEAFLETS, GUIDES, MANUALS, LEARNING ACTIVITIES IN THE NATURE OF SOFTWARE FEATURING INTERACTIVE LESSONS IN K-12 CORE CURRICULUM, EDUCATIONAL ASSESSMENT, CURRICULUM AND INSTRUCTIONAL MATERIALS, AND TUTORIALS IN THE NATURE OF SOFTWARE FEATURING INTERACTIVE LESSONS IN K-12 CORE CURRICULUM AND QUESTIONNAIRES, LECTURES AND LESSONS FOR ELEMENTARY, MIDDLE SCHOOL AND HIGH SCHOOL TEACHERS FOR USE IN TESTING AND EDUCATING STUDENTS IN K-12 CORE CURRICULUM AND TRAINING TEACHERS AT THE ELEMENTARY, SECONDARY AND COMMUNITY COLLEGE LEVELS, PROVIDING INDIVIDUALIZED INSTRUCTION BY DIAGNOSING FOUNDATIONAL SKILL DEFICIENCIES OR IDENTIFYING STUDENT PROFICIENCY LEVELS WITHIN A LEARNING PROGRESSION, AND PRESCRIBING A LEARNING PATH COMPRISED OF LESSONS, ACTIVITIES, AND ASSESSMENTS UNIQUELY SELECTED TO SUPPORT EACH INDIVIDUAL STUDENT'S ACADEMIC GROWTH AND SKILL DEVELOPMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-27-2014; IN COMMERCE 6-27-2014.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

FOR: PRINTED EDUCATIONAL MATERIALS, NAMELY, BOOKS, BOOKLETS, BROCHURES, LEAFLETS, GUIDES, MANUALS, LEARNING ACTIVITIES IN THE NATURE OF K-12 ACTIVITIES, NAMELY, WORKSHEETS, PROBLEM SETS AND INSTRUCTIONAL MATERIALS, WORKSHEETS FOR STUDENTS, EDUCATIONAL ASSESSMENT, CURRICULUM AND INSTRUCTIONAL MATERIALS, AND TUTORIALS IN THE NATURE OF QUESTIONNAIRES, LECTURES AND LESSONS FOR USE IN TESTING AND EDUCATING STUDENTS

Reg. No. 4,798,061 IN K-12 CORE CURRICULUM AND TRAINING TEACHERS AT THE ELEMENTARY, SECONDARY AND COMMUNITY COLLEGE LEVELS, PROVIDING INDIVIDUALIZED INSTRUCTION BY DIAGNOSING FOUNDATIONAL SKILL DEFICIENCIES OR IDENTIFYING STUDENT PROFICIENCY LEVELS WITHIN A LEARNING PROGRESSION, AND PRESCRIBING A LEARNING PATH COMPRISED OF LESSONS, ACTIVITIES, AND ASSESSMENTS UNIQUELY SELECTED TO SUPPORT EACH INDIVIDUAL STUDENT'S ACADEMIC GROWTH AND SKILL DEVELOPMENT, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-27-2014; IN COMMERCE 6-27-2014.

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING ON-LINE CLASSES, SEMINARS, WORKSHOPS AND COACHING IN THE FIELD OF ELEMENTARY AND MIDDLE SCHOOL EDUCATION, NAMELY, K-12 CORE CURRICULUM, AND ADMINISTRATION; EDUCATIONAL SERVICES, NAMELY, PROVIDING COURSES OF INSTRUCTION AT THE PRIMARY, SECONDARY AND COMMUNITY COLLEGE LEVELS FOR STUDENTS AND TEACHERS; EDUCATIONAL SERVICES, NAMELY, PROVIDING EDUCATIONAL ASSESSMENT SERVICES IN THE NATURE OF CURRICULUM AND INDIVIDUALIZED INSTRUCTION BY DIAGNOSING FOUNDATIONAL SKILL DEFICIENCIES AND IDENTIFYING STUDENT PROFICIENCY LEVELS WITHIN A LEARNING PROGRESSION; EDUCATIONAL SERVICES, NAMELY, PRESCRIBING A LEARNING PATH COMPRISED OF LESSON PLANS FOR OTHERS, EDUCATIONAL ACTIVITIES, AND ASSESSMENTS UNIQUELY SELECTED TO SUPPORT EACH INDIVIDUAL STUDENT'S ACADEMIC GROWTH AND SKILL DEVELOPMENT IN K-12 CORE CURRICULUM; CONSULTING SERVICES IN THE FIELD OF ELEMENTARY, MIDDLE SCHOOL AND HIGH SCHOOL EDUCATIONAL SYSTEMS, NAMELY, ADVISING SCHOOL ADMINISTRATORS AND EDUCATORS ON INSTRUCTIONAL APPROACHES, LEADERSHIP, CHANGE MANAGEMENT, AND BEST PRACTICES IN EDUCATION ADMINISTRATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-27-2014; IN COMMERCE 6-27-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-327,482, FILED 7-2-2014.

ALISON POLLACK, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,439,264
Registered Nov. 26, 2013
Int. Cls.: 16, 41 and 45

FAMILY BRIDGES (ILLINOIS NON-PROFIT CORPORATION)
SUITE 204
1140 WEST LAKE STREET
OAK PARK, IL 60301

TRADEMARK

FOR: PRINTED INSTRUCTIONAL, EDUCATIONAL, AND TEACHING MATERIALS IN THE FIELDS OF BUSINESS AND PROFESSIONAL DEVELOPMENT, MARRIAGE AND FAMILY ISSUES, AND SOCIAL EMOTIONAL LEARNING SKILLS FOR CHILDREN, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

SERVICE MARK

FIRST USE 6-27-2011; IN COMMERCE 6-27-2011.

PRINCIPAL REGISTER

FOR: ARRANGING PROFESSIONAL WORKSHOP AND TRAINING COURSES; EDUCATIONAL SERVICES, NAMELY, CONDUCTING CLASSES, WORKSHOPS AND TRAINING IN THE FIELD OF BUSINESS AND PROFESSIONAL TRAINING AND DEVELOPMENT AND DISTRIBUTION OF TRAINING MATERIAL IN CONNECTION THEREWITH; EDUCATIONAL SERVICES, NAMELY, PROVIDING TRAINING FOR PASTORS, MINISTERS AND SPIRITUAL LEADERS IN THE FIELDS OF RELATIONSHIPS, FAMILY ISSUES AND LEADERSHIP TRAINING AND DISTRIBUTION OF TRAINING MATERIAL IN CONNECTION THEREWITH; EDUCATIONAL SERVICES, NAMELY, CONDUCTING CLASSES, WORKSHOPS AND TRAINING IN THE FIELD OF SOCIAL EMOTIONAL LEARNING SKILLS FOR CHILDREN AND DISTRIBUTION OF TRAINING MATERIAL IN CONNECTION THEREWITH; EDUCATIONAL SERVICES, NAMELY, CONDUCTING CONFERENCES AND SEMINARS IN THE FIELD OF MARRIAGE AND FAMILY ISSUES AND DISTRIBUTION OF TRAINING MATERIAL IN CONNECTION THEREWITH; ARRANGING AND CONDUCTING RECREATIONAL CAMPS FOR FAMILIES; ENTERTAINMENT AND EDUCATIONAL SERVICES, NAMELY, CONDUCTING EDUCATIONAL FAIRS IN THE FIELD OF HEALTH, NOT FOR COMMERCIAL PURPOSES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-22-2007; IN COMMERCE 3-22-2007.

FOR: COUNSELING IN THE FIELD OF DEVELOPING, STRENGTHENING AND SUSTAINING WELL-BALANCED FAMILIES AND FAMILY RELATIONSHIPS; PROVIDING COUNSELING AND INFORMATION IN THE FIELD OF IMPROVEMENT OF SOCIAL SKILLS; PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, PERSONAL GROWTH AND MOTIVATION, AND SELF-FULFILLMENT, IN CLASS 45 (U.S. CLS. 100 AND 101).



Deborah S. Cohen

Commissioner for Trademarks of the
United States Patent and Trademark Office

Reg. No. 4,439,264 FIRST USE 1-26-2007; IN COMMERCE 1-26-2007.

THE MARK CONSISTS OF TWO CONCENTRIC HALF CIRCLES ABOVE A HORIZONTAL LINE OVER THE WORDS "FAMILY BRIDGES" WITH THE "B" AND "D" LETTERS EXTENDING INTO THE HALF CIRCLE DESIGN AND THE "G" DESCENDING BELOW INTO THE TERMS "LAZOS DE FAMILIA".

THE ENGLISH TRANSLATION OF THE WORD "LAZOS DE FAMILIA" IN THE MARK IS "FAMILY TIES".

SER. NO. 85-881,276, FILED 3-20-2013.

MARIA-VICTORIA SUAREZ, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

BRIDGE BUSTERS

Reg. No. 4,229,268

Registered Oct. 23, 2012

Int. Cl.: 16

TRADEMARK

PRINCIPAL REGISTER

FLUID LEARNING UNIQUELY EXECUTED LLC (WASHINGTON LIMITED LIABILITY COMPANY)

607 LOCUST STREET
WALLA WALLA, WA 99362

FOR: EDUCATIONAL KITS SOLD AS A UNIT IN THE FIELD OF SCIENCE, TECHNOLOGY, ENGINEERING AND MATH EDUCATION CONSISTING PRIMARILY OF PRINTED LESSON PLANS, PRINTED CURRICULUM MATERIALS, PRINTED INSTRUCTIONAL MATERIALS FOR BUILDING CURRICULUM, FLYERS, POSTERS, RACK CARDS, STICKERS, AND PAMPHLETS AND ALSO INCLUDING DVDS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 2-15-2012; IN COMMERCE 2-15-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-545,009, FILED 2-16-2012.

MICHAEL SOUDERS, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

BONEBRIDGE

Reg. No. 4,181,231

Registered July 31, 2012

Int. Cls.: 9 and 10

VIBRANT MED-EL HEARING TECHNOLOGY GMBH (AUSTRIA PRIVATE LIMITED
COMPANY)
FÜRSTENWEG 77
A-6020 INNSBRUCK
AUSTRIA

TRADEMARK

PRINCIPAL REGISTER

FOR: MICROPROCESSORS; AUDIO PROCESSORS FOR HEARING IMPLANTS, NAMELY, PROCESSORS PROVIDING ELECTRICAL STIMULATION SIGNALS BASED ON SENSED ACOUSTIC OR ELECTRIC SIGNALS; MICROPROCESSORS TO CONTROL HEARING IMPLANTS, IN PARTICULAR MIDDLE EAR IMPLANTS; SPEECH PROCESSORS IN THE NATURE OF PROCESSORS PROVIDING ELECTRICAL STIMULATION SIGNALS BASED ON SENSED ACOUSTIC OR ELECTRIC SIGNALS FOR MIDDLE EAR IMPLANTS AND SKULL MOUNTED HEARING IMPLANTS; COMPUTER SOFTWARE FOR CONTROL AND ADJUSTMENT OF IMPLANTS AND SPEECH PROCESSORS, NOT FOR USE IN CONNECTION WITH AUDIO AND VISUAL CONTENT TRANSMITTED VIA THE INTERNET AND OTHER COMMUNICATIONS NETWORKS TO AND FROM MOBILE DEVICES; AUDIO AND VISUAL TRAINING SOFTWARE FOR USE IN TRAINING ON THE USE OF SPEECH PROCESSORS, NOT FOR USE IN CONNECTION WITH AUDIO AND VISUAL CONTENT TRANSMITTED VIA THE INTERNET AND OTHER COMMUNICATIONS NETWORKS TO AND FROM MOBILE DEVICES; COMPUTER PROGRAMMES FOR DATA PROCESSING, NOT FOR USE IN CONNECTION WITH AUDIO AND VISUAL CONTENT TRANSMITTED VIA THE INTERNET AND OTHER COMMUNICATIONS NETWORKS TO AND FROM MOBILE DEVICES; DATA CARRIERS CONTAINING INFORMATION FOR SURGICAL AND AUDIOLOGICAL TRAINING; DATA CARRIERS CONTAINING TESTS FOR THE RECORDING AND ASSESSMENT OF SPEECH COMPREHENSION, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



David J. Kappas

Director of the United States Patent and Trademark Office

FOR: SURGICAL IMPLANTS COMPRISING ARTIFICIAL MATERIAL USED IN CONNECTION WITH HEARING IMPLANTS; HEARING IMPLANTS, NAMELY, MIDDLE EAR IMPLANTS AND SKULL MOUNTED HEARING IMPLANTS; SURGICAL IMPLANT SYSTEMS COMPRISING ARTIFICIAL MATERIAL, FOR FIXATION ON THE SKULL AND FOR THE MIDDLE EAR, COMPRISED OF A RECEIVING UNIT FOR AN ELECTRICAL SIGNAL OR ENERGY, NAMELY, A RADIO FREQUENCY ANTENNA, A SIGNAL PROCESSOR FOR PROVIDING STIMULATION SIGNALS TO THE ACTUATOR, AND AN ACTUATOR UNIT FOR STIMULATING THE SKULL OR VIBRATIONAL STRUCTURES OF THE MIDDLE OR INNER EAR; MEDICAL IMPLANTS FOR THE MIDDLE EAR MADE OF ARTIFICIAL MATERIALS; ELECTRODES FOR MEDICAL PURPOSES; IMPLANT ELECTRODES FOR

Reg. No. 4,181,231 MEDICAL USE; COMPONENT PART OF HEARING PROSTHESIS IMPLANT COMPRISED OF ARTIFICIAL MATERIALS, NAMELY, VIBRATORY STIMULATION SENSOR; ELECTRONIC DIAGNOSTIC APPARATUS FOR MEDICAL PURPOSES FOR USE IN TESTING HEARING PROSTHESIS AND MEASURING PHYSIOLOGICAL RESPONSES OF TISSUE RELATED TO THE EAR; HEARING AIDS; HEARING PROSTHESIS BEING AN EAR PROSTHESIS; BONE CONDUCTING HEARING SYSTEMS COMPRISED OF A SURGICALLY IMPLANTED ELECTRONIC DEVICE WHICH CREATES AN OUTPUT SIGNAL AND IS COUPLED TO THE HUMAN SKULL; PARTIALLY AND FULLY IMPLANTABLE HEARING AIDS; SURGICAL APPARATUS AND INSTRUMENTS FOR USE IN HEARING IMPLANT SURGERY, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 11-5-2009 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1043888 DATED 5-3-2010, EXPIRES 5-3-2020.

OWNER OF U.S. REG. NO. 2,586,191.

SER. NO. 79-084,534, FILED 5-3-2010.

SEAN CROWLEY, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,741,256
Registered May 26, 2015
Int. Cls.: 9, 16 and 41

LITTLE BRIDGE WORLD LTD (UNITED KINGDOM CORPORATION)
107A HAMMERSMITH BRIDGE ROAD
HAMMERSMITH; LONDON W6 9DA
UNITED KINGDOM

TRADEMARK

FOR: COMPUTER SOFTWARE DOWNLOADABLE FROM A GLOBAL COMPUTER NETWORK, ACCESSED VIA A WEB BROWSER OR USING MOBILE APPLICATIONS, IN THE CONTEXT OF ENGLISH LANGUAGE LEARNING, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SERVICE MARK

FOR: EDUCATIONAL PUBLICATIONS, NAMELY, EDUCATIONAL LEARNING CARDS, FLASH CARDS, ACTIVITY CARDS, WORKBOOKS, TEXTBOOKS, ACTIVITY BOOKS, STORY BOOKS, PUZZLE BOOKS, PRINTED PUZZLES, TEACHER GUIDES, MANUALS, POSTERS AND EDUCATIONAL BOOKLETS IN THE FIELD OF ENGLISH LANGUAGE LEARNING, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

PRINCIPAL REGISTER

FOR: ENTERTAINMENT SERVICES, NAMELY, PROVIDING ON-LINE AND MOBILE NON-DOWNLOADABLE APPLICATION COMPUTER GAMES FOR EDUCATIONAL PURPOSES IN THE FIELD OF ENGLISH LANGUAGE LEARNING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

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



OWNER OF INTERNATIONAL REGISTRATION 1193301 DATED 12-16-2013, EXPIRES 12-16-2023.

THE COLOR(S) GREEN, BLUE, YELLOW, PINK, PURPLE, BROWN, YELLOW, BLACK, ORANGE, RED, AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

Nichelle K. Lee

Director of the United States
Patent and Trademark Office

THE MARK CONSISTS OF "LITTLE" IN YELLOW ABOVE THE WORD "BRIDGE" IN BLUE WITH YELLOW BORDER OVER THE WORD ".COM" IN BLUE WITH YELLOW BORDER; BEHIND THE WORD "BRIDGE" IS A CURVED GREEN SHAPE; ABOVE THE WORDING ARE 11 CHILDREN AND ONE DOG WITH HAIR IN VARIOUS COLORS OF BROWN, BLACK, ORANGE AND RED; THEIR COMPLEXIONS RANGE FROM PINK TO BROWN; THEIR EYES ARE BLACK, BROWN, OR BLUE; THEIR CLOTHES HAVE VARIOUS DESIGNS AND PATTERNS OF STRIPES, FLORAL, AND PLAIN IN PURPLE, GREEN, YELLOW, BLUE,

Reg. No. 4,741,256 ORANGE, PINK, WHITE AND GREEN; THEIR TROUSERS AND SKIRTS ARE BLUE, GREEN AND PINK; THE DOG IS WHITE AND BLACK; ONE CHILD HAS A GREEN HAT BACK TO FRONT WHILE ANOTHER HAS BLACK RIMMED SPECTACLES.

SEC. 2(F).

SER. NO. 79-143,078, FILED 12-16-2013.

MAYUR VAGHANI, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

Second Bridge

Reg. No. 4,626,670

Registered Oct. 28, 2014

Int. Cls.: 9, 35, 38, 42
and 45

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

MBLM SARL (FRANCE SARL)
10BIS RUE DE LA GAITÉ
F-75014 PARIS
FRANCE

FOR: SCIENTIFIC, NAUTICAL, SURVEYING, PHOTOGRAPHIC, CINEMATOGRAPHIC, OPTICAL, WEIGHING, MEASURING, SIGNALING, CHECKING, LIFE-SAVING AND TEACHING APPARATUS AND INSTRUMENTS, NAMELY, A COMMUNICATION DEVICE, WHICH PROVIDES POSITIONING, TRACING, AND IDENTITY INFORMATION FOR LOGISTICS, SAFETY, SECURITY, SOCIAL AND ENTERTAINMENT, PAYMENT AND BANKING PURPOSES; APPARATUS FOR RECORDING, TRANSMISSION OR REPRODUCTION OF SOUND OR IMAGES; SOUNDS RECORDINGS FEATURING SELF-IMPROVEMENT AND BLANK OPTICAL DISKS; COMPACT DISCS FEATURING SELF-IMPROVEMENT; DVD'S FEATURING SELF-IMPROVEMENT; MECHANISM FOR COIN OPERATED APPARATUS, NAMELY, A COMMUNICATION DEVICE, WHICH PROVIDES POSITIONING, TRACING, AND IDENTITY INFORMATION FOR LOGISTICS, SAFETY, SECURITY, SOCIAL AND ENTERTAINMENT, PAYMENT AND BANKING PURPOSES; CASH REGISTERS, CALCULATING MACHINES, EQUIPMENT FOR DATA PROCESSING AND COMPUTERS, NAMELY, A COMMUNICATION DEVICE, WHICH PROVIDES POSITIONING, TRACING, AND IDENTITY INFORMATION FOR LOGISTICS, SAFETY, SECURITY, SOCIAL AND ENTERTAINMENT, PAYMENT AND BANKING PURPOSES; FIRE-EXTINGUISHERS, GAME SOFTWARE, SOFTWARE FOR A COMMUNICATION DEVICE, WHICH PROVIDES POSITIONING, TRACING, AND IDENTITY INFORMATION FOR LOGISTICS, SAFETY, SECURITY, SOCIAL AND ENTERTAINMENT, PAYMENT AND BANKING PURPOSES; COMPUTER PERIPHERALS, ELECTRIC BATTERIES, MOTION AND LOCATION DETECTORS; ELECTRIC WIRES; ELECTRIC RELAYS; DIVING SUITS; DIVING GLOVES AND SCUBA DIVING MASKS; SPECTACLES; OPTICAL GLASSES; BLANK INTEGRATED CIRCUITS CARDS, SAFETY TARPAULINS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: ADVERTISING; BUSINESS MANAGEMENT; BUSINESS ADMINISTRATION; PROVIDING OFFICE FUNCTIONS; DIRECT MAIL ADVERTISING SERVICES; ARRANGING NEWSPAPER SUBSCRIPTIONS FOR OTHERS; ARRANGING SUBSCRIPTIONS TO TELECOMMUNICATIONS SERVICES FOR OTHERS; PRESENTATION, NAMELY, ORGANIZATION AND CONDUCTING OF PRODUCTION PRESENTATIONS OF GOODS ON ALL COMMUNICATION MEDIA FOR RETAIL SALE; BUSINESS MANAGEMENT AND ENTERPRISE ORGANIZATION CONSULTANCY; ACCOUNTING SERVICES; DOCUMENT REPRODUCTION; EMPLOYMENT AGENCIES; COMPUTER FILE MANAGEMENT; ORGANIZATION



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,626,670 OF EXHIBITIONS FOR COMMERCIAL OR ADVERTISING PURPOSES; ON-LINE ADVERTISING ON A COMPUTER NETWORK; RENTAL OF ADVERTISING TIME ON ALL COMMUNICATION MEDIA; ADVERTISING TEXT PUBLICATION SERVICES; RENTAL OF ADVERTISING SPACE; DISSEMINATION OF ADVERTISEMENTS; PUBLIC RELATIONS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: TELECOMMUNICATIONS, NAMELY, PERSONAL COMMUNICATION SERVICES; INFORMATION ABOUT TELECOMMUNICATION; COMMUNICATIONS BY COMPUTER TERMINALS OR BY FIBER-OPTIC NETWORKS; COMMUNICATIONS BY RADIO OR TELEPHONE; CELLULAR TELEPHONE COMMUNICATION; PROVISION OF USER ACCESS TO GLOBAL COMPUTER NETWORKS, NAMELY, TELECOMMUNICATIONS SERVICES FOR PROVIDING MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER NETWORK; PROVISION OF ON-LINE FORUMS FOR USERS FOR THE SHARING AND TRANSMISSION OF INFORMATION AND ELECTRONIC MEDIA CONCERNING SAFETY, SECURITY, MOTION, LOCATION, PAYMENT AND BANKING; PROVIDING ACCESS TO DATABASES; ELECTRONIC BULLETIN BOARD SERVICES; PROVIDING TELECOMMUNICATION CONNECTIONS TO A GLOBAL COMPUTER NETWORK; NEWS AGENCY SERVICES FOR ELECTRONIC TRANSMISSION; RENTAL OF TELECOMMUNICATIONS APPARATUS; BROADCASTING OF RADIO AND TELEVISION PROGRAMS; TELECONFERENCING AND VIDEO CONFERENCING SERVICES; ELECTRONIC MAIL SERVICES; RENTAL OF ACCESS TIME TO GLOBAL COMPUTER NETWORKS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: QUALITY EVALUATIONS AND ASSESSMENTS IN THE FIELDS OF SCIENCE AND TECHNOLOGY PROVIDED BY ENGINEERS; SCIENTIFIC AND TECHNOLOGICAL SERVICES, NAMELY, SCIENTIFIC RESEARCH IN THE FIELDS OF MOTION, DETECTION AND LOCATION; DESIGN AND DEVELOPMENT OF COMPUTERS AND SOFTWARE; RESEARCH AND DEVELOPMENT OF NEW PRODUCTS FOR OTHERS; TECHNICAL PROJECT STUDIES, NAMELY, CONDUCTING OF FEASIBILITY STUDIES IN FIELD OF NEW TECHNOLOGIES; DESIGN OF INTERIOR DÉCOR, DEVELOPMENT, INSTALLATION, MAINTENANCE, UPDATING AND RENTAL OF SOFTWARE; COMPUTER PROGRAMMING; COMPUTER SYSTEM ANALYSIS; COMPUTER SYSTEM DESIGN SERVICES; COMPUTER CONSULTATION; DIGITALIZATION OF DOCUMENTS; SERVICE OF SOFTWARE (SAAS) SERVICES FEATURING SOFTWARE FOR PROVIDING POSITIONING AND IDENTITY INFORMATION FOR LOGISTICS, SAFETY, SECURITY, SOCIAL AND ENTERTAINMENT, PAYMENT AND BANKING PURPOSES; INFORMATION TECHNOLOGY (IT) CONSULTING SERVICES; VEHICLE ROADWORTHINESS TESTING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FOR: LEGAL SERVICES, MEDIATION; SECURITY SERVICES, NAMELY, PROVIDING SECURITY ASSESSMENTS OF PHYSICAL LOCATIONS, INFORMATION SYSTEMS, AND WORKING ENVIRONMENTS FOR THE PROTECTION OF PROPERTY AND INDIVIDUALS; MARRIAGE BUREAUS, HOROSCOPE CASTING, UNDERTAKING; CREMATION SERVICES; NIGHT GUARDS; MONITORING BURGLAR AND SECURITY ALARMS; SECURITY CONSULTANCY; LOCKSMITHING, NAMELY, OPENING OF SECURITY LOCKS; RENTAL OF CLOTHING; DETECTIVE AGENCIES; LEGAL RESEARCH; INTELLECTUAL PROPERTY CONSULTANCY, IN CLASS 45 (U.S. CLS. 100 AND 101).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 12-28-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1169663 DATED 5-15-2013, EXPIRES 5-15-2023.

SER. NO. 79-133,761, FILED 5-15-2013.

STEVEN JACKSON, EXAMINING ATTORNEY

Int. Cls.: 4, 6, 7, 9, 11, 16, 17, 19, 35, 36, 37, 38, 39, 40, 41, and 42

Prior U.S. Cls.: 1, 2, 5, 6, 12, 13, 14, 15, 19, 21, 22, 23,
25, 26, 29, 31, 33, 34, 35, 36, 37, 38, 50, 100, 101, 102,
103, 104, 105, 106, and 107

Reg. No. 2,987,646

United States Patent and Trademark Office

Registered Aug. 23, 2005

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

ENBRIDGE

ENBRIDGE, INC. (CANADA CORPORATION)
2900 CANADA TRUST TOWER
421-7TH AVENUE S.W.
CALGARY ALBERTA, CANADA T2P- 4K9

FOR: (BASED ON 44(E)) COMPRESSED NATURAL GAS; AND FUELS, NAMELY, OIL, NATURAL GAS, NATURAL GAS LIQUIDS, COAL AND SULFUR, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FOR: (BASED ON 44(E)) ALUMINUM DOORS AND WINDOWS, ALUMINUM SIDING, WIRES, METAL STORAGE TANKS FOR FLUIDS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: (BASED ON 44(E)) ELECTRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, TRASHMASHERS, VACUUM CLEANERS, HOME AND COMMERCIAL APPLIANCES, NAMELY DISHWASHERS; EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, ELECTRIC GENERATORS, MICRO TURBINE ELECTRIC GENERATORS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO ELECTRIC GENERATORS AND MICRO TURBINE ELECTRIC GENERATORS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: (BASED ON 44(E)) SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS COMPRISING CONTROL PANELS, CONNECTIONS, ANTI INTRUSION ALARMS, INTRUDER SENSORS, CARBON DIOXIDE (CO2) SENSORS,

HEAT SENSORS, WATER SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS, AND FIRE EXTINGUISHERS; COMPUTER HARDWARE; EQUIPMENT AND ACCESSORIES FOR CONVEYING LIQUID HYDROCARBONS AND NATURAL GAS, NAMELY, VALVES, PIPELINES, REGULATORS, COMPRESSORS, METERS AND GAUGES; HOME AND BUSINESS SECURITY PRODUCTS, NAMELY, CONTROL PANELS, CARBON DIOXIDE (CO2) SENSORS, HEAT SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS; SOLID OXIDE FUEL CELLS AND FUEL CELLS; AND EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, SOLID OXIDE FUEL CELLS, FUEL CELLS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO SOLID OXIDE FUEL CELLS AND FUEL CELLS; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) COMPUTER SOFTWARE AND SYSTEMS COMPRISING CENTRAL PROCESSING UNITS, COMMUNICATION LINKS, SENSORS, SUPERVISORY CONTROL, PRESSURE AND FLOW MEASUREMENT GAUGES AND INSTRUMENTS FOR THE MANAGEMENT AND MAINTENANCE OF PIPELINES AND TRAINING MANUALS AND INSTRUCTION MATERIALS ON THE SUBJECT OF PIPELINE OPERATIONS, MANAGEMENT, MAINTENANCE, EFFICIENCY, DESIGN AND SAFETY RECORDED ON VIDEO- TAPE, COMPUTER DISK OR DOWNLOADABLE FROM THE INTERNET, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-19-1998; IN COMMERCE 11-19-1998.

FOR: (BASED ON 44(E)) NATURAL GAS AND COMMERCIAL, INDUSTRIAL AND RESIDENTIAL GAS APPLIANCES NAMELY FURNACES, STOVES, OVENS, BURNERS, DRYERS, BARBEQUES, FIREPLACE INSERTS COMPRISING BURNERS, ARTIFICIAL LOGS AND EMBERS, DECORATIVE AND PROTECTIVE FACING, BOILERS, CARBON DIOXIDE STEAM GENERATORS, CLOTHES DRYERS, ELECTRIC COFFEE MAKERS FOR DOMESTIC AND COMMERCIAL USE, AND DEEP FAT FRYERS, ELECTRIC FOOD AND DISH WARMERS, ELECTRIC FIREPLACE AND SPACE HEATERS, WATER HEATERS, ELECTRIC HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, RANGES, SMOKE HOUSES, ELECTRIC TOASTERS AND GAS LIGHTS; ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS, DRIP TUBES, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS AND VALVES; AIR FILTRATION CONTROLS, ELECTRIC REFRIGERATORS, ELECTRIC FREEZERS, ELECTRIC DRYERS, AIR CLEANERS, DEHUMIDIFIERS; MICROWAVE OVENS, ELECTRONIC RANGES AND COOK TOPS, ELECTRIC OVENS, REFRIGERATORS, OUTDOOR GAS BARBECUES, POOL AND HOT TUB HEATERS, FURNACES, SPACE HEATERS, AIR CLEANERS, WASHERS AND DRYERS, HEATING UNITS, WATER HEATER RENTAL UNITS, HOT WATER HEATERS, FURNACES AND AIR CONDITIONING UNITS; AND EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, TREATMENT, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF ENERGY AND WATER RESOURCES, NAMELY, HOT WATER HEATERS, FURNACES, AIR CONDITIONING UNITS AND PIPES, PIPELINES, STATIONS, COMPRESSORS, LINES, FITTINGS, FILTERS, VALVES, REGULATORS, METERS, GAUGES, TANKS, CAVERNS, MOTORS, PUMPS AND FACILITIES, ALL RELATING TO HOT WATER HEATERS, FURNACES AND AIR CONDITIONING UNITS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) PRINTED TRAINING MANUALS AND INSTRUCTION MATERIALS ON THE SUBJECT OF PIPELINE OPERATIONS, MANAGEMENT, MAINTENANCE, EFFICIENCY, DESIGN, TECHNOLOGY AND SAFETY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-19-1998; IN COMMERCE 11-19-1998.

FOR: (BASED ON 44(E)) BUILDING INSULATION, IN CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).

FOR: (BASED ON 44(E)) VINYL SIDING, SOFFIT AND FASCIA AND EAVESTROUGH; EQUIPMENT AND ACCESSORIES FOR CONVEYING LIQUID HYDROCARBON NATURAL GAS, NAMELY, PVC,

PLASTIC WRAPPED STEEL PIPES AND FITTINGS NAMELY JOINTS, VALVES, FILTERS, AND CONNECTORS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

FOR: (BASED ON 44(E)) FRANCHISING SERVICES IN THE NATURE OF PROVIDING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND OPERATION OF RETAIL STORES, HOME SERVICE AND MAINTENANCE BUSINESSES, NATURAL GAS APPLIANCE AND EQUIPMENT MAINTENANCE, CUSTOMER SERVICE NAMELY ORDERS, RECORDS, FINANCING, WARRANTIES ON PRODUCTS SOLD AND SERVICED; AND RETAIL STORE SERVICES IN THE FIELD OF HOME APPLIANCES, HOME RENOVATION; BUSINESS MANAGEMENT AND CONSULTATION IN THE ENERGY AND WATER SOURCE FIELD; THIRD-PARTY BILLING IN THE ENERGY AND WATER SOURCE FIELD; RETAIL STORE AND DISTRIBUTORSHIPS FEATURING GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AIR CONDITIONERS, BOILERS, BURNERS, CARBON DIOXIDE GENERATORS, ELECTRIC GENERATORS, STEAM GENERATORS, SOLID OXIDE FUEL CELL ELECTRIC GENERATORS, FUEL CELL ELECTRIC GENERATORS, CLOTHES DRYERS, COFFEE MAKERS, DEEP FAT FRYERS, DISH WASHERS, FOOD AND DISH WARMERS, FURNACES, FIREPLACES, FIREPLACE HEATERS, SPACE HEATERS, WATER HEATERS, SWIMMING POOL HEATERS, HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, OVENS, RANGES, SMOKE HOUSES, TOASTERS, BARBECUES AND LIGHTS; AND RETAIL STORE AND DISTRIBUTORSHIPS FEATURING ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COOKING TOOLS, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS FOR GAS SUPPLY APPLIANCES, DRIP TUBES FOR WATER HEATERS, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS AND ASSEMBLIES, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS AND VALVES; BUSINESS CONSULTATION IN THE FIELD OF ECOMMERCE AND CUSTOMER RELATIONSHIP MANAGEMENT SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: (BASED ON 44(E)) FINANCIAL SERVICES NAMELY FINANCING PURCHASE AND RENTAL CONTRACTS FOR MERCHANDISE AND EQUIPMENT; FINANCING OF NATURAL GAS VEHICLE EQUIPMENT AND ACCESSORIES; IN-PLANT FINANCING; AND FINANCIAL SERVICES IN RELATION TO ALL OF THE AFORESAID SERVICES, NAMELY, CREDIT APPLICATION AND EXTENSION OF CREDIT FOR PURCHASE OR RENTAL CONTRACTS; CONSUMER AND COMMERCIAL LENDING SERVICES; PROVIDING EXTENDED WARRANTIES FOR HOME AND COMMERCIAL APPLIANCES AND RELATED MAINTENANCE SERVICES, HOME AND BUSINESS SECURITY PRODUCTS, HOME AND COMMERCIAL RENOVATIONS AND EQUIPMENT, SUPPLIES, LABOR AND MATERIALS FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION,

STORAGE, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF WATER RESOURCES AND ENERGY RESOURCES, INCLUDING NATURAL GAS AND NATURAL GAS LIQUIDS, REFINED PRODUCTS, ELECTRICITY, OIL AND PROPANE; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) BROKERAGE OF COMMODITIES AND ONLINE COMMODITY TRADING SERVICES FOR OTHERS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON 44(E)) INSTALLING INSULATION, ALUMINUM DOORS AND WINDOWS, ALUMINUM OR VINYL SIDING, SOFFIT AND FASCIA AND EAVESTROUGH; INSTALLING EXTERNAL AND INTERNAL AIR FILTRATION CONTROLS FOR BUILDINGS; HOME RENOVATIONS; GENERAL CONTRACTING SERVICES FOR CONSTRUCTION AND BUILDING RENOVATION; ELECTRICAL CONTRACTING SERVICES; CONSTRUCTION, REPAIR AND MAINTENANCE OF RESIDENTIAL AND COMMERCIAL BUILDINGS; COMMERCIAL BUILDING RENOVATION AND REPAIR SERVICES; WATER AND OIL WELL DRILLING; HOUSE PAINTING SERVICES; JANITORIAL SERVICES; INSTALLATION, MAINTENANCE, AND REPAIR OF EQUIPMENT FOR CONVEYING NATURAL GAS; INSTALLATION, MAINTENANCE, AND REPAIR OF PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING NATURAL AND LIQUEFIED PETROLEUM GAS TO RESIDENTIAL USERS; RENTAL OF EQUIPMENT AND SUPPLIES FOR USE IN THE PRODUCTION, GENERATION, CO-GENERATION, DISTRIBUTION, TRANSPORTATION, TRANSMISSION, STORAGE, MANAGEMENT, CONSERVATION, RESEARCH AND DEVELOPMENT AND CONSUMPTION OF WATER RESOURCES AND ENERGY RESOURCES, INCLUDING NATURAL GAS AND NATURAL GAS LIQUIDS, REFINED PRODUCTS, ELECTRICITY, OIL AND PROPANE; INSTALLATION, MAINTENANCE, AND REPAIR OF GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AIR CONDITIONERS, BOILERS, BURNERS, CARBON DIOXIDE GENERATORS, CLOTHES DRYERS, COFFEE MAKERS, DEEP FAT FRYERS, DISH WASHERS, FOOD AND DISH WARMERS, FURNACES, FIREPLACES, FIREPLACE HEATERS, SPACE HEATERS, WATER HEATERS, SWIMMING POOL HEATERS, HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, OVENS, RANGES, SMOKE HOUSES, TOASTERS, BARBECUES AND LIGHTS; INSTALLATION, MAINTENANCE, AND REPAIR OF ACCESSORIES FOR GAS FIRED APPLIANCES AND EQUIPMENT, NAMELY, AUTOMATIC BURNER IGNITION AND SAFETY SHUT-OFF DEVICES, COMBINATION CONTROLS FOR GAS APPLIANCES, CONNECTORS FOR GAS APPLIANCES, DRIP TUBES FOR WATER HEATERS, DRAFT HOODS, PETROLEUM GAS HOSE, COUPLINGS AND ASSEMBLIES, PRESSURE REGULATORS, QUICK-DISCONNECT DEVICES, THERMOSTATS, AND VALVES; INSTALLATION, MAINTENANCE, AND REPAIR OF HOUSEHOLD APPLIANCES, NAMELY, ELEC-

TRIC DISHWASHERS, ELECTRIC CLOTHES WASHERS, ELECTRIC REFRIGERATORS, ELECTRIC FREEZERS, ELECTRIC DRYERS, BARBECUES, BARBECUE ACCESSORIES, TRASHMASHERS, MICROWAVE OVENS, AIR CLEANERS, DEHUMIDIFIERS, VACUUM CLEANERS, CENTRAL VACUUM CLEANERS, HUMIDIFIERS, SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS AND FIRE EXTINGUISHERS; INSTALLATION, REPAIR AND MAINTENANCE OF HOME SECURITY SYSTEMS, NAMELY, CONTROL PANELS, CARBON DIOXIDE (CO₂) SENSORS, HEAT SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS AND CONNECTIONS; EVALUATION AND RECOMMENDATION REGARDING DUCT CLEANING, AIR CONDITIONING MAINTENANCE, FIREPLACE MAINTENANCE, HOME HEATING PROTECTION MAINTENANCE; PERFORMANCE AND MAINTENANCE CONTRACTING IN THE NATURE OF DUCT CLEANING, AIR CONDITIONING MAINTENANCE, FIREPLACE MAINTENANCE, HOME HEATING AND WATER HEATING MAINTENANCE; AND REMEDIAL MAINTENANCE SERVICES TO INCREASE EFFICIENCY AND PERFORMANCE OF AIR CONDITIONING UNITS, FIREPLACE UNITS, HOME HEATING UNITS AND AIR AND HEATING DUCTS; (BASED ON USE IN COMMERCE AND BASED ON 44(E)) CONSTRUCTION AND INSTALLATION OF PIPELINES; INSTALLATION, MAINTENANCE, AND REPAIR OF EQUIPMENT FOR CONVEYING NATURAL GAS; INSTALLATION, MAINTENANCE, AND REPAIR OF PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING NATURAL AND LIQUEFIED PETROLEUM GAS TO COMMERCIAL AND INDUSTRIAL USERS AND PIPELINE MAINTENANCE SERVICES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 10-13-1998; IN COMMERCE 10-13-1998.

FOR: (BASED ON 44(E)) TELECOMMUNICATIONS AND MULTIMEDIA SERVICES IN ALL FORMS OF DISTRIBUTION, NAMELY, TELEPHONE COMMUNICATIONS SERVICES; PROVIDING MULTIPLE USER ACCESS TO A GLOBAL COMPUTER NETWORK, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) OPERATING PIPES, VALVES, METERS AND OTHER EQUIPMENT FOR SUPPLYING LIQUID HYDROCARBONS, NATURAL AND LIQUEFIED PETROLEUM GAS TO RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USERS; TRANSPORTING NATURAL AND LIQUEFIED PETROLEUM GAS AND LIQUID HYDROCARBONS TO COMMERCIAL AND INDUSTRIAL USERS; TRANSPORTATION AND STORAGE OF ENERGY AND WATER RESOURCES; OPERATION OF PIPELINES, NAMELY, TRANSPORTING CRUDE OIL AND NATURAL GAS TO CONSUMERS; OPERATION OF TRUCK AND MARINE TERMINALS, AND GAS AND LIQUID HYDROCARBON TERMINALS; PUBLIC UTILITY SERVICES; (BASED ON 44(E)) WATER AND ELECTRIC UTILITY SERVICES; DIS-

TRIBUTION OF WATER TO COMMERCIAL AND RESIDENTIAL CONSUMERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) ENERGY AND WATER RESOURCE TREATMENT, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 10-13-1998; IN COMMERCE 5-11-2001.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) TRAINING IN THE MANAGEMENT AND MAINTENANCE OF PIPELINES; TRAINING AND EDUCATION SERVICES NAMELY, SEMINARS AND TRAINING SESSIONS IN THE FIELD OF PIPELINE OPERATIONS, MAINTENANCE, EFFICIENCY, MANAGEMENT AND SAFETY; TECHNICAL TRAINING AND ASSISTANCE TO OPTIMIZE USE OF AVAILABLE TECHNOLOGIES IN THE FIELD OF ENERGY EFFICIENCY AND UTILIZATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 10-14-1998; IN COMMERCE 10-14-1998.

FOR: (BASED ON USE IN COMMERCE AND BASED ON 44(E)) PROVIDING ENERGY MANAGEMENT, MEASUREMENT AND CONSULTING SERVICES; CONSULTING SERVICES IN THE FIELD OF PIPELINE OPERATIONS, MAINTENANCE, EFFICIENCY AND SAFETY AND CONSULTING SERVICES IN THE FIELD OF COMPUTER SYSTEMS AND SOFTWARE FOR THE OPERATION, MAINTENANCE, DESIGN AND TECHNOLOGY OF PIPELINES; (BASED ON 44(E)) HOME AND BUSINESS SECURITY SERVICE, NAMELY, MONITORING SECURITIES SYSTEMS, SERVICE GUARD SERVICES, HOME AND COMMERCIAL BUILDING AND ENERGY AUDIT AND INSPECTION SERVICES; ENERGY MONITORING AND ANALYSIS; TECHNICAL UTILIZATION ASSISTANCE IN THE FIELD OF EVALUATION SERVICES TO DETERMINE EFFICIENCY OF ENERGY USE; REMOTE MONITORING OF ENVIRONMENTAL SYSTEMS, NAMELY, HEATING AND COOLING SYSTEMS, INTRUDER AND FIRE ALARMS SYSTEMS; OIL

AND GAS MINING EXPLORATION; CONSULTATION AND RESEARCH IN THE FIELD OF ENERGY; MECHANICAL ENGINEERING SERVICES; COMPUTER SERVICES, NAMELY, CUSTOM DESIGN OF COMPUTER SOFTWARE AND SYSTEMS FOR THE MANAGEMENT AND MAINTENANCE OF PIPELINES; DESIGNING HOMES; LANDSCAPE GARDENING; PRODUCT RESEARCH AND DEVELOPMENT IN THE ENERGY AND WATER RESOURCE FIELD; RENTAL OF HOME AND COMMERCIAL APPLIANCES AND HOME AND BUSINESS SECURITY PRODUCTS, NAMELY DISHWASHERS, MICROWAVE OVENS, ELECTRIC RANGES AND COOK TOPS, ELECTRIC OVENS, REFRIGERATORS, OUTDOOR GAS BARBECUES, POOL AND HOT TUB HEATERS, FURNACES, SPACE HEATERS, VACUUM AND AIR CLEANERS, WASHERS AND DRYERS, AIR CONDITIONERS, BOILERS, CARBON DIOXIDE, STEAM AND ELECTRIC GENERATORS, ELECTRIC COFFEE MAKERS, DEEP FAT FRYERS, ELECTRIC FOOD AND DISH WARMERS, ELECTRIC FIREPLACE AND SPACE HEATERS, WATER HEATERS, ELECTRIC HOT PLATES AND GRIDDLES, HUMIDIFIERS, INCINERATORS, SMOKE HOUSES, ELECTRIC TOASTERS AND GAS LIGHTS AS WELL AS SMOKE AND FIRE DETECTORS, HOUSEHOLD SECURITY SYSTEMS COMPRISING CONTROL PANELS, CONNECTIONS, ANTI-INTRUSION ALARMS, INTRUDER SENSORS, CARBON DIOXIDE (CO2) SENSORS, HEAT SENSORS, WATER SENSORS, SMOKE SENSORS, GLASS BREAKAGE SENSORS, COMPUTER SOFTWARE, FIRE EXTINGUISHERS, COMPUTER HARDWARE, COMPUTER NETWORK LINKS, SUPERVISORY CONTROL DATA ACQUISITION SYSTEMS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-27-1998; IN COMMERCE 12-9-1998.

PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 888693, FILED 8-28-1998, REG. NO. TMA547390, EXPIRES 6-28-2016.

SN 75-571,222, FILED 10-13-1998.

JENNIFER WILLISTON, EXAMINING ATTORNEY

Int. Cls.: 16 and 35

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50,
100, 101 and 102

Reg. No. 2,652,366

United States Patent and Trademark Office

Registered Nov. 19, 2002

Corrected

OG Date July 29, 2008

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

BRIDGE HOUSE

BRIDGE COMPANY OF FLORIDA INC.,
THE (DELAWARE CORPORATION)
230 5TH STREET
MIAMI BEACH, FL 33139
OWNER OF U.S. REG. NOS. 2,019,548,
2,232,451 AND OTHERS.

FOR: BOOKS, MAGAZINES, BRO-
CHURES, PAMPHLETS AND CATALOGS,
IN THE FIELDS OF PROVIDING ACCESS
TO A GLOBAL NETWORK, EDUCATION,
BUSINESS, ENTERTAINMENT, RELI-
GION, COMMUNICATION, ADVERTIS-
ING, BANKING, CONSTRUCTION,
REAL ESTATE, ART, AND TELEVISION
AND RADIO BROADCASTING, IN
CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37,
38 AND 50).

FIRST USE 12-0-2001; IN COMMERCE
2-0-2002.

FOR: BUSINESS CONSULTATION
SERVICES, PUBLIC RELATIONS; LOBBY-
ING; DEVELOPING PROMOTIONAL
CAMPAIGNS FOR BUSINESSES; PRO-
MOTING THE SALE OF THE GOODS
AND SERVICES OF OTHERS ON-LINE
AND BY MEANS OF THE DISTRIBU-
TION OF PRINTED MATERIAL, PROMO-
TIONAL CONTESTS, TELEVISION AND
RADIO, IN CLASS 35 (U.S. CLS. 100, 101
AND 102).

FIRST USE 3-0-2000; IN COMMERCE
4-0-2000.

SER. NO. 75-982,462, FILED 8-14-1998.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on July 29, 2008.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Int. Cls.: 16, 25 and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 39, 50, 100, 101
and 107

Reg. No. 2,545,625

United States Patent and Trademark Office

Registered Mar. 12, 2002

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

THE BRIDGE SCHOOL

BRIDGE SCHOOL, THE (CALIFORNIA NON-
PROFIT CORPORATION)
545 EUCALYPTUS
HILLSBOROUGH, CA 94010

FOR: PUBLICATIONS—NAMESLY, BROCHURES
IN THE FIELD OF EDUCATION, SPEECH AND
PHYSICAL IMPAIRMENTS, AND TECHNOLOGY
TO ASSIST CHILDREN WITH SPEECH AND PHY-
SICAL IMPAIRMENTS, IN CLASS 16 (U.S. CLS. 2, 5,
22, 23, 29, 37, 38 AND 50).

FIRST USE 9-0-1986; IN COMMERCE 9-0-1986.

FOR: CLOTHING, NAMESLY, SWEATSHIRTS
AND HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-0-1986; IN COMMERCE 9-0-1986.

FOR: EDUCATIONAL SERVICES RENDERED TO
CHILDREN AND FAMILIES OF FAMILIES WITH
SEVERE SPEECH AND PHYSICAL IMPAIRMENTS,
NAMESLY, OPERATING A SCHOOL AND DISSEMI-
NATING INFORMATION ON THE TECHNOLO-
GIES FOR EDUCATING THE PHYSICALLY AND
SPEECH IMPAIRED, IN CLASS 41 (U.S. CLS. 100, 101
AND 107).

FIRST USE 9-0-1986; IN COMMERCE 9-0-1986.

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

SER. NO. 75-621,273, FILED 1-15-1999.

JENNIFER MARTIN, EXAMINING ATTORNEY

Int. Cls.: 16 and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,681,604

Registered Jan. 28, 2003

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

HC BRIDGE

PERSONNEL DECISIONS INTERNATIONAL
(MINNESOTA CORPORATION)
2000 PLAZA VII TOWER
45 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402

FOR: PRINTED EDUCATIONAL AND TRAINING MATERIALS, NAMELY BROCHURES, PAMPHLETS, ARTICLES, BOOKS AND BOOKLETS IN THE FIELDS OF ORGANIZATIONAL STRATEGY, HUMAN CAPITAL STRATEGY AND MEASUREMENT, JOB ANALYSIS AND HUMAN RESOURCES SYSTEMS ANALYSIS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 11-23-1999; IN COMMERCE 11-23-1999.

FOR: EDUCATIONAL SERVICES IN THE NATURE OF CONDUCTING SEMINARS, WORKSHOPS, INDIVIDUAL INTERVIEWS, CONFERENCES AND CLASSES IN THE FIELDS OF ORGANIZATIONAL STRATEGY, HUMAN CAPITAL STRATEGY AND MEASUREMENT, JOB ANALYSIS AND HUMAN RESOURCES SYSTEMS ANALYSIS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-23-1999; IN COMMERCE 11-23-1999.

SN 75-982,858, FILED 5-11-2000.

CHRISTOPHER BUONGIORNO, EXAMINING ATTORNEY

Int. Cls.: 16 and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,787,461

Registered Nov. 25, 2003

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

SOUNDBRIDGE

SEATTLE SYMPHONY ORCHESTRA (WASHINGTON NON-PROFIT CORPORATION)
200 UNIVERSITY STREET
SEATTLE, WA 98101

FOR: PRINTED MATERIALS, NAMELY, BOOKS, BROCHURES, CALENDARS, COURSE MATERIALS, GREETING CARDS, GUIDES, MAGAZINES, MUSIC PAPER, NEWSLETTERS, AND SHEET MUSIC RELATING TO SYMPHONIC MUSIC. IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 4-17-2001; IN COMMERCE 4-17-2001.

FOR: ENTERTAINMENT AND EDUCATIONAL SERVICES, NAMELY, CLASSES, DISCUSSION

GROUPS, DEMONSTRATIONS, EXHIBITS, LECTURES, STORYTELLING SESSIONS, AND WORKSHOPS, RELATING TO SYMPHONIC MUSIC; PROVIDING A WEB SITE ON THE GLOBAL COMPUTER NETWORK FEATURING INFORMATION ON SYMPHONIC MUSIC. IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-17-2001; IN COMMERCE 4-17-2001.

SN 76-975,416. FILED 1-9-2001.

NAAKWAMA ANKRAH, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



BridgeHead

Reg. No. 4,004,319

Registered Aug. 2, 2011

Int. Cl.: 16

TRADEMARK

PRINCIPAL REGISTER

BRIDGEHEAD SOFTWARE LIMITED (ENGLAND LIMITED COMPANY (LTD.))
215 BARNETT WOOD LANE
BRIDGEHEAD HOUSE
ASHTED, SURREY, ENGLAND KT212DF

FOR: PROPRIETARY SOFTWARE PROGRAMS AND DATA PROCESSING PROGRAMS IN PRINTED FORM; PROPRIETARY COMPUTER PROGRAM MANUALS FOR ELECTRONIC DATA MANAGEMENT, BACK-UP, RECOVERY AND ARCHIVING; PRINTED INFORMATIONAL, INSTRUCTIONAL, EDUCATIONAL, AND TEACHING MATERIALS IN THE FIELD OF PROPRIETARY COMPUTER SOFTWARE FOR USE IN ELECTRONIC DATA MANAGEMENT, BACK-UP, RECOVERY AND ARCHIVING; PUBLICATIONS, NAMELY, TECHNICAL MANUALS, USER GUIDES AND TRAINING MANUALS RELATING TO PROPRIETARY COMPUTER SOFTWARE FOR USE IN ELECTRONIC DATA MANAGEMENT, BACK-UP, RECOVERY AND ARCHIVING, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

THE MARK CONSISTS OF A RED CUBE ALONGSIDE THE GRAY WORD "BRIDGEHEAD", THE WHITE LINES IN THE CUBE REPRESENT TRANSPARENT AREAS AND ARE NOT CLAIMED AS A FEATURE OF THE MARK.

THE COLOR(S) RED AND GRAY IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-862,414, FILED 11-2-2009.

KATHLEEN LORENZO, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

United States Patent and Trademark Office

Reg. No. 3,271,845

Registered July 31, 2007

TRADEMARK
PRINCIPAL REGISTER

BRIDGE OPAQUE

FRASER PAPERS LIMITED (MAINE CORPORATION)

82 BRIDGE AVENUE

MADAWASKA, ME 04756

FOR: PRINTING AND WRITING PAPERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 12-31-2004; IN COMMERCE 12-31-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

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

SER. NO. 78-806,530. FILED 2-3-2006.

WILLIAM ROSSMAN, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

SafetyBridge

Reg. No. 4,266,126

Registered Jan. 1, 2013

Int. Cls.: 9, 16 and 42

PHOENIX CONTACT GMBH & CO. KG (FED REP GERMANY PRIVATE LIMITED
PARTNERSHIP)
FLACHSMARKTSTR. 8
32825 BLOMBERG
FED REP GERMANY

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: DATA-PROCESSING EQUIPMENT, NAMELY, DATA PROCESSORS AND COMPUTERS; MEMORY-PROGRAMMABLE CONTROLS, NAMELY, ANGULAR AND LINEAR ENCODERS, ELECTRIC ACTUATORS AND ELECTRONIC SENSORS, EMBEDDED ELECTRONIC CONTROLLERS, AND STORED PROGRAM CONTROLS IN THE NATURE OF ELECTRONIC APPARATUS FOR THE REMOTE CONTROL OF INDUSTRIAL OPERATIONS, ALL FOR USE IN PROCESS CONTROL AND PROCESS ENGINEERING; COMPUTER PROGRAMS FOR USE IN DATA BASE MANAGEMENT AND DATA PROCESSING, FOR USE AS A SPREAD SHEET, FOR CONTROLLING OF INDUSTRIAL PROCESSES, FOR CONTROLLING OF SAFETY-RELATED FACILITY COMPONENTS, AND FOR SWITCHING, REGULATING AND CONTROLLING OF ELECTRICAL ENERGY, ALL IN THE FIELDS OF HANDLING AND ROBOTICS, DEVICE MANUFACTURERS, INDUSTRIAL MACHINERY FOR MACHINE TOOLS, MEDICAL APPARATUS, THE SEMICONDUCTOR INDUSTRY, THE CONSTRUCTION OF TEXTILE MACHINES, THE TRANSPORT SECTOR, WATER AND POWER SUPPLY, WAREHOUSING AND LOGISTICS, PACKAGING INDUSTRY, PROCESS ENGINEERING AND ECOLOGICAL TECHNOLOGIES, DRINKS AND FOOD INDUSTRIES, BIOTECHNOLOGY INDUSTRIES, THE CHEMICAL INDUSTRY, PETROCHEMISTRY, HEATING, VENTILATION AND AIR CONDITIONING, SANITATION, TECHNICAL, POWER INDUSTRY AND LABORATORY APPARATUS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



FOR: PRINTED MATTER, NAMELY, PRINTED PAPER LABELS, PRINTED INSTRUCTIONAL AND TEACHING MATERIAL IN THE FIELDS OF AUTOMATION TECHNOLOGY, PROCESS CONTROL AND PROCESS ENGINEERING, AND SAFETY TECHNOLOGY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: SCIENTIFIC AND TECHNOLOGICAL SERVICES, NAMELY, DEVELOPMENT AND PLANNING SERVICES IN THE FIELD OF NETWORK ENGINEERING, DESIGN AND DEVELOPMENT OF COMPUTER HARDWARE AND COMPUTER SOFTWARE, IN CLASS 42 (U.S. CLS. 100 AND 101).

David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,266,126 THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 10-26-2010 IS CLAIMED

OWNER OF INTERNATIONAL REGISTRATION 1079673 DATED 4-26-2011, EXPIRES 4-26-2021.

SER. NO. 79-098,262, FILED 4-26-2011.

ANDREW LEASER, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

BRIDGES TO SUCCESS

Reg. No. 5,347,887

Registered Nov. 28, 2017

Int. Cl.: 41

Service Mark

Principal Register

Trustbridge, Inc. (FLORIDA CORPORATION)
5300 East Avenue
West Palm Beach, FLORIDA 33407

CLASS 41: Educational services, namely, conducting continuing education programs in the fields of hospice and palliative care, managed health care, disease management, medical condition management, nursing care, physical therapy, occupational therapy, conducting medical physical evaluations, mental health, respiratory therapy, speech therapy, health care decision support planning, long-term care, home health care, pharmaceuticals, and equipment utilized to treat patients; providing in-person educational meetings in the field of health education

FIRST USE 1-20-2017; IN COMMERCE 1-20-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-369,380, FILED 03-13-2017



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

CB BRIDGES

Reg. No. 5,658,864

Registered Jan. 22, 2019

**Int. Cl.: 35, 38, 41, 42, 44,
45**

Service Mark

Principal Register

Castle Branch, Inc. (NORTH CAROLINA CORPORATION)
1844 Sir Tyler Drive
Wilmington, NORTH CAROLINA 28405

CLASS 35: Enrolling students in the educational programs of others; providing employment counseling services; providing employment tracking services by conducting employee surveys for others for purposes of improving employee performance and morale and providing career information; business records management; testing to determine employment skills; professional credentialing verification services, namely, verifying the skills, education, professional-license requirements and knowledge of existing or potential employees, students, or volunteers on behalf of others for business purposes; design and conducting of business, student, alumni and employee surveys for educational and healthcare institutions for business purposes, namely, for improving and developing programs, reporting and credentialing requirements, research, alumni tracking, employment statistics, grant applications and requirements, and improving student and faculty satisfaction; health care temporary staffing and job placement services; health care employment applicant lead generation and referral services; providing referrals in the field of healthcare and education

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

CLASS 38: Telecommunication services, namely, providing electronic message alerts via the Internet

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

CLASS 41: Educational services, namely, providing courses of instruction and orientation for students at the college level, volunteers, and employees of healthcare and education institutions; administering and analyzing educational tests and data for others, namely, standardized HIPAA and OSHA tests; design and conducting of surveys in the field of educational research, experience, training, and performance for healthcare and educational institutions for the purpose of evaluating, improving and developing educational programs; verification services, namely, compliance verification of compliance educational and clinical curriculum requirements for healthcare entities, healthcare professionals, students, and educational institutions

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

CLASS 42: Software as a service (SaaS) featuring software for use in management of placement scheduling, compliance documents, evaluations, time keeping, and records for student clinical rotations or experiences by educational institutions, health professions programs, health sciences programs, allied health programs, nursing programs, health care facilities, and other clinical facilities; software as a service (SaaS) featuring software for use in data collection, tracking, and management of compliance requirements; software as a service (SaaS) featuring software for the collection, editing, organizing, modifying, book



Andrew Lerner

Director of the United States
Patent and Trademark Office

marking, transmission, storage, analysis, and sharing of personal and professional data and information; software as a service (SaaS) featuring software for uploading, storing, managing, accessing, exchanging, and sharing forms, documentation, and information to verify, facilitate compliance with, and for completion of, background checks, drug testing, fingerprinting, verifications, employment history, and immunizations, and professional-license requirements; software as a service (SaaS) featuring software for creating searchable databases of information and data, namely, clinical, job placement and temporary staffing and career placement opportunities in the fields of healthcare and healthcare education; software as a service (SaaS) featuring software for managing and analyzing data feeds and data inputs in the fields of healthcare and healthcare education; software as a service (SaaS) featuring software for recording attendance and inputting, tracking, and monitoring time entries of healthcare professionals and students; software as a service (SaaS) featuring software for healthcare professionals, healthcare institutions, education institutions, or students to electronically enter, access, track, and synthesize information and generate reports for use in enrollment, placement, compliance, auditing, reporting, and accreditation; software as a service (SaaS) featuring software for collecting, providing, reporting, and creating online summative, formative and clinical site evaluations, namely, providing continual feedback, identifying students in need of remediation, and ensuring student education, degree and licensure objectives and requirements are met; developing customized software for use by students, instructors, and professionals in the field of healthcare and education; computer software development; computer services, namely, creating an online community for registered users to provide student evaluations; computer services, namely, hosting on-line interactive public calendars that allow multiple participants to share event schedules and facility reservations; software as a service (SaaS) featuring software for compliance management in the field of healthcare and education; software as a service (SaaS) featuring software designed to collect and analyze personal and professional data; providing a web site featuring temporary use of non-downloadable software that allow users to upload, store, manage and access information and documents to facilitate compliance with immunization, education, employment, insurance and professional-license requirements; design and implementation of software and technology solutions for the purpose of document authentication and tracking; testing, analysis, and evaluation of the knowledge, skills, and abilities of others in the field of healthcare to determine conformity with certification services; software as a service (SaaS) featuring software for reserving clinical positions at a health care facility; software as a service (SaaS) featuring software for scheduling clinical rotations at a health care facility; software as a service (SaaS) featuring software for uploading, storing, completing, managing, accessing, exchanging, executing, verifying, and sharing forms, documentation, and information to verify, facilitate compliance with, and for completion of, health care facility or educational institution documentation and other requirements for entry, placement, scheduling, or access to a health care facility; tracking student performance for accreditation purposes; testing, analysis, and evaluation of the knowledge, skills and abilities of others to the order and specification of regional, national, and specialized accreditation agencies, namely, agencies focused on therapy education, education in nursing, dental accreditation, health education programs, educator preparation, collegiate nursing education, nursing education accreditation, and higher education; verification services, namely, verification of compliance with medical records and institutional medical requirements for healthcare entities, healthcare professionals, students, and educational institutions

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

CLASS 44: Drug testing and drug use screening services; maintaining personal medical history records and files, namely, immunization data

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

CLASS 45: Background investigation, research, and screening services of current and potential employees, students, contractors, and volunteers of others; public record investigation and researching services; investigation of assets, credit reports, fiscal assessments, and collection reports for security or authentication purposes; identification verification services, namely, providing authentication of personal identification information in the fields of education, references, and professional licensure on behalf of others; pre-employment and employment background screening; student background screening; records

management services, namely, providing a database featuring personal background credential and other personal background information to facilitate and manage sharing, accessing, reviewing, verifying, and exchanging documents and information to verify and ensure compliance with, and completion of, background checks, drug testing, fingerprinting, verifications, employment history, and immunizations, and professional-license requirements

FIRST USE 3-00-2015; IN COMMERCE 3-00-2015

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-462,758, FILED 05-24-2017

United States of America

United States Patent and Trademark Office

QUESTBRIDGE

Reg. No. 5,394,778

Registered Feb. 06, 2018

Int. Cl.: 41

Service Mark

Principal Register

Quest Scholars Program, Inc. (CALIFORNIA nonprofit public benefit corporation)
445 Sherman Avenue
Palo Alto, CALIFORNIA 94306

CLASS 41: Educational counseling services to assist students in planning and preparing for further education: Career counseling, namely, providing advice concerning education options to pursue career opportunities

FIRST USE 10-00-2003; IN COMMERCE 10-00-2003

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-475,642, FILED 06-05-2017



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

THE BRIDGE METHOD

Reg. No. 5,122,812

Registered Jan. 17, 2017

Int. Cl.: 41

Service Mark

Principal Register

The Bridge Method, LLC (NEVADA LIMITED LIABILITY COMPANY)
PO BOX 598
VENICE, CA 90294

CLASS 41: Education services, namely, providing live and on-line classes, workshops, training and non-downloadable videos in the field of personal development

FIRST USE 4-1-2015; IN COMMERCE 4-9-2015

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "METHOD"

SER. NO. 87-044,046, FILED 05-19-2016
JERI J FICKES, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

BRIDGE UP

Reg. No. 5,151,486

Registered Feb. 28, 2017

Int. Cl.: 41

Service Mark

Principal Register

Pussycat Foundation (DELAWARE NON-PROFIT CORPORATION)
300 West 57th Street
New York, NY 10019

CLASS 41: EDUCATIONAL SERVICES, NAMELY, INDIVIDUALIZED AND SMALL GROUP INSTRUCTION IN THE FIELDS OF READING, WRITING, MATHEMATICS, STUDY SKILLS, AND TEST PREPARATION; EDUCATIONAL COUNSELING SERVICES TO ASSIST STUDENTS IN PLANNING AND PREPARING FOR FURTHER EDUCATION

FIRST USE 9-26-2013; IN COMMERCE 9-26-2013

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 86-113.831, FILED 11-08-2013
AHSEN M KHAN, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

RUBY BRIDGES

Reg. No. 3,717,500 BRIDGES, RUBY (UNITED STATES INDIVIDUAL)
Registered Dec. 1, 2009 3737 LAKE MICHEL COURT
GRETNA, LA 70056

Int. Cl.: 41 FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING MOTIVATIONAL AND EDUCATIONAL SPEAKERS IN THE FIELDS OF SOCIAL JUSTICE, HISTORY, COMMUNITY DEVELOPMENT AND RELATED ISSUES AND TOPICS, NAMELY, EDUCATION, FAITH, FORGIVENESS, RACIAL DIVIDE, RACISM, COMMUNITY DEVELOPMENT, RESPECT, TOLERANCE AND THE HISTORY OF RUBY BRIDGES; EDUCATIONAL SERVICES, NAMELY, DEVELOPMENT AND DISSEMINATION OF EDUCATIONAL MATERIALS IN THE FIELDS OF SOCIAL JUSTICE, HISTORY, COMMUNITY DEVELOPMENT AND RELATED ISSUES AND TOPICS, NAMELY, EDUCATION, FAITH, FORGIVENESS, RACIAL DIVIDE, RACISM, COMMUNITY DEVELOPMENT, RESPECT, TOLERANCE AND THE HISTORY OF RUBY BRIDGES; EDUCATIONAL SERVICES, NAMELY, CONDUCTING CLASSES, WORKSHOPS, SEMINARS AND CONFERENCES IN THE FIELD OF SOCIAL JUSTICE, HISTORY, AND COMMUNITY DEVELOPMENT AND DISTRIBUTION OF COURSE MATERIALS IN CONNECTION THEREWITH; PROVIDING COURSES OF INSTRUCTION AT THE PRIMARY, SECONDARY, AND POST-SECONDARY LEVEL IN THE FIELD OF SOCIAL JUSTICE, HISTORY AND COMMUNITY DEVELOPMENT AND DISTRIBUTION OF COURSE MATERIAL IN CONNECTION THEREWITH, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

**SERVICE MARK
PRINCIPAL REGISTER**

FIRST USE 1-1-1998; IN COMMERCE 1-1-1998.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

THE NAME SHOWN IN THE MARK IDENTIFIES "RUBY BRIDGES" WHOSE CONSENT TO REGISTER IS MADE OF RECORD.

SER. NO. 77-571,175, FILED 9-16-2008.

JANICE KIM, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,961,509

Registered June 7, 2005

SERVICE MARK
PRINCIPAL REGISTER

BRIDGEPOINT

BRIDGEPOINT EDUCATION, INC. (DELAWARE CORPORATION), FORMERLY TELEUNIVERSITY, INC.,
13880 STOWE DR.
SUITE C
POWAY, CA 92064

FOR: EDUCATION AND TRAINING SERVICES, NAMELY PROVIDING COURSES, SEMINARS, LECTURES, AND WORKSHOPS AT THE POST-SECONDARY LEVEL, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-1-2004; IN COMMERCE 3-1-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-350,139, FILED 1-9-2004.

ELIZABETH PIGNATELLO, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

ARBORBRIDGE

Reg. No. 4,106,510

Registered Feb. 28, 2012

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

LAUNCH EDUCATION GROUP INC (CALIFORNIA CORPORATION)
1438 9TH STREET, FLOOR 1
SANTA MONICA, CA 90401

FOR: EDUCATION SERVICES, NAMELY, TUTORING IN THE FIELDS OF MATH, SCIENCE, ENGLISH AND TESTING PREPARATION; CONSULTING SERVICES IN THE FIELDS OF EDUCATIONAL TUTORING, NAMELY, COMPREHENSIVE ASSESSMENT OF COMPETENCIES IN ENGLISH, MATH, SCIENCE AND IN STANDARDIZED TESTING IN THESE SUBJECTS FOR HIGH SCHOOL STUDENTS IN PREPARATION FOR COLLEGIATE STUDIES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-1-2011; IN COMMERCE 8-17-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-166,265, FILED 11-1-2010.

REBECCA POVARCHUK, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

MINDBRIDGE

Reg. No. 4,986,935

Registered June 28, 2016

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

SEAVEY, GERALD A (NORTH CAROLINA INDIVIDUAL), DBA MINDBRIDGE TRAININGS
2748 BLAYDON DRIVE
RALEIGH, NC 27606

FOR: EDUCATION SERVICES, NAMELY, PROVIDING WORKSHOPS, SEMINARS,
TRAINING IN THE FIELDS OF PERSONAL AWARENESS, NEURO LINGUISTIC PROGRAM-
MING, BUSINESS DEVELOPMENT, BUSINESS COACHING, IN CLASS 41 (U.S. CLS. 100,
101 AND 107).

FIRST USE 8-10-2002; IN COMMERCE 9-5-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-774,893, FILED 10-1-2015.

JUSTIN SEVERSON, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

ATLANTIC BRIDGE

Reg. No. 4,181,667

Registered July 31, 2012

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

ATLANTIC BRIDGE CORPORATION (CALIFORNIA CORPORATION)
26 CORPORATE PLAZA DRIVE, SUITE #290
NEWPORT BEACH, CA 92660

FOR: INFORMATION ON EDUCATION; ADMISSION CONSULTING SERVICES, NAMELY, CONSULTING IN THE FIELD OF COLLEGE ADMISSIONS, SPECIFICALLY, COLLEGE SELECTION, COMPLETING ADMISSIONS APPLICATIONS, AND PREPARATION FOR COLLEGE ADMISSION INTERVIEWS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-20-1989; IN COMMERCE 12-20-1989.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-183,984, FILED 11-23-2010.

WANDA KAY PRICE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, March 12, 2019 00:59 AM
To: bkuo@benasaur.com
Cc: bkuo.esq@gmail.com
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 88133488: IVY BRIDGE: Docket/Reference No. IVYBR-TP01

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 88133488
Mark: IVY BRIDGE
International Class(es): 041
Owner: Wang, Yu
Docket/Reference Number: IVYBR-TP01

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Mar 12, 2019.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2019-03-12&serialNumber=88133488>

On the publication date or shortly thereafter, the applicant should *carefully review* the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to TMPostPubQuery@uspto.gov. For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to http://tsdr.uspto.gov/#caseNumber=88133488&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=88133488&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

EXHIBIT G

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86578650
LAW OFFICE ASSIGNED	LAW OFFICE 114
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/86578650/large
LITERAL ELEMENT	BRIDGE EDUCATION GROUP
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see arguments attached in the evidence section. Thank you!	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_2092361064-20180222184010216369_Arguements BRIDGE EDUCATION GROUP.pdf
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ORIGINAL PDF FILE	evi_2092361064-20180222184010216369_ . Exhibit C BRIDGE EDUCATION GROUP.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0017.JPG
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	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0019.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0020.JPG
ORIGINAL PDF FILE	evi_2092361064-20180222184010216369_ . Exhibit D BRIDGE EDUCATION GROUP.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0021.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0022.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\865\786\86578650\xml2\ROA0023.JPG
DESCRIPTION OF EVIDENCE FILE	arguments and evidence in support of registration.
ADDITIONAL STATEMENTS SECTION	
ACTIVE PRIOR REGISTRATION(S)	The applicant claims ownership of active prior U.S. Registration Number(s) 4087457, 3250246, 4087979, and others.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Rachel A. Rice/
SIGNATORY'S NAME	Rachel A. Rice
SIGNATORY'S POSITION	Associate Attorney, Polsinelli PC, Colorado bar member
SIGNATORY'S PHONE NUMBER	303-583-8224
DATE SIGNED	02/22/2018
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Feb 22 18:48:06 EST 2018
TEAS STAMP	USPTO/ROA-XXX.XXX.XXX.X-2 0180222184806588820-86578 650-510fde95e9f426c213ce4 43b86ddb024749087bd196d33 3e9a4d76cf62fba6d8-N/A-N/ A-20180222184010216369

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Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **86578650** BRIDGE EDUCATION GROUP(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/86578650/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see arguments attached in the evidence section. Thank you!

EVIDENCE

Evidence in the nature of arguments and evidence in support of registration. has been attached.

Original PDF file:

[evi_2092361064-20180222184010216369 . Arguements BRIDGE EDUCATION GROUP.pdf](#)

Converted PDF file(s) (5 pages)

[Evidence-1](#)

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[Evidence-1](#)

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[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

ADDITIONAL STATEMENTS

Claim of Active Prior Registration(s)

The applicant claims ownership of active prior U.S. Registration Number(s) 4087457, 3250246, 4087979, and others.

SIGNATURE(S)

Response Signature

Signature: /Rachel A. Rice/ Date: 02/22/2018

Signatory's Name: Rachel A. Rice

Signatory's Position: Associate Attorney, Polsinelli PC, Colorado bar member

Signatory's Phone Number: 303-583-8224

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is

concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86578650

Internet Transmission Date: Thu Feb 22 18:48:06 EST 2018

TEAS Stamp: USPTO/ROA-XXX.XXX.XXX.X-2018022218480658

8820-86578650-510fde95e9f426c213ce443b86

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/A-N/A-20180222184010216369

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE EXAMINATION DIVISION

In re: Trademark Application of)
)
Bridge Education Group, Inc.)
)
Serial No.: 87/578,650) RESPONSE TO OFFICE
) ACTION DATED August 22nd, 2017
Filed: March 27, 2015)
)
Mark: "BRIDGE EDUCATION GROUP")

RESPONSE TO OFFICE ACTION

Applicant hereby responds to the Office Action issued by the United States Patent and Trademark Office ("USPTO") on August 22nd, 2017, relating to the above-identified Application, wherein the Office issued a Refusal for Registration under Section 2(d) of the Lanham Act on the basis of a likelihood of confusion with the marks claimed in Registration No. 5,205,275 (the "Registered Word Mark") and Registration No. 5,205,276 (the "Registered Design Mark") (together, the "Registered Marks"). In response, Applicant presents the following arguments in support of registration wherein Applicant asserts no confusion is likely between the Applied-for Mark and the Registered Marks. In this case, numerous *duPont* Factors weigh in favor of registration as each factor effectively distinguishes the marks and goods at issue so that no confusion is likely.

In determining the likelihood of confusion between two marks, the Office must look to the thirteen factors established by the Court of Customs and Patent Appeal in the *duPont* case. *See In re E.I. duPont de Nemours & Co.*, 177 USPQ 563, 567 (C.C.P.A. 1973). Not all of the thirteen factors will be relevant in a particular case. *See In re Dixie Rests, Inc.*, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997).

I. duPont Factors Six, Eight, and Eleven: The number and nature of similar marks on similar good, co-existence between the parties and Applicant's right to exclude others from using the Applied-for Mark.

In analyzing this factor, the Federal Circuit has stated that "[e]vidence of third-party use of similar marks on similar goods is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection." *Palm Bay Import Inc. v. Veuve Clicquot Ponsardin Maison Fondée EN 1772*, 73 USPQ2d 1689 (Fed. Cir. 2005). Applicant notes there are over four hundred live records at the USPTO that: (a) include the word "BRIDGE"; and (b) claim services in International Class 041. *See Exhibit A for a screenshot of a TESS search for the same criteria.* As reflected in the database at the USPTO, the word "BRIDGE" is in use on a great number of similar services.

Of the records shown in Exhibit A, 368 are active registrations with the USPTO. *See Exhibit B for a screenshot of a TESS search reflecting live registrations only.* As a result, it is clear that the USPTO has previously, and continuously, allowed the co-existence of a many, many registrations for marks incorporating the word "BRIDGE" in association for similar services.

Moreover, ten of those marks are owned by Applicant. Notably, the USPTO chose to allow registration of the Registered Marks despite the presence of Applicant's ten registrations, all of which incorporate the

word "BRIDGE" and claimed some sort of service in Class 041. *Please Exhibit C for a list of Applicant's prior registrations.* Therefore, refusing registration for the Applied-for Mark would be against the USPTO's repeated findings that no likelihood of confusion exists between the Registrant and the Applicant.

Applicant's prior Registrations are also strong evidence supporting a finding that Applicant has acquired considerable rights in the Applied-for Mark and that the Applicant and Registrant have managed to co-exist for quite some time. TMEP § 1207. **Indeed, a refusal for registration of the Applied-for Mark would be a collateral attack on the validity of Applicant's ten prior registrations.** TMEP § 1207.01(d)(iv) (*stating* "Section 7(b) of the Trademark Act, 15 U.S.C. §1057(b), provides that a certificate of registration on the Principal Register shall be prima facie evidence of the validity of the registration, of the registrant's ownership of the mark, and of the registrant's exclusive right to use the mark in commerce in connection with the goods or services specified in the certificate.")

II. duPont Factor One: The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation, and commercial impression.

There is no explicit rule that likelihood of confusion automatically applies where one mark contains in part the whole of another mark. See, e.g., *Colgate-Palmolive Co. v. Carter-Wallace, Inc.*, 432 F.2d 1400, 167 U.S.P.Q. 529 (C.C.P.A. 1970) (PEAK PERIOD not confusingly similar to PEAK); *Lever Bros. Co. v. Barcolene Co.*, 463 F.2d 1107, 174 U.S.P.Q. 392 (C.C.P.A. 1972) (ALL CLEAR not confusingly similar to ALL); *In re Ferrero*, 479 F.2d 1395, 178 U.S.P.Q. 167 (C.C.P.A. 1973) (TIC TAC not confusingly similar to TIC TAC TOE); *Conde Nast Publications, Inc. v. Miss Quality, Inc.*, 507 F.2d 1404, 184 U.S.P.Q. 422 (C.C.P.A. 1975) (COUNTRY VOGUES not confusingly similar to VOGUE); *In re Merchandising Motivation, Inc.*, 184 U.S.P.Q. 364 (T.T.A.B. 1974). In addition, courts have found (in many cases) that even where two marks share common terms combined with other dissimilar elements, the dissimilar element sufficiently distinguishes the two marks in their entirety to avoid a likelihood of confusion. **To that end, numerous marks that have common or similar elements have avoided a finding of likelihood of confusion.** See, e.g., *Marshall Field & Co. v. Mrs. Fields Cookies*, 25 U.S.P.Q.2d 1321 (TTAB 1992) ("MARSHALL FIELD'S" and "FIELD'S," both for department store services including baked goods, created no likelihood of confusion with "MRS. FIELDS," for cookies and brownies); *Mr. Hero Sandwich Systems, Inc. v. Roman Meal Co.*, 228 U.S.P.Q. 364 (Fed. Cir. 1986) ("ROMAN" and "ROMANBURGER" were not confusingly similar); *Bell Laboratories Inc. v. Colonial Products Inc.*, 231 U.S.P.Q. 569 (S.D. Fla. 1986) (both "FINAL FLIP" and "FINAL," for pesticides were not confusingly similar); *Interstate Brands v. Celestial Seasonings*, 198 U.S.P.Q. 151, 153 (CCPA 1978) ("The presence of the word "RED" in Applicant's mark cannot be dismissed as an identification factor. Thus whether we consider Applicant's mark to be 'THE RED ZINGER' or 'RED ZINGER,' it is distinguishable from 'ZINGER' per se"); *Plus Products v. General Mills, Inc.*, 188 U.S.P.Q. 520 (TTAB 1975), *aff'd* without opinion, 534 F.2d 336 (CCPA 1975) ("PROTEIN PLUS" not confusingly similar to "PLUS"); *Lever Bros. Co. v. Barcolene Co.*, 174 U.S.P.Q. 392 (CCPA 1972) ("ALL" and "ALL CLEAR," for household cleaners were not confusingly similar); *Colgate-Palmolive Co. v. Carter-Wallace, Inc.*, 167 U.S.P.Q. 529 (CCPA 1970) ("PEAK PERIOD" not confusingly similar to "PEAK"); *Long John Distilleries, Ltd. v. Sazerac Co.*, 420 F.2d 1403, 166 U.S.P.Q. 30 (CCPA 1970) (no likelihood of confusion between "FRIAR JOHN" and "LONG JOHN" for scotch whiskey - despite near identity in the goods).

"When comparing the marks, 'all relevant facts pertaining to appearance, sound, and connotation must be considered before similarity as to one or more of those factors may be sufficient to support a finding that the marks are similar or dissimilar.'" *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1899 (Fed. Cir. 2000). In consideration of all the relevant facts, the Applied-for Mark is markedly dissimilar from each of the cited mark. Furthermore, it is not appropriate for the Office to compare the

Applied-for Mark and the cited marks by discriminately selecting portions of either for comparison while ignoring the aggregate effect created by each of the marks. *Franklin Mint Corp. v. Master Mfg. Co.*, 212 U.S.P.Q. 233 (CCPA 1981). The Office must focus on the entire mark as a whole, based on its overall sight, sound, connotation, and commercial impression, instead of just its component parts. *In re National Data Corp.*, 753 F.2d 1056, 224 U.S.P.Q. 749, 751 (Fed. Cir. 1985); *Massey Junior College, Inc. v. Fashion Institute of Technology*, 492 F.2d 1399, 1402, 181 U.S.P.Q. 272, 273-74 (CCPA 1974); 2 J. Thomas McCarthy, MCCARTHY ON TRADEMARKS §23.15[1][a] (3rd Ed. 1992). **While each mark may contain common or similar roots, the marks should be considered in their entirety.** See *Opryland USA, Inc. v. Great American Music Show, Inc.*, 970 F.2d 847, (Fed. Cir. 1992); *In re National Data Corp.*, 753 F.2d 1056, (Fed. Cir. 1985) (individual components or features should not be dissected and analyzed piecemeal).

The Registered Design Mark clearly incorporates additional design elements that further distinguish it from the Applied-for Mark, namely, the stylization of the textual element and the bridge design. These elements are important dissimilarities that clearly affect the sight and commercial impression of the Registered Design Mark versus the Applied-for Mark. The Applied-for Mark contains three separate words, making it noticeably longer in terms of sight and sound than the Registered Marks. Moreover, the Registered Marks consist of a textual element that combines "BRIDGE" with the suffix "EDU" to create a telescoped word. In contrast, the Applied-for Mark does not contain any telescoped words and does NOT use "EDU" as a suffix. Instead, it uses the word "EDUCATION", which is a significant departure from the sight, sound, and commercial impression of the Registered Marks. The additional textual elements in the Applied-for Mark are important factors that should be properly considered in the likelihood of confusion analysis. "Additions or deletions to marks may be sufficient to avoid a likelihood of confusion if: (1) the marks in their entireties convey significantly different commercial impressions; or (2) the matter common to the marks is not likely to be perceived by purchasers as distinguishing source because it is merely descriptive or diluted." TMEP § 1207.01(b)(II). See, e.g., *Citigroup Inc. v. Capital City Bank Group, Inc.*, 637 F.3d 1344, 1356, 98 USPQ2d 1253, 1261 (Fed. Cir. 2011) (affirming TTAB's holding that contemporaneous use of applicant's CAPITAL CITY BANK marks for banking and financial services, and opposer's CITIBANK marks for banking and financial services, is not likely cause confusion, based, in part, on findings that the phrase "City Bank" is frequently used in the banking industry and that "CAPITAL" is the dominant element of applicant's marks, which gives the marks a geographic connotation as well as a look and sound distinct from opposer's marks); also see *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1245, 73 USPQ2d 1350, 1356-57 (Fed. Cir. 2004) (reversing TTAB's holding that contemporaneous use of THE RITZ KIDS for clothing items (including gloves) and RITZ for various kitchen textiles (including barbeque mitts) is likely to cause confusion, because, *inter alia*, THE RITZ KIDS creates a different commercial impression).

As discussed in Section I, the word "BRIDGE" is present in over four hundred registrations that claim goods in Class 41. Denying registration for the Applied-for Mark due to the presence of the Registered Marks would be granting the Registered Marks an exclusive right to use the word "BRIDGE" in Class 41 **with respect to the Applicant alone**. This result is particular unfair given Applicant's ownership of ten other registrations for "BRIDGE" in Class 41. Moreover, maintaining the Refusal for Registration would be inconsistent with the USPTO's prior registration of many other applications that contain the word "BRIDGE" and it would ignore the dissimilar material that is present in both the Applied-for Mark (namely, the words "EDUCATION GROUP") and in the Registered Marks (namely, the use of "EDU" as a suffix and the design element in the Registered Design Mark). Given the dissimilarities of the marks, and the extreme weakness of the sole element of similarity, *duPont Factor Two* weighs heavily in favor of registration for the Applied-for Mark.

III. duPont Factor Two: The similarity or dissimilarity of the services.

For a determination of likelihood of confusion, the question to be determined is not whether the *actual goods or services* are likely to be confused, but rather whether there is a likelihood of *confusion as to the source of the goods or services* because of the marks used thereon. *In re Rexel Inc.*, 223 USPQ 830, 831 (TTAB 1984) (emphasis added), and cases cited therein. Even in cases featuring closely related goods or services, the TTAB has mandated that a closer inspection of the goods or services must be undertaken before a finding of a likelihood of confusion would be appropriate. In fact, the TTAB has repeatedly rejected overbroad generalizations that goods or services are related simply because they are in the same general field or space. The Office relies upon the proposition that the services claimed under the Applied-for Mark and the Registered Marks are both in the field of educational services in order to conclude that the services are identical. This reasoning is inconsistent with the foregoing precedent established by the TTAB. Mere similarity in terms of the general field or space is not enough to establish overall similarity between services within the context of a proper Section 2(d) refusal. *Id.*

The Registered Marks both claim services that are specifically limited to the field of college and university studies. Accordingly, the Registered Services are aimed and marketed towards educators and/or administrators at the college and university level. *Please see Exhibit D for a copy of marketing materials available from the Registrant's website.* In contrast, the Applied-for Services are marketed towards individuals who are studying language abroad. As a result, there are important differences between the services at issue in terms of function, purpose, and delivery. Accordingly, the services at issue are so different, that no likelihood of confusion is likely and this *duPont Factor Two* weighs in favor of registration.

IV. duPont Factor Threes and Four: The similarity or dissimilarity of established, likely-to-continue trade channels; and The conditions under which and buyers to whom sales are made.

When “goods are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then, even if the marks are identical, confusion is not likely.” *Perfect Foods, Inc.*, 2006 WL 867931, at *6 (Mar. 21, 2006) (citing *Shen Mfg Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 73 USPQ2d 1350 (Fed. Cir. 2004)). The test as to whether trade channels for goods or services are similar is based upon what consumers reasonably might believe when encountering the parties’ marks in a commercial environment. *CPG Prods. Corp. v. Perceptual Play, Inc.*, 221 USPQ 88, 90 (TTAB 1983); McCarthy § 24:51. If the differences in the goods result in the goods being sold through different trade channels, being used for different purposes, or not interfacing in the market, the cumulative dissimilarities are sufficient to outweigh any similarity between the respective marks. See *Astra Pharmaceutical Prods. V. Beckman Instruments*, 220 USPQ 609 (D. Mass. 1983)(aff’d, 718 F.2d 1201 (1st Cir. 1983)). Moreover, in determining whether a likelihood of confusion exists, it must be kept in mind that the likelihood of confusion or mistake must exist as to the purchasing public for the goods on which the marks are used – not confusion of the purchasing public at large or confusion merely as an intellectual concept. See McCarthy §23:5. It is clear that when “goods are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then, even if the marks are identical, confusion is not likely.” *Perfect Foods.*

Because of the differences between the services offered by the Registrant and the Applicant, the services would not be offered in the same location. Registrant’s services are offered in universities and colleges while Applicant’s are offered in locations specifically dedicated to language learning. In each case, consumers of the services at issue would be selecting the services for their specific function, over any other characteristic, so consumers of the Registered Services and the Applied-for Services are more likely to pay attention to the actual performance and purpose of the services at issue rather than any mark that may be used in association therewith. Therefore, it is unlikely that consumers would confuse the

Registered Services with the Applied-for Services. As a result, *duPont Factors Three and Four* weigh in favor of registration. .

Summary

In view of the foregoing, Applicant respectfully requests the Refusal for Registration of the Applied-for Mark be withdrawn. It is now believed the Application is in condition for publication and Applicant respectfully requests the same. If the Examining Attorney should have any questions or concerns regarding any of the foregoing, the Examining Attorney is encouraged to contact the undersigned. Thank you!

EXHIBIT A



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 Refine Search

Current Search: S5: (*bridge*)[BI] and (041)[IC] and (LIVE)[LD] docs: 441 occ: 1323

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	87795814		THE BRIDGE HATTR AMYLOIDOSIS	TSDR	LIVE
2	87800668		BRIDGE CITY COLLECTIVE	TSDR	LIVE
3	87433593	5405196	SKYBRIDGE CAPITAL	TSDR	LIVE
4	87376003		BAINBRIDGE VINEYARDS	TSDR	LIVE
5	87798645		BREMERTON BRIDGE BLAST	TSDR	LIVE
6	87790090		CHILD BRIDGE TO A BRIGHTER FUTURE	TSDR	LIVE
7	87624095		CALVARY CROSSBRIDGE	TSDR	LIVE
8	87283022		WELLBRIDGE	TSDR	LIVE
9	87642200		CSCA CAMBRIDGE SCHOOL OF CULINARY ARTS	TSDR	LIVE
10	87534556	5400885	BRIDGES PRESCHOOL	TSDR	LIVE
11	87330462	5403140	THE BRIDGE HUMAN PERFORMANCE	TSDR	LIVE
12	87657498		SCHOOL BRIDGE	TSDR	LIVE
13	87335918		CAMERON & BRIDGET SINCE 2016	TSDR	LIVE
14	87661602		TECHBRIDGE CAMPUS	TSDR	LIVE
15	87661597		TECHBRIDGE VILLAGE	TSDR	LIVE
16	87661594		TECHBRIDGE ACADEMY	TSDR	LIVE
17	87661585		TECHBRIDGE	TSDR	LIVE
18	87529414		CAMBRIDGE CHARTER SCHOOL	TSDR	LIVE
19	87475642	5394778	QUESTBRIDGE	TSDR	LIVE
20	87417562	5394597	THE BRIDGE TO HOPE & HEALING	TSDR	LIVE
21	87248961	5394173	TALKBRIDGE	TSDR	LIVE

22	87148037		BRIDGES INTERNATIONAL	TSDR	LIVE
23	87633582		BRIDGER ANIMAL NUTRITION	TSDR	LIVE
24	87246833	5383539	THE BRIDGES AT SPRINGTREE GOLF CLUB	TSDR	LIVE
25	87233117	5387892	BROADWAY BRIDGES	TSDR	LIVE
26	87641086		GET READY 4 KINDERGARTEN BUILDING A BRIDGE FROM HOME TO SCHOOL	TSDR	LIVE
27	87588593		B.E.S.T.	TSDR	LIVE
28	87575873		BRIDGEBOOKS	TSDR	LIVE
29	87445488	5377993	BLUES BETWEEN THE BRIDGES	TSDR	LIVE
30	87396188		HIGH BRIDGE THE LABEL	TSDR	LIVE
31	87726553		ROCKBRIDGE	TSDR	LIVE
32	87331603	5303530	BRIDG	TSDR	LIVE
33	87610950		RHB	TSDR	LIVE
34	87610928		RHB ROBINSON H. BRIDGEFORTH	TSDR	LIVE
35	87458854	5359701	TAKE THE BRIDGE	TSDR	LIVE
36	87384443	5358662	FASTBRIDGE LEARNING	TSDR	LIVE
37	87606627		THE BRIDGE XRC	TSDR	LIVE
38	87233124		BROADWAY BRIDGES	TSDR	LIVE
39	87124760		BRIDGETOWER MEDIA	TSDR	LIVE
40	87045060		BRIDGETOWER MEDIA	TSDR	LIVE
41	87345912		CAMBRIDGE FAMILY ENTERPRISE GROUP	TSDR	LIVE
42	87345936		CAMBRIDGE FAMILY ENTERPRISE GROUP	TSDR	LIVE
43	87345919		CAMBRIDGE INSTITUTE FOR FAMILY ENTERPRISE	TSDR	LIVE
44	87574670		THE FORTH BRIDGES	TSDR	LIVE
45	87574640		THE FORTH BRIDGES	TSDR	LIVE
46	87687066		CIC CAMBRIDGE INTERNATIONAL CONSULTING NEGOCIACIÓN-COMUNICACIÓN ESTRATÉGICA-LIDERAZGO	TSDR	LIVE
47	87369380	5347887	BRIDGES TO SUCCESS	TSDR	LIVE
48	87574569		THREE BRIDGES SPANNING THREE CENTURIES	TSDR	LIVE
49	87574525		THE FORTH BRIDGES	TSDR	LIVE
50	87225737	5338284	BRIDGEWAY	TSDR	LIVE
51	87195676	5338181	BRIDGEWAY ACADEMY	TSDR	LIVE
52	87067706		STAR TREK: BRIDGE CREW	TSDR	LIVE
53	87243175		PENINSULA BRIDGE	TSDR	LIVE
54	87498117		FAMILIES' BRIDGE TO CARING HANDS	TSDR	LIVE
55	87498094		FAMILIES' BRIDGE TO CARING HANDS	TSDR	LIVE
56	87016183		BRIDGE BROTHERS	TSDR	LIVE
57	87506776		BRIDGE2BASE	TSDR	LIVE
58	87274809		SENBRIDGE	TSDR	LIVE
59	87274798		SENBRIDGE	TSDR	

					LIVE
60	87075186		PH PEMBRIDGE HALL	TSDR	LIVE
61	87075141		WETHERBY PEMBRIDGE	TSDR	LIVE
62	87475793		THE BRIDGE OF FAME	TSDR	LIVE
63	87372349	5310354	PREP 4 SUCCESS SUMMER BRIDGE	TSDR	LIVE
64	87338133	5300100	NEXTBRIDGE CONSULTING, LLC	TSDR	LIVE
65	87439993		LIGHTBRIDGE LEADERSHIP	TSDR	LIVE
66	87326049	5295224	A WIDER BRIDGE	TSDR	LIVE
67	87250581		THE BRIDGE THEATRE	TSDR	LIVE
68	87152480	5292629	THE PINK BRIDGE	TSDR	LIVE
69	87490718		LIFEBRIDGE CENTER	TSDR	LIVE
70	87490763		LIFEBRIDGE CENTER	TSDR	LIVE
71	87422478	5286417	BRIDGES TO BETTER HEALTH CONFERENCE	TSDR	LIVE
72	87413775	5286400	BRIDGES TO BETTER HEALTH	TSDR	LIVE
73	87347066	5285822	A WORLD BRIDGE	TSDR	LIVE
74	87175431		BRIDGES FOR PEACE...YOUR ISRAEL CONNECTION [HEBREW CHARACTERS]	TSDR	LIVE
75	87476468		BRIDGEFIELD GROUP	TSDR	LIVE
76	87325860	5276288	A WIDER BRIDGE	TSDR	LIVE
77	87462765		CB BRIDGES	TSDR	LIVE
78	87462758		CB BRIDGES	TSDR	LIVE
79	87462755		CASTLEBRANCH BRIDGES	TSDR	LIVE
80	87006066		THIRD BRIDGE CREATIVE	TSDR	LIVE
81	87047402	5272371	BRIDGEFEST NEWPORT RI	TSDR	LIVE
82	87215924	5267707	THE LEADERSHIP BRIDGE	TSDR	LIVE
83	87356860		BUILDING BRIDGES THROUGH STEM	TSDR	LIVE
84	87270826	5260397	DRAWBRIDGE54	TSDR	LIVE
85	87260192	5259799	BRIDGES PRESCHOOL	TSDR	LIVE
86	87175425		EXPERIENCE THE LAND OF THE BIBLE A MINISTRY OF BRIDGES FOR PEACE	TSDR	LIVE
87	87188123		CHAINBRIDGE DISTILLERY	TSDR	LIVE
88	87284074	5250581	PETABRIDGE	TSDR	LIVE
89	87281547	5246275	WELLBRIDGE	TSDR	LIVE
90	87151881		CAMBRIDGE COMPUTER	TSDR	LIVE
91	87151789		CAMBRIDGE COMPUTER	TSDR	LIVE
92	87218109	5240207	THE BRIDGES AT SPRINGTREE GOLF CLUB	TSDR	LIVE
93	87176171	5240021	LITTLE SPANISH BRIDGE	TSDR	LIVE
94	87244752		BADGES2BRIDGES	TSDR	LIVE
95	87414041		BRIDGE AND TUNNEL	TSDR	LIVE
96	87354893		PROGRESS BRIDGE	TSDR	LIVE

97	87180997	5203741	ADVENTURES IN BRIDGE	TSDR	LIVE
98	87117620	5194688	THE CAVERNS AT VIRGINIA'S NATURAL BRIDGE PARK	TSDR	LIVE
99	87115524	5175373	BUILDING BRIDGES TO OPTIMUM HEALTH	TSDR	LIVE
100	87159986	5171567	TXMX BUILDING BRIDGES	TSDR	LIVE

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EXHIBIT B



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 Current Search: S6: (*bridge*)[BI] and (041)[IC] and (LIVE)[LD] and docs: 368 occ: 1472
 RD > "0"

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	87433593	5405196	SKYBRIDGE CAPITAL	TSDR	LIVE
2	87534556	5400885	BRIDGES PRESCHOOL	TSDR	LIVE
3	87330462	5403140	THE BRIDGE HUMAN PERFORMANCE	TSDR	LIVE
4	87475642	5394778	QUESTBRIDGE	TSDR	LIVE
5	87417562	5394597	THE BRIDGE TO HOPE & HEALING	TSDR	LIVE
6	87248961	5394173	TALKBRIDGE	TSDR	LIVE
7	87246833	5383539	THE BRIDGES AT SPRINGTREE GOLF CLUB	TSDR	LIVE
8	87233117	5387892	BROADWAY BRIDGES	TSDR	LIVE
9	87445488	5377993	BLUES BETWEEN THE BRIDGES	TSDR	LIVE
10	87331603	5303530	BRIDG	TSDR	LIVE
11	87458854	5359701	TAKE THE BRIDGE	TSDR	LIVE
12	87384443	5358662	FASTBRIDGE LEARNING	TSDR	LIVE
13	87369380	5347887	BRIDGES TO SUCCESS	TSDR	LIVE
14	87225737	5338284	BRIDGEWAY	TSDR	LIVE
15	87195676	5338181	BRIDGEWAY ACADEMY	TSDR	LIVE
16	87372349	5310354	PREP 4 SUCCESS SUMMER BRIDGE	TSDR	LIVE
17	87338133	5300100	NEXTBRIDGE CONSULTING, LLC	TSDR	LIVE
18	87326049	5295224	A WIDER BRIDGE	TSDR	LIVE
19	87152480	5292629	THE PINK BRIDGE	TSDR	LIVE
20	87422478	5286417	BRIDGES TO BETTER HEALTH CONFERENCE	TSDR	LIVE
21	87413775	5286400	BRIDGES TO BETTER HEALTH	TSDR	LIVE

22	87347066	5285822	A WORLD BRIDGE	TSDR	LIVE
23	87325860	5276288	A WIDER BRIDGE	TSDR	LIVE
24	87047402	5272371	BRIDGEFEST NEWPORT RI	TSDR	LIVE
25	87215924	5267707	THE LEADERSHIP BRIDGE	TSDR	LIVE
26	87270826	5260397	DRAWBRIDGE54	TSDR	LIVE
27	87260192	5259799	BRIDGES PRESCHOOL	TSDR	LIVE
28	87284074	5250581	PETABRIDGE	TSDR	LIVE
29	87281547	5246275	WELLBRIDGE	TSDR	LIVE
30	87218109	5240207	THE BRIDGES AT SPRINGTREE GOLF CLUB	TSDR	LIVE
31	87176171	5240021	LITTLE SPANISH BRIDGE	TSDR	LIVE
32	87180997	5203741	ADVENTURES IN BRIDGE	TSDR	LIVE
33	87117620	5194688	THE CAVERNS AT VIRGINIA'S NATURAL BRIDGE PARK	TSDR	LIVE
34	87115524	5175373	BUILDING BRIDGES TO OPTIMUM HEALTH	TSDR	LIVE
35	87159986	5171567	TXMX BUILDING BRIDGES	TSDR	LIVE
36	87165083	5168765	SHARK BRIDGE	TSDR	LIVE
37	87086021	5137265	BEING BRIDGET	TSDR	LIVE
38	87078731	5128874	BRIDGES TO ACADEMIC SUCCESS	TSDR	LIVE
39	87044046	5122812	THE BRIDGE METHOD	TSDR	LIVE
40	87047406	5114379	BRIDGEFEST	TSDR	LIVE
41	87020005	5100093	BRIDGEDALE ACADEMY	TSDR	LIVE
42	87020803	5086707	THE BRIDGE TO TOTAL FREEDOM	TSDR	LIVE
43	86604421	4942834	VALOR BRIDGE	TSDR	LIVE
44	86925750	5387284	COVENTBRIDGE	TSDR	LIVE
45	86351982	4758902	OXBRIDGE ACADEMIC PROGRAMS	TSDR	LIVE
46	86604249	5004494	BRIDGETTE CHAMBERS PROFITABLE PROBLEM SOLVING	TSDR	LIVE
47	86526269	5263221	BRIDGETHORNE	TSDR	LIVE
48	86526256	5263220	BRIDGETHORNE	TSDR	LIVE
49	86200340	4613268	BRIDGE POLICY & PROMOTION COUNCIL	TSDR	LIVE
50	86353237	5205276	BRIDGEEDU	TSDR	LIVE
51	86353235	5205275	BRIDGEEDU	TSDR	LIVE
52	86687753	4904668	WORLD STEEL BRIDGE SYMPOSIUM	TSDR	LIVE
53	86707110	5193791	VIRGINIA'S NATURAL BRIDGE PARK	TSDR	LIVE
54	86699671	4938738	CAMBRIDGE ENGINEERED SOLUTIONS	TSDR	LIVE
55	86698217	5182335	1 HOTEL BROOKLYN BRIDGE	TSDR	LIVE
56	86698187	5182334	1 HOTEL BROOKLYN BRIDGE	TSDR	LIVE
57	86698104	5182333	1 HOTEL BROOKLYN BRIDGE	TSDR	LIVE
58	86009327	5176628	STANBRIDGE UNIVERSITY	TSDR	LIVE
59	86073787	4598811	UNIVERSITY BRIDGE	TSDR	LIVE


60	86073774	4615058	U B UNIVERSITY BRIDGE	TSDR	LIVE
61	86876234	5158899	DRAWBRIDGE54	TSDR	LIVE
62	86666637	5153616	YOGA BRIDGE	TSDR	LIVE
63	86113831	5151486	BRIDGE UP	TSDR	LIVE
64	86924572	5140279	INQUIRY BRIDGE	TSDR	LIVE
65	86269510	5111864	GO! POWERED BY KNIGHTSBRIDGE HUMAN CAPITAL SOLUTIONS	TSDR	LIVE
66	86327482	4798061	HYBRIDGE	TSDR	LIVE
67	86006111	4484781	BRIDGE TO THE BELTWAY	TSDR	LIVE
68	86342232	5078403	THE QUALBRIDGE INSTITUTE	TSDR	LIVE
69	86707159	5066899	VIRGINIA'S NATURAL BRIDGE	TSDR	LIVE
70	86275519	5052164	CAMBRIDGE GLOBAL PERSPECTIVES	TSDR	LIVE
71	86888421	5044491	ALMABRIDGE CONSULTING	TSDR	LIVE
72	86714044	5039141	LEON BRIDGES	TSDR	LIVE
73	86707333	5030015	MONACAN LIVING HISTORY VIRGINIA'S NATURAL BRIDGE	TSDR	LIVE
74	86465788	5029561	NORTHBRIDGE	TSDR	LIVE
75	86521106	5005829	CROSSBRIDGE COMPLIANCE	TSDR	LIVE
76	86707318	4995057	MONACAN LIVING HISTORY VIRGINIA'S NATURAL BRIDGE	TSDR	LIVE
77	86707180	4995056	THE CAVERNS AT VIRGINIA'S NATURAL BRIDGE PARK	TSDR	LIVE
78	86707135	4995055	VIRGINIA'S NATURAL BRIDGE	TSDR	LIVE
79	86707024	4995053	VIRGINIA'S NATURAL BRIDGE PARK	TSDR	LIVE
80	86009904	4978388	BRIDGEWATER COLLEGE EAGLES	TSDR	LIVE
81	86774893	4986935	MINDBRIDGE	TSDR	LIVE
82	86792535	4973025	BRIDGE BUILDERS	TSDR	LIVE
83	86792496	4973024	BRIDGES	TSDR	LIVE
84	86720047	4950456	MUSICAL BRIDGES AROUND THE WORLD	TSDR	LIVE
85	86682342	4936026	SCHILLINGBRIDGE RHYTHM & BREWS	TSDR	LIVE
86	86009910	4927878	B	TSDR	LIVE
87	86498310	4919335	CAVENDISH BRIDGE CLUB NYC	TSDR	LIVE
88	86498146	4917278	CITYBRIDGE FOUNDATION	TSDR	LIVE
89	86425745	4916743	BROOKLYN BRIDGE PARK	TSDR	LIVE
90	86009896	4879252	BRIDGEWATER COLLEGE	TSDR	LIVE
91	86009882	4879251	BRIDGEWATER COLLEGE	TSDR	LIVE
92	86619274	4884842	BRIDGE UNITING HOLISTIC WELLNESS & TRADITIONAL HEALTHCARE	TSDR	LIVE
93	86512120	4875848	LIGHTBRIDGE ACADEMY CIRCLE OF CARE	TSDR	LIVE
94	86307839	4860530	LIGHTBRIDGE ACADEMY	TSDR	LIVE
95	86307815	4856415	LIGHTBRIDGE ACADEMY	TSDR	LIVE
96	86565774	4844826	BRIDGEKORP	TSDR	LIVE

97	86536231	4812665	BRIDGE TO BREWS	TSDR	LIVE
98	86307883	4788521	KNIGHTSBRIDGE	TSDR	LIVE
99	86470529	4785116	BRIDGESPAN	TSDR	LIVE
100	86345054	4775620	SLS SLS PUBLICATIONS YOUR BRIDGE BETWEEN ANGLO AND LATIN AMERICA	TSDR	LIVE

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EXHIBIT C

Mark/Name/AN/RN	Status/Status Date	Full Goods/Services	Owner Information
<p>BRIDGE RN: 4087457 SN: 85340438</p>	<p>Registered 8 & 15 December 31, 2017</p>	<p>(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops in the field of language instruction, namely, teaching english as a foreign language and distribution of training material in connection therewith, providing educational instruction courses for teaching english as a foreign language, language instruction provided while travelling in foreign countries, and arranging of foreign language course for those studying abroad; language translation</p>	<p>Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America</p>
<p>BRIDGE ABROAD RN: 3250246 SN: 76660943</p>	<p>Renewed June 12, 2017</p>	<p>(Int'l Class: 41) educational services, namely language instruction services; educational services, namely language instruction provided while travelling in foreign countries; educational services, namely arranging of foreign language course for those studying abroad</p>	<p>Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America</p>
<p>BRIDGE and Design</p>  <p>RN: 4087979 SN: 85349507</p>	<p>Registered 8 & 15 December 31, 2017</p>	<p>(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops in the field of language instruction, namely, teaching english as a foreign language and distribution of training material in connection therewith, providing educational instruction courses for teaching english as a foreign language, language instruction provided while travelling in foreign countries, and arranging of foreign language</p>	<p>Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America</p>

		course for those studying abroad; language translation	
BRIDGE BUSINESS ENGLISH INSTITUTE RN: 4397633 SN: 85709265	Registered September 3, 2013	(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops in the field of language instruction, namely, teaching english as a foreign language and distribution of training material in connection therewith	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America
BRIDGE EDUCATION GROUP SN: 86578650	Pending - Non-Final Action Mailed August 22, 2017	(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops in the field of language instruction, namely, teaching english as a foreign language and distribution of training material in connection therewith; providing educational instruction courses for teaching english as a foreign language; language instruction provided while travelling in foreign countries, and arranging of foreign language course for those studying abroad; language translation and language interpretation services; administering test preparation courses and standardized tests to evaluate language proficiency	Bridge Education Group, Inc. (COLORADO CORP.) 600 S. Cherry Street, Suite 520 Denver, Colorado 80246 United States of America
BRIDGEENGLISH RN: 4454713 SN: 85927322	Registered December 24, 2013	(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops for the purpose of teaching english as a second language and	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America

		administering test preparation courses and standardized tests to evaluate language proficiency	
BRIDGELANGUAGES RN: 4461793 SN: 85928482	Registered January 7, 2014	(Int'l Class: 41) language translation and language interpretation services	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America
BRIDGEPATHWAYS RN: 4462119 SN: 85937448	Registered January 7, 2014	(Int'l Class: 41) recruitment of international students for higher education institutions; language testing services; conducting classes, seminars and workshops for the purpose of teaching languages for academic admission purposes; and facilitating academic student and faculty exchange programs	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America
BRIDGETEFL RN: 4455003 SN: 85937441	Registered December 24, 2013	(Int'l Class: 41) educational services, namely, conducting classes, seminars and workshops in the field of language instruction, namely, providing teacher training for teaching english as a foreign language and distribution of training material in connection therewith	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America
BRIDGEVIRTUAL RN: 4454614 SN: 85926321	Registered December 24, 2013	(Int'l Class: 41) educational services, namely, providing online language instruction programs and online courses of instruction in the field of languages	Bridge Education Group, Inc. (COLORADO CORP.) 915 S. Colorado Boulevard Denver, Colorado 80246 United States of America

EXHIBIT D



AT-A-GLANCE

WHO WE SERVE



95%
Students
of Color

82%
First
Gen

78%
Pell-Grant
Eligible

BridgeEdu is a hybrid technology and coaching solution designed to improve persistence among students to surpass the national performance indicators by transforming the first- and second-year experience. Our personalized coaching and data-driven approach empowers, delights, and motivates students to reach their dreams while boosting overall student retention rates.



Community
College of
Baltimore
County



Coppin
State
University

Institutions will see an average return of over 2-3 times their investment in four years!

OUR IMPACT

1

First-Year Retention and Persistence



Our students persist through the first two freshmen semesters exceeding the national average by over 15%.

2

Academic Momentum



English Statistics

92% Need at least 1 dev. English credit

70% Completed all dev. English courses

85% Completed gate keeper English course



Math Statistics

87% Need at least 1 dev. Math credit

44% Completed all dev. Math courses

85% Completed gate keeper Math course

3

Coaching and Mentorship



How has BridgeEdu Helped You?

88%
of current scholars
would recommend the
program to a friend

42% Study Habits

52% Academic Goals

63% Personal Challenges

57% Time Management

4

Financial Aid
Support

Individualized Support ~ Maximum Funding
Federal . State . Institutional . Private



Mobile App



Frequently Asked Questions

1. What is the story of BridgeEdU?

Our founder, Wes Moore, is a social justice advocate, best-selling author, and has spent his life serving underrepresented populations. Moore created BridgeEdU because he believes students of promise should have the supports they need to reach their full academic potential and to persist through college.

2. My institution already has a focus around retention. How does BridgeEdU support my current retention strategies?

BridgeEdU works in tandem with colleges and universities to increase retention rates by focusing on students that are at risk of dropping out of college. These students often require supports beyond what an institute of higher education (IHE) can provide. Our goal is to work with your institution to deliver a customized solution to maximize retention efforts, improve student data outcomes, and, ultimately, positively impact graduation rates. Our carefully crafted, multi-tiered system of support utilizes best practice retention strategies that ensure student success.

3. Can BridgeEdU help create a student pipeline from my local community college in addition to helping me retain my current freshman class?

Yes, our current partnership with the Community College of Baltimore County and Coppin State University demonstrates how we can effectively align a 2-year institution with a 4-year institution to create a student pipeline that is prepared to succeed. We collaborate with both institutions to ensure course alignment, articulation planning, and student readiness.

4. Who will you work with to get the program going?

Each institution is different, therefore we align to your specific administrative structures saving you valuable time and resources. We have the capacity to work as either a primary, secondary, or tertiary student support service-allowing our group of educational professionals to identify and meet the needs of your students. At each institution we serve, we engage with, but not limited to, the following entities:

- **Academic Regulations and Requirements**
(departmental or university-wide)
- **Programs of Studies**
(Departments/Colleges)
- **Special Programs**
(e.g., ADA Compliance Offices)
- **Undergraduate Admissions**
- **Financial Aid Offices**
- **International Student Services**
- **Career Development Centers**
- **Offices of Information Technologies, and many more**

5. How do you integrate technology into your offerings?

We ensure every student has a dedicated academic coach that utilizes a hybrid model (face-to-face and virtual) coaching engagement, which is supported by easy-to-use technical platforms and High Impact Practices that yield significant results. We capitalize on synchronous and asynchronous models of coaching treatments-ensuring that student's needs are met to increase their academic achievement.

For more information, contact Phyllis Hillwig at phillwig@bridgeedu.com

Visit our website and learn more at www.bridgeedu.com