

ESTTA Tracking number: **ESTTA435271**

Filing date: **10/12/2011**

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

## Notice of Opposition

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

### Opposer Information

|                                       |   |
|---------------------------------------|---|
| Name                                  | American Association for the Advancement of Science   |
| Granted to Date of previous extension | 10/12/2011  |
| Address                               | 1200 New York Avenue, NW<br>Washington, DC, DC 20005<br>UNITED STATES   |
| Attorney information                  | Joseph W. Berenato, III<br>Berenato & White, LLC<br>6550 Rock Spring Drive Suite 240<br>Bethesda, MD 20817<br>UNITED STATES<br>jberenato@bw-iplaw.com, dinman@bw-iplaw.com, prehfield@bw-iplaw.com<br>Phone: 301-896-0600 |

### Applicant Information

|                        |   |                        |            |
|------------------------|---|------------------------|------------|
| Application No         | 85238988  | Publication date       | 06/14/2011 |
| Opposition Filing Date | 10/12/2011  | Opposition Period Ends | 10/12/2011 |
| Applicant              | XPLIVE, INC.<br>16955 VIA DEL CAMPO STE 125<br>San Diego, CA 92127<br>UNITED STATES |                        |            |


### Goods/Services Affected by Opposition


|  |
|--|
| <p>Class 038.<br/>All goods and services in the class are opposed, namely: Providing access to databases; Providing temporary access to a supercomputer for the purpose of running software programs; Providing user access to computer programmes in data networks; Provision of access to data or documents stored electronically in central files for remote consultation</p>   |
| <p>Class 042.<br/>All goods and services in the class are opposed, namely: Computer services, namely, providing virtual and non virtual application servers, web servers, file servers, co-location servers, load balancing servers, redundancy servers, media servers and database servers of variable capacity to third party computing and data storage facilities; Providing a website featuring resources, namely, non-downloadable software for uploading and sharing algorithms that are for sale or Sharing with other users; Providing an online non-downloadable Internet-based system application featuring technology enabling users to run algorithms and computational methods in a massively parallel computer system</p> |

### Grounds for Opposition


|                                      |                             |
|--------------------------------------|-----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d)  |
| Dilution                             | Trademark Act section 43(c) |

### Marks Cited by Opposer as Basis for Opposition

|                       |  |                       |            |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2414276  | Application Date      | 03/20/1997 |
| Registration Date     | 12/19/2000   | Foreign Priority Date | NONE       |
| Word Mark             | AAAS   |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | NONE   |                       |            |
| Goods/Services        | Class 009. First use: First Use: 2000/02/29 First Use In Commerce: 2000/02/29 multimedia software recorded on CD-ROM in the fields of science, mathematics, and technology |                       |            |

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2337007   | Application Date      | 03/26/1997 |
| Registration Date     | 04/04/2000  | Foreign Priority Date | NONE       |
| Word Mark             | AAAS  |                       |            |
| Design Mark           |   |                       |            |
| Description of Mark   | NONE  |                       |            |
| Goods/Services        | <p>Class 009. First use: First Use: 1848/09/20 First Use In Commerce: 1848/09/20 [ prerecorded audio tapes, video tapes and ] compact discs featuring information in the fields of science, mathematics, and technology; computer software, namely, educational computer programs for teaching and providing information about science, mathematics and technology; computer software, namely, electronic databases recorded on computer discs in the fields of science, mathematics and technology, and microfiche containing such databases</p> <p>Class 025. First use: First Use: 1995/06/09 First Use In Commerce: 1995/06/09 clothing, namely, baseball caps, hats and T-shirts</p> |                       |            |

|  |  |
|--|--|
|  | <p>Class 041. First use: First Use: 1848/09/20 First Use In Commerce: 1848/09/20 education and entertainment in the nature of providing on-going radio program in the fields of science, mathematics and technology; educational services, namely, conducting seminars and workshops in the field of science; organizing and conducting science, mathematics and technology exhibitions for entertainment purposes; production and distribution for others of radio programs in the fields of science, mathematics and technology</p> <p>Class 042. First use: First Use: 1848/09/20 First Use In Commerce: 1848/09/20 providing scientific, mathematical and technological information via a global computer network using a website on information in those fields; association services, namely, promoting the interests of scientists and mathematicians by promoting public awareness and education in the fields of science, mathematics, and technology</p> |
|--|--|

|                       |   |                       |            |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3251130   | Application Date      | 03/14/2006 |
| Registration Date     | 06/12/2007  | Foreign Priority Date | NONE       |
| Word Mark             | SCIENCE   |                       |            |
| Design Mark           |      |                       |            |
| Description of Mark   | NONE  |                       |            |
| Goods/Services        | Class 016. First use: First Use: 1880/07/03 First Use In Commerce: 1880/07/03 Magazines |                       |            |

|             |   |
|-------------|---|
| Attachments | <p>75260671#TMSN.gif ( 1 page )( bytes )<br/> 75264083#TMSN.gif ( 1 page )( bytes )<br/> 78836889#TMSN.jpeg ( 1 page )( bytes )<br/> sciaas_noo1_20111012145129.pdf ( 10 pages )(265823 bytes )<br/> sciaas_ex1_20111012123108.pdf ( 6 pages )(56147 bytes )<br/> sciaas_ex2_20111012123141.pdf ( 6 pages )(68572 bytes )<br/> sciaas_ex3_20111012144911.pdf ( 5 pages )(126475 bytes )</p> |
|-------------|---|

### Certificate of Service

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

|           |                         |
|-----------|-------------------------|
| Signature | /s/                     |
| Name      | Joseph W. Berenato, III |
| Date      | 10/12/2011              |



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

Serial No.: 85/238,988  
Mark: SCIAAS  
International Class: 038, 042  
Filed: February 20, 2011  
Published: June 14, 2011

AMERICAN ASSOCIATION FOR THE :  
ADVANCEMENT OF SCIENCE :  
: :  
: :  
Opposer, : Opposition No. \_\_\_\_\_ :  
: :  
v. : :  
: :  
XPLIVE, INC. : :  
: :  
Applicant. : :  
\_\_\_\_\_ :

**NOTICE OF OPPOSITION**

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

**TO THE TRADEMARK TRIAL AND APPEAL BOARD:**

American Association for the Advancement of Science, a Massachusetts corporation having an address of 1200 New York Avenue, NW, Washington, DC 20005 (hereinafter "Opposer") believes that it has been or will be damaged by registration of the mark shown in application Serial No. 85/238,988 (hereinafter "the '988 application") and hereby opposes same.

To the best of Opposer's knowledge, the current owner of the '988 application is XPLIVE, Inc. (hereinafter "Applicant"), having an address of 16955 Via Del Campo, Ste. 125, San Diego, California 92127.

As grounds of Opposition, it is alleged that:

1. Opposer now and for many years has been referred to as AAAS.
2. AAAS is an acronym for American Association For The Advancement Of Science and has used the domain name <<http://www.aaas.org>>, since at least as early as 2002.
3. Opposer is a global organization that is and has been dedicated to advancing science since at least as early as 1848.
4. Opposer has published the journal *Science* since at least as early as 1880.
5. Opposer has owned and used the domain name, <<http://www.sciencemag.org>>, since at least as early as April 28, 1996.
6. Opposer publishes many scientific newsletters, books, reports and associated web sites.
7. Upon information and belief, SCI is an acronym for the word SCIENCE.

8. Opposer is the owner of U.S. Trademark Registration No. 2,414,276 for AAAS as applied to multimedia software recorded on CD-ROM in the fields of science, mathematics, and technology, in International Class 009. A copy of the current status and title copy of Registration No. 2,414,276 are enclosed herein as Exhibit 1.
  
9. U.S. Trademark Registration No. 2,414,276 was duly issued to Opposer on December 19, 2000. Opposer's first ten (10) year renewal was accepted February 11, 2011. Opposer's '276 Registration is incontestable.
  
10. Opposer is the owner of U.S. Trademark Registration No. 2,337,007 for AAAS as applied to compact discs featuring information in the fields of science, mathematics, and technology; computer software, namely, educational computer programs for teaching and providing information about science, mathematics and technology; computer software, namely, electronic databases recorded on computer discs in the fields of science, mathematics and technology, and microfiche containing such databases, in International Class 009; clothing, namely, baseball caps, hats and T-shirts, in International Class 025; education and entertainment in the nature of providing on-going radio program in the fields of science, mathematics and technology; educational services, namely, conducting seminars and workshops in the field of science; organizing and conducting science, mathematics and technology exhibitions for entertainment purposes; production and distribution for others of radio programs in the fields of science, mathematics and technology, in International Class

041; providing scientific, mathematical and technological information via a global computer network using a website on information in those fields; association services, namely, promoting the interests of scientists and mathematicians by promoting public awareness and education in the fields of science, mathematics, and technology, in International Class 042. A copy of the current status and title copy of Registration No. 2,337,007 are enclosed herein as Exhibit 2.

11. U.S. Trademark Registration No. 2,337,007 was duly issued to Opposer on April 4, 2000. Opposer's first ten (10) year renewal was accepted April 9, 2010. Opposer's '007 Registration is incontestable.

12. Opposer is the owner of U.S. Trademark Registration No. 3,251,130 for SCIENCE as applied to magazines, in International Class 016. A copy of the current status and title copy of Registration No. 3,251,130 are enclosed herein as Exhibit 3.

13. U.S. Trademark Registration No. 3,251,130 was duly issued to Opposer on June 12, 2007.

14. Opposer is the owner of numerous other federal registrations that incorporate in whole or in part either SCIENCE or AAAS as applied to scientific newsletters, books, reports, associated web sites and similar types of goods and services.

15. Applicant seeks to register SCIAAS as applied to providing access to databases; providing temporary access to a supercomputer for the purpose of running software



programs; providing user access to computer programmes in data networks; provision of access to data or documents stored electronically in central files for remote consultation, in International Class 038, and computer services, namely, providing virtual and non virtual application servers, web servers, file servers, co-location servers, load balancing servers, redundancy servers, media servers and database servers of variable capacity to third party computing and data storage facilities; Providing a website featuring resources, namely, non-downloadable software for uploading and sharing algorithms that are for sale or Sharing with other users; Providing an online non-downloadable Internet-based system application featuring technology enabling users to run algorithms and computational methods in a massively parallel computer system, in International Class 042.

16. Upon information and belief, the consuming public would view Applicant's SCIAAS mark as yet another of Opposer's publications.

#### **COUNT I – LIKELIHOOD OF CONFUSION**

17. The SCIAAS intent to use application was filed February 10, 2011.

18. Upon information and belief, Applicant has made no use of the SCIAAS mark.

19. Opposer's use of the SCIENCE mark and its AAAS marks predate the filing date of Applicant's SCIAAS application.
20. Opposer has spent vast sums of money in advertising, using, promoting and developing public awareness for its SCIENCE mark and its AAAS marks. As a result of such expenditures and efforts, Opposer has developed a valuable reputation and enormous goodwill in its SCIENCE mark and its AAAS marks.
21. Upon information and belief, and as a result of Opposer's use in United States commerce for many decades of the SCIENCE mark and the AAAS marks, the SCIENCE mark and the AAAS marks have become famous and well-known to the consuming public.
22. Upon information and belief, the SCIENCE mark and the AAAS marks have become synonymous with Opposer.
23. As a matter of law, Applicant was on constructive notice of Opposer's rights in SCIENCE and AAAS based on Opposer's registrations, and Applicant had such constructive notice prior to filing the application being opposed.
24. Applicant seeks to register SCIAAS for services related to those goods and services covered by Opposer's federal trademark registrations.

25. Applicant's SCIAAS mark is similar in appearance, sound, connotation and commercial impression to Opposer's SCIENCE mark and AAAS marks.
26. Applicant's services are presumed to be offered in all channels of trade in which the recited services are generally offered. Such channels of trade would likely include the channels of trade in which Opposer offers its goods and services under its registered marks.
27. Given Opposer's long and widespread use of SCIENCE and AAAS in association with its goods and services, Applicant's use and registration of SCIAAS is likely to cause consumers to mistakenly believe that Applicant's services are approved, endorsed or sponsored by Opposer, or that Opposer is a source of Applicant's services, or that the services of Applicant are in some other way associated with Opposer, all to Opposer's injury and harm.

## **COUNT II – DILUTION**

28. Opposer's SCIENCE mark and AAAS marks are now famous and became famous prior to Applicant's use or filing of its SCIAAS mark.
29. Upon information and belief, the fame of Opposer's SCIENCE mark and AAAS marks is substantially nationwide.

30. Applicant's SCIAAS mark is essentially the same as Opposer's SCIENCE mark and AAAS marks.

31. Upon information and belief, registration of Applicant's SCIAAS mark is likely to dilute the distinctiveness of Opposer's SCIENCE mark and AAAS marks by blurring the considerable source-identifying power of Opposer's SCIENCE mark and AAAS marks.

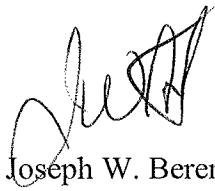
32. By reason of the foregoing, Opposer is likely to be harmed by registration of application Serial No. 85/238,988 for the mark shown therein.

WHEREFORE, it is respectfully requested that this Opposition be sustained and that the registration sought by the Applicant in application Serial No. 85/238,988 be denied. The Office is authorized to debit Deposit Account No. 50-0548 for the fee due for filing the Notice of Opposition and any other associated fees.

Please recognize as attorneys for Opposer in this proceeding Mr. Joseph W. Berenato, III and the law firm of Berenato & White, LLC, 6550 Rock Spring Drive, Suite 240, Bethesda, Maryland, 20817.

Please address all communications to Mr. Joseph Berenato, III at the above-noted address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Berenato, III', written in a cursive style.

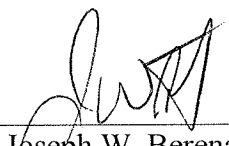
Joseph W. Berenato, III  
Attorney for Opposer

**Berenato & White, LLC**  
6550 Rock Spring Drive  
Suite 240  
Bethesda, Maryland 20817  
Telephone: (301) 896-0600  
Facsimile: (301) 896-0607

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing Notice Of Opposition upon Applicant by depositing one copy thereof in first-class postage prepaid on 10/12/11, addressed as follows:

Ms. Alena Herranen  
Law Office Of Alena Herranen  
4365 Samoset Ave  
San Diego, California 92117-2824

By:   
Joseph W. Berenato, III  
Berenato & White, LLC  
6550 Rock Spring Drive, Suite 240  
Bethesda, Maryland 20817  
Tel: (301) 896-0600  
Fax: (301) 896-0607  
Attorneys for Opposer

# Exhibit 1

Int. Cl.: 9

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

Reg. No. 2,414,276

**United States Patent and Trademark Office**

Registered Dec. 19, 2000

**TRADEMARK  
PRINCIPAL REGISTER**

**AAAS**

AMERICAN ASSOCIATION FOR THE ADVANCE-  
MENT OF SCIENCE (MASSACHUSETTS NON-  
PROFIT CORPORATION)  
1200 NEW YORK AVENUE NW  
WASHINGTON, DC 20005

MATICS, AND TECHNOLOGY, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-29-2000; IN COMMERCE 2-29-2000.  
OWNER OF U.S. REG. NOS. 902,224 AND 903,035.

SN 75-260,671, FILED 3-20-1997.

FOR: MULTIMEDIA SOFTWARE RECORDED ON  
CD-ROM IN THE FIELDS OF SCIENCE, MATHE-

LAVERNE THOMPSON, EXAMINING ATTORNEY



**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-10-12 11:46:47 ET**

**Serial Number:** 75260671 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 2414276

**Mark (words only):** AAAS

**Standard Character claim:** No

**Current Status:** The registration has been renewed.

**Date of Status:** 2011-02-11

**Filing Date:** 1997-03-20

**Transformed into a National Application:** No

**Registration Date:** 2000-12-19

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 113

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** (NOT AVAILABLE)

**Date In Location:** 2011-02-11

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. American Association for the Advancement of Science

**Address:**

American Association for the Advancement of Science  
1200 New York Avenue NW  
Washington, DC 20005  
United States

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country Where Organized:** Massachusetts

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

multimedia software recorded on CD-ROM in the fields of science, mathematics, and technology

**Basis:** 1(a)

**First Use Date:** 2000-02-29

**First Use in Commerce Date:** 2000-02-29

---

#### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

902224

903035

---

#### MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

---

#### PROSECUTION HISTORY

---

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2011-02-11 - First renewal 10 year

2011-02-11 - Section 8 (10-year) accepted/ Section 9 granted

2011-01-31 - Combined Section 8 (10-year)/Section 9 filed

2011-01-31 - TEAS Response To Office Action-Post Reg Received

2010-11-29 - Post Registration action mailed Sections 8 & 9

2010-11-29 - Post Registration action mailed Sections 8 & 9

2010-11-22 - TEAS Section 8 & 9 Received

2007-03-06 - Section 8 (6-year) accepted & Section 15 acknowledged

2007-03-02 - Assigned To Paralegal

2006-12-19 - Section 8 (6-year) and Section 15 Filed

2006-12-19 - TEAS Section 8 & 15 Received

2006-12-19 - TEAS Change Of Correspondence Received

2006-07-28 - Case File In TICRS

2000-12-19 - Registered - Principal Register

2000-10-23 - Allowed for Registration - Principal Register (SOU accepted)

2000-10-02 - Communication received from applicant

2000-07-17 - Non-final action mailed

2000-07-06 - Assigned To Examiner

2000-06-30 - Statement Of Use Processing Complete

2000-04-20 - Use Amendment Filed

1999-12-06 - Extension 2 granted

1999-10-20 - Extension 2 filed

1999-05-21 - Extension 1 granted

1999-04-20 - Extension 1 filed

1998-10-20 - NOA Mailed - SOU Required From Applicant

1998-07-28 - Published for opposition

1998-06-26 - Notice of publication

1998-04-24 - Approved For Pub - Principal Register

1998-04-17 - Examiner's amendment mailed

1997-10-23 - Non-final action mailed

1997-10-07 - Assigned To Examiner

1997-09-27 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Joseph W. Berenato, III

**Correspondent**

Joseph W. Berenato, III  
BERENATO & WHITE, LLC

6550 ROCK SPRING DRIVE, STE. 240

BETHESDA MD 20817

Phone Number: (301) 896-0600

Fax Number: (301) 896-0607

---

# Exhibit 2

Int. Cls.: 9, 25, 41 and 42

Prior U.S. Cls.: 21, 22, 23, 26, 36, 38, 39, 100, 101  
and 107

Reg. No. 2,337,007

**United States Patent and Trademark Office**

Registered Apr. 4, 2000

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**AAAS**

AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE (MASSACHUSETTS NON-PROFIT CORPORATION)  
1200 NEW YORK AVENUE NW  
WASHINGTON, DC 20005

FOR: PRERECORDED AUDIO TAPES, VIDEO TAPES AND COMPACT DISCS FEATURING INFORMATION IN THE FIELDS OF SCIENCE, MATHEMATICS, AND TECHNOLOGY; COMPUTER SOFTWARE, NAMELY, EDUCATIONAL COMPUTER PROGRAMS FOR TEACHING AND PROVIDING INFORMATION ABOUT SCIENCE, MATHEMATICS AND TECHNOLOGY; COMPUTER SOFTWARE, NAMELY, ELECTRONIC DATABASES RECORDED ON COMPUTER DISCS IN THE FIELDS OF SCIENCE, MATHEMATICS AND TECHNOLOGY, AND MICROFICHE CONTAINING SUCH DATABASES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-20-1848; IN COMMERCE 9-20-1848.

FOR: CLOTHING, NAMELY, BASEBALL CAPS, HATS AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-9-1995; IN COMMERCE 6-9-1995.

FOR: EDUCATION AND ENTERTAINMENT IN THE NATURE OF PROVIDING ON-GOING RADIO PROGRAM IN THE FIELDS OF SCIENCE, MATHEMATICS AND TECHNOLOGY;

EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS AND WORKSHOPS IN THE FIELD OF SCIENCE; ORGANIZING AND CONDUCTING SCIENCE, MATHEMATICS AND TECHNOLOGY EXHIBITIONS FOR ENTERTAINMENT PURPOSES; PRODUCTION AND DISTRIBUTION FOR OTHERS OF RADIO PROGRAMS IN THE FIELDS OF SCIENCE, MATHEMATICS AND TECHNOLOGY, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-20-1848; IN COMMERCE 9-20-1848.

FOR: PROVIDING SCIENTIFIC, MATHEMATICAL AND TECHNOLOGICAL INFORMATION VIA A GLOBAL COMPUTER NETWORK USING A WEBSITE ON INFORMATION IN THOSE FIELDS; ASSOCIATION SERVICES, NAMELY, PROMOTING THE INTERESTS OF SCIENTISTS AND MATHEMATICIANS BY PROMOTING PUBLIC AWARENESS AND EDUCATION IN THE FIELDS OF SCIENCE, MATHEMATICS, AND TECHNOLOGY, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-20-1848; IN COMMERCE 9-20-1848.

OWNER OF U.S. REG. NOS. 902,224 AND 903,035.

SER. NO. 75-264,083, FILED 3-26-1997.

ELIZABETH J. WINTER, EXAMINING ATTORNEY

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-10-12 11:48:48 ET**

**Serial Number:** 75264083 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 2337007

**Mark (words only):** AAAS

**Standard Character claim:** No

**Current Status:** The registration has been renewed.

**Date of Status:** 2010-04-09

**Filing Date:** 1997-03-26

**Transformed into a National Application:** No

**Registration Date:** 2000-04-04

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 113

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** (NOT AVAILABLE)

**Date In Location:** 2010-04-09

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. American Association for the Advancement of Science

**Address:**

American Association for the Advancement of Science  
1200 New York Avenue NW  
Washington, DC 20005  
United States

**Legal Entity Type:** NON-PROFIT CORPORATION

**State or Country Where Organized:** Massachusetts

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009**Class Status:** Active

compact discs featuring information in the fields of science, mathematics, and technology; computer software, namely, educational computer programs for teaching and providing information about science, mathematics and technology; computer software, namely, electronic databases recorded on computer discs in the fields of science, mathematics and technology, and microfiche containing such databases

**No Filing Basis Claimed****First Use Date:** 1848-09-20**First Use in Commerce Date:** 1848-09-20**International Class:** 025**Class Status:** Active

clothing, namely, baseball caps, hats and T-shirts

**No Filing Basis Claimed****First Use Date:** 1995-06-09**First Use in Commerce Date:** 1995-06-09**International Class:** 041**Class Status:** Active

education and entertainment in the nature of providing on-going radio program in the fields of science, mathematics and technology; educational services, namely, conducting seminars and workshops in the field of science; organizing and conducting science, mathematics and technology exhibitions for entertainment purposes; production and distribution for others of radio programs in the fields of science, mathematics and technology

**No Filing Basis Claimed****First Use Date:** 1848-09-20**First Use in Commerce Date:** 1848-09-20**International Class:** 042**Class Status:** Active

providing scientific, mathematical and technological information via a global computer network using a website on information in those fields; association services, namely, promoting the interests of scientists and mathematicians by promoting public awareness and education in the fields of science, mathematics, and technology

**No Filing Basis Claimed****First Use Date:** 1848-09-20**First Use in Commerce Date:** 1848-09-20

---

**ADDITIONAL INFORMATION**

---

**Prior Registration Number(s):**

902224

903035



---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2010-04-09 - First renewal 10 year

2010-04-09 - Section 8 (10-year) accepted/ Section 9 granted

2010-04-02 - TEAS Section 8 & 9 Received

2006-07-08 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-06-22 - Assigned To Paralegal

2006-04-11 - Case File In TICRS

2006-04-03 - Section 8 (6-year) and Section 15 Filed

2006-04-03 - TEAS Section 8 & 15 Received

2006-04-03 - TEAS Change Of Correspondence Received

2000-04-04 - Registered - Principal Register

2000-01-11 - Published for opposition

1999-12-10 - Notice of publication

1999-03-27 - Sec. 1(B) Claim Deleted

1999-10-21 - Approved For Pub - Principal Register

1999-10-14 - Examiner's amendment mailed

1999-09-08 - Communication received from applicant

1999-06-17 - Non-final action mailed

1999-04-21 - Assigned To Examiner

1999-01-18 - Communication received from applicant

1998-07-17 - Non-final action mailed  
1998-07-15 - Assigned To Examiner  
1998-06-16 - Examiner's amendment mailed  
1998-04-30 - Communication received from applicant  
1997-10-29 - Non-final action mailed  
1997-10-17 - Assigned To Examiner  
1997-10-14 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Joseph W. Berenato, III

**Correspondent**

Joseph W. Berenato, III  
BERENATO & WHITE, LLC  
6550 ROCK SPRING DRIVE, STE. 240  
BETHESDA MD 20817  
Phone Number: (301) 896-0600  
Fax Number: (301) 896-0607

---

# Exhibit 3

Int. Cl.: 16

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

United States Patent and Trademark Office

Reg. No. 3,251,130

Registered June 12, 2007

TRADEMARK  
PRINCIPAL REGISTER

SCIENCE

AMERICAN ASSOCIATION FOR THE AD-  
VANCEMENT OF SCIENCE (MASSACHU-  
SETTS CORPORATION)  
1200 NEW YORK AVENUE, NW  
WASHINGTON, DC 20005

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

FIRST USE 7-3-1880; IN COMMERCE 7-3-1880.

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

SEC. 2(F).

SER. NO. 78-836,889, FILED 3-14-2006.

NAAKWAMA ANKRAH, EXAMINING ATTORNEY

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2011-10-12 14:41:37 ET**

**Serial Number:** 78836889 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 3251130

**Mark**

# SCIENCE

**(words only):** SCIENCE

**Standard Character claim:** Yes

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

**Date of Status:** 2007-06-12

**Filing Date:** 2006-03-14

**Transformed into a National Application:** No

**Registration Date:** 2007-06-12

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 109

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2007-06-12

---

### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. American Association for the Advancement of Science

**Address:**

American Association for the Advancement of Science  
1200 New York Avenue, NW  
Washington, DC 20005  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Massachusetts**Phone Number:** (202) 326-6691**Fax Number:** (202) 842-1711

---

**GOODS AND/OR SERVICES**

---

**International Class:** 016**Class Status:** Active

Magazines

**Basis:** 1(a)**First Use Date:** 1880-07-03**First Use in Commerce Date:** 1880-07-03

---

**ADDITIONAL INFORMATION**

---

**Section 2(f)**

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2007-06-12 - Registered - Principal Register

2007-03-27 - Published for opposition

2007-03-07 - Notice of publication

2007-02-09 - Law Office Publication Review Completed

2007-02-04 - Approved for Pub - Principal Register (Initial exam)

2007-01-24 - Amendment From Applicant Entered

2007-01-24 - Communication received from applicant

2007-01-24 - Assigned To LIE

2006-12-22 - PAPER RECEIVED

2006-08-25 - Non-final action e-mailed

2006-08-25 - Non-Final Action Written

2006-08-25 - Assigned To Examiner

2006-03-20 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Correspondent**

JOSEPH W. BERENATO, III  
BERENATO, WHITE & STAVISH, LLC  
6550 ROCK SPRING DR STE 240  
BETHESDA, MD 20817-1173  
Phone Number: (301) 896-0600  
Fax Number: (301) 896-0607

---