

ESTTA Tracking number: **ESTTA459929**

Filing date: **03/05/2012**

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	The University of North Carolina at Chapel Hill
Granted to Date of previous extension	03/04/2012
Address	308 Bynum Hall Campus Box 4105 Chapel Hill, NC 27599 UNITED STATES

Attorney information	Alicia Grahn Jones KILPATRICK TOWNSEND & STOCKTON LLP 1100 Peachtree Street Suite 2800 Atlanta, GA 30309 UNITED STATES tmadmin@kilpatricktownsend.com, kteilhaber@ktslaw.com, aljones@kilpatricktownsend.com, rchou@kilpatricktownsend.com, hhenderson@kilpatricktownsend.com Phone:404-815-6500
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**Applicant Information**

Application No	85124591	Publication date	09/06/2011
Opposition Filing Date	03/05/2012	Opposition Period Ends	03/04/2012
Applicant	GRANT THORNTON LLP 175 W. Jackson Street, Suite 2000 Chicago, IL 60604 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 016. First Use: 1984/06/00 First Use In Commerce: 1984/06/00 All goods and services in the class are opposed, namely: pamphlets and brochures ranking privately held businesses
Class 041. First Use: 1984/06/00 First Use In Commerce: 1984/06/00 All goods and services in the class are opposed, namely: entertainment and educational services, namely, providing a website that displays rankings of the top 100 privately held companies in the state of North Carolina

**Grounds for Opposition**


Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)


## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1263599	Application Date	09/30/1982
Registration Date	01/10/1984	Foreign Priority Date	NONE
Word Mark	UNIVERSITY OF NORTH CAROLINA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00            Decals, Bumper Stickers, Notebooks, Notepads, Writing Paper and Envelopes, Binders, Notepad Holders, Calendars, Paper Napkins and Paper Placemats</p> <p>Class 021. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00            Drinking Glasses, Mugs, Pitchers and Vases</p> <p>Class 025. First use: First Use: 1940/00/00 First Use In Commerce: 1940/00/00            Shirts, Jackets, Sweaters, Caps, Parkas, Shorts, Jogging Suits, Sweatsuits, Neckties, Leisure Suits, Rain Gear, Scarfs, Sleepwear, Socks, Athletic Jerseys and Shorts</p> <p>Class 041. First use: First Use: 1900/00/00 First Use In Commerce: 1900/00/00            Entertainment Services-Namely, Promoting and Conducting College Level Men's and Women's Sporting Events</p>		

U.S. Registration No.	1255655	Application Date	09/30/1982
Registration Date	10/25/1983	Foreign Priority Date	NONE
Word Mark	UNIVERSITY OF NORTH CAROLINA CHAPEL HILL N.C. LUX LIBERTAS		
Design Mark			
Description of Mark	The mark consists of a design depicting the university seal including a shield flanked by two torches.		
Goods/Services	Class 042. First use: First Use: 1977/00/00 First Use In Commerce: 1977/00/00 Retail General Merchandising Services		

U.S. Registration No.	1255592	Application Date	09/30/1982
Registration Date	10/25/1983	Foreign Priority Date	NONE
Word Mark	SIGILLVM VNIVERSTIAT CAROL. SEPTENT LIBERTAS		

Design Mark	
Description of Mark	THE MARK CONSISTS OF A DESIGN DEPICTING THE UNIVERSITY SEAL INCLUDING A SHIELD FLANKED BY TWO TORCHES.
Goods/Services	Class 041. First use: First Use: 1944/00/00 First Use In Commerce: 1975/00/00 Educational Services-Namely, Providing Courses at the College and Graduate Levels

U.S. Application No.	85328565	Application Date	05/24/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NORTH CAROLINA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1928/00/00 First Use In Commerce: 1928/00/00 Clothing, namely, shirts, basketball jerseys, youth cheerleader outfits, shorts, sweatshirts; headwear		

Attachments	73394684#TMSN.gif ( 1 page )( bytes ) 73396640#TMSN.gif ( 1 page )( bytes ) 85328565#TMSN.jpeg ( 1 page )( bytes ) UNC - TM - NORTH CAROLINA - Notice of Opposition.pdf ( 27 pages )(145889 bytes )
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### Certificate of Service

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

Signature	/Alicia Grahn Jones/
Name	Alicia Grahn Jones
Date	03/05/2012

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

UNIVERSITY OF NORTH	)	
CAROLINA AT CHAPEL HILL,	)	
	)	In the matter of Application
Opposer,	)	Serial No. 85/124,591
	)	Mark: NORTH CAROLINA 100
	)	
v.	)	Opposition Number: _____
	)	
GRANT THORNTON LLP,	)	
	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Opposer University of North Carolina at Chapel Hill, a North Carolina educational institution, located at 308 Bynum Hall, Campus Box 4105, Chapel Hill, North Carolina 27599-4105 (“Opposer” or the “University”), believes it will be damaged by the registration of the mark NORTH CAROLINA 100 (Serial No. 85/124,591) and opposes the same pursuant to 15 U.S.C. § 1063, and 37 C.F.R. §§ 2.101 and 2.104(a). The grounds for opposition are as follows:

1. On information and belief, on September 8, 2010, Applicant Grant Thornton LLP (“Applicant”) filed a use-based application to register the mark NORTH CAROLINA 100 (Serial No. 85/124,591) (“Applicant’s Mark”) for use in connection with “pamphlets and brochures ranking privately held businesses” in Class 16 and “entertainment and educational services, namely, providing a website that displays rankings of the top 100 privately held companies in the state of North Carolina” in Class 41, claiming a date of first use of June, 1984.

2. The application for Applicant’s Mark was first published for Opposition in the Official Gazette dated September 6, 2011. Opposer timely filed extensions of time to oppose this application, and thus is allowed until March 5, 2012 to oppose this application.

3. The University of North Carolina at Chapel Hill was chartered by the North Carolina General Assembly on December 11, 1789. In 2012, the University was named the 5<sup>th</sup> best public university by *U.S. News & World Report*. The Princeton Review and USA Today named the University first on their “2012 Best Value Colleges” list. In 2009-2010, the University awarded 7,439 degrees – 4,365 bachelor’s, 1,902 master’s, 528 doctoral and 644 professional. As of the fall 2011, the University had a total enrollment of 29,137.

4. The University is a member of the Atlantic Coast Conference (“ACC”), which participates in the National Collegiate Athletic Association (“NCAA”) Division I. The University’s athletic teams have enjoyed tremendous success over the years. The University’s athletic teams have won 37 NCAA Championships in six different sports, which includes 20 NCAA Championships in women’s soccer, 6 NCAA Championships in women’s field hockey, and 4 NCAA Championships in men’s lacrosse. The University’s men’s basketball team has won 5 NCAA Championships in 1957, 1982, 1993, 2005, and most recently in 2009. As a result of this success, the University’s athletic teams have been extensively featured on television broadcasts and in print and online media nationwide for decades.

5. The University’s business school has consistently been ranked among the top MBA programs in the United States. *Bloomberg Business Week* and *U.S. News & World Report* rank the University’s MBA program for full-time students among the top 20 in the United States. *Bloomberg Business Week*, *The Wall Street Journal*, and *U.S. News & World Report* rank the University’s MBA for Executives Program among the top fifteen executive MBA programs in the United States. Throughout the year, the University’s business school publishes a number of online articles related to current business trends within the state of North Carolina and around the

world. The University's business school also publishes a quarterly research magazine exploring trends and issues that affect today's business environment.

6. For more than a century, (and well before Applicant began using Applicant's Mark), the University has been referred to as the UNIVERSITY OF NORTH CAROLINA and has used the UNIVERSITY OF NORTH CAROLINA mark in connection with various educational and entertainment services. The University has used the UNIVERSITY OF NORTH CAROLINA mark in connection with paper products for over seventy years. As a result of the University's long-standing use, the UNIVERSITY OF NORTH CAROLINA mark has become a well-known source identifier for the University's goods and services.

7. The University owns a federal registration for the UNIVERSITY OF NORTH CAROLINA mark (Reg. No. 1,263,599) for "decals, bumper stickers, notebooks, notepads, writing paper and envelopes, binders, notepad holders, calendars, paper napkins and paper placemats" in Class 16; "drinking glasses, mugs, pitchers and vases" in Class 21; "shirts, jackets, sweaters, caps, parkas, shorts, jogging suits, sweatsuits, neckties, leisure suits, rain gear, scarfs, sleepwear, socks, athletic jerseys, and shorts" in Class 25; and "entertainment services-namely, promoting and conducting college level men's and women's sporting events" in Class 41, claiming a date of first use of 1940 in Classes 16, 21, and 25 and a date of first use of 1900 in Class 41. A true and correct copy of the TARR record for the UNIVERSITY OF NORTH CAROLINA mark (Reg. No. 1,263,599) is attached as **Exhibit A**.

8. The University has complied with all the requirements necessary to maintain its registration of the UNIVERSITY OF NORTH CAROLINA mark (Reg. No. 1,263,599), which is now incontestable under 15 U.S.C. § 1065.

9. The University owns a federal registration for the mark UNIVERSITY OF NORTH CAROLINA CHAPEL HILL, N.C. LUX LIBERTAS & Design (Reg. No. 1,255,655), depicted below, for “retail general merchandising services” in Class 42, claiming a date of first use of 1977.



A true and correct copy of the TARR record for the UNIVERSITY OF NORTH CAROLINA CHAPEL HILL, NC LUX LIBERTAS & Design mark (Reg. No. 1,255,655) is attached as **Exhibit B.**

10. The University has complied with all the requirements necessary to maintain its registration of the UNIVERSITY OF NORTH CAROLINA CHAPEL HILL, NC LUX LIBERTAS & Design mark (Reg. No. 1,255,655), which is now incontestable under 15 U.S.C. § 1065.

11. The University owns a federal registration for the mark SIGILLVM VNIVERSTIAT CAROL. SEPTENT LIBERTAS & Design (Reg. No. 1,255,592), depicted on the top of the next page, for “educational services, namely, providing courses at the college and graduate levels” in Class 41, claiming a date of first use in commerce of 1975.





A true and correct copy of the TARR record for the SIGILLVM VNIVERSTIAT CAROL.SEPTENT LIBERTAS & Design mark (Reg. No. 1,255,592) is attached as **Exhibit C**.

12. The University and its athletic teams are referred to as NORTH CAROLINA, an abbreviation for UNIVERSITY OF NORTH CAROLINA. For decades, the University has used the NORTH CAROLINA mark in connection with a plethora of goods and services, including its university and athletics websites, athletic team uniforms, apparel, merchandise, brochures, publications, journals, and magazines (the “NORTH CAROLINA Mark”).

13. As a result of the University’s longstanding and extensive use, the University’s NORTH CAROLINA Mark is symbolic of the extensive goodwill and consumer recognition established by the University. The NORTH CAROLINA Mark has come to identify the University, its athletic and other goods and services.

14. The University owns a pending use-based application for the NORTH CAROLINA mark (Serial No. 85/328,565) for “clothing, namely, shirts, basketball jerseys, youth cheerleader outfits, shorts, sweatshirts, headwear” in International Class 25, filed on May 24, 2011, claiming a date of first use of 1928. A true and correct copy of the USPTO TESS record for the University’s application to register the NORTH CAROLINA mark (Serial No. 85/328,565) is attached as **Exhibit D**.

15. The University’s trademarks in paragraphs 5-14 are collectively referred to as “Opposer’s Marks.”

16. As a result of Opposer's longstanding and extensive use, Opposer's Marks are symbolic of the extensive goodwill and consumer recognition established by the University. Opposer's Marks have attained a high degree of recognition and distinctiveness throughout the United States in connection with educational services, entertainment services, athletic events, and other goods and services commonly associated with a university as an educational institution and its athletic department. By virtue of the University's expenditure of substantial amounts of time, effort, and money in advertising and promoting its goods and services, Opposer's Marks have come to identify the University's athletics and other services. Purchasers and prospective purchasers, as well as other members of the public, are familiar with and identify Opposer's Marks and understand and expect that a wide variety of goods and services offered under Opposer's Marks are affiliated, sponsored, or licensed by the University. Indeed, Opposer's Marks have become well-known for the University's goods and services.

17. Opposer will be damaged by the registration of Applicant's NORTH CAROLINA 100 mark because the mark and its associated goods and services so resemble Opposer's Marks and the associated goods and services as to be likely to cause confusion, mistake, and deception. Indeed, Applicant's Mark incorporates Opposer's identical NORTH CAROLINA Mark in its entirety. Moreover, the goods and services offered under Applicant's Mark are highly related to the goods and services offered under Opposer's Marks.

18. Persons familiar with Opposer's Marks are likely to believe erroneously that Applicant's goods and services are offered by the University, or are authorized, licensed, endorsed, or sponsored by the University, and registration of Applicant's Mark on the Principal Register will be inconsistent with Opposer's rights in Opposer's Marks.

19. Applicant's applied-for-mark also falsely suggests a connection with the

University, in violation of Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a).

20. The filing fee in the amount of \$600.00 is enclosed. The Commissioner is authorized to debit the deposit account of Kilpatrick Stockton LLP (deposit account No. 11-0860) for any deficiency in the required fee.

WHEREFORE, Opposer requests that Application Serial No. 85/124,591 be refused registration and this Notice of Opposition be sustained in favor of Opposer.

Dated: March 5, 2012.

Respectfully submitted,

/hwh/

\_\_\_\_\_  
R. Charles Henn Jr.  
Alicia Grahn Jones  
Rosaleen H. Chou  
Harris W. Henderson  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was served on counsel for Applicant on March 5, 2012 via first class mail to:

Thad Chaleomtiarrana  
Pattischall, McCauliffe, Newbury, Hilliard  
311 S. Wacker Dr. Suite 5000  
Chicago, Illinois 60606-8000  
United States

/hwh/

\_\_\_\_\_  
Counsel for Opposer

**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, March 5, 2012.

/hwh/  
Counsel for Opposer

# **EXHIBIT A**

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-03-05 14:16:28 ET

Serial Number: [73394679 Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: [1263599](#)

Mark (words only): [UNIVERSITY OF NORTH CAROLINA](#)

Standard Character claim: [No](#)

Current Status: [The registration has been renewed.](#)

Date of Status: [2004-01-09](#)

Filing Date: [1982-09-30](#)

Transformed into a National Application: [No](#)

Registration Date: [1984-01-10](#)

Register: [Principal](#)

Law Office Assigned: (NOT AVAILABLE)

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: [L30 -TMEG Law Office 103](#)

Date In Location: [2010-04-14](#)

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

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1. [University of North Carolina at Chapel Hill, The](#)

**Address:**

[University of North Carolina at Chapel Hill, The](#)  
[305 S. Building, Cameron Ave. P.O. Box 1000](#)  
[CHAPEL HILL, NC 27599](#)  
[United States](#)

**Legal Entity Type:** [educational institution](#)  
**State or Country Where Organized:** [North Carolina](#)

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### GOODS AND/ OR SERVICES

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**International Class:** [016](#)

**Class Status:** [Active](#)

[Decals, Bumper Stickers, Notebooks, Notepads, Writing Paper and Envelopes, Binders, Notepad Holders, Calendars, Paper Napkins and Paper Placemats](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1940-00-00](#)

**First Use in Commerce Date:** [1940-00-00](#)

**International Class:** [021](#)

**Class Status:** [Active](#)

[Drinking Glasses, Mugs, Pitchers and Vases](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1940-00-00](#)

**First Use in Commerce Date:** [1940-00-00](#)

**International Class:** [025](#)

**Class Status:** [Active](#)

[Shirts, Jackets, Sweaters, Caps, Parkas, Shorts, Jogging Suits, Sweatsuits, Neckties, Leisure Suits, Rain Gear, Scarfs, Sleepwear, Socks, Athletic Jerseys and Shorts](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1940-00-00](#)

**First Use in Commerce Date:** [1940-00-00](#)

**International Class:** [041](#)

**Class Status:** [Active](#)

[Entertainment Services-Namely, Promoting and Conducting College Level Men's and Women's Sporting Events](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1900-00-00](#)

**First Use in Commerce Date:** [1900-00-00](#)

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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## PROSECUTION HISTORY

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

2010-09-24 - Attorney Revoked And/Or Appointed

2010-09-24 - TEAS Revoke/Appoint Attorney Received

2010-03-23 - Case File In TICRS

2006-04-09 - Review Of Correspondence Complete

2005-08-12 - Assigned To Paralegal

2004-06-14 - Combined Section 8 (10-year)/Section 9 filed

2004-01-09 - First renewal 10 year

2004-01-09 - Section 8 (10-year) accepted/ Section 9 granted

2003-10-03 - Combined Section 8 (10-year)/Section 9 filed

1989-12-21 - Section 8 (6-year) accepted

1989-10-23 - Section 8 (6-year) filed

1984-01-10 - Registered - Principal Register

1983-10-18 - Published for opposition

1983-10-18 - Published for opposition

1983-09-02 - Notice of publication

1983-08-31 - Notice of publication

1983-07-22 - Approved for Pub - Principal Register (Initial exam)

1983-07-18 - Communication received from applicant

1983-07-06 - Non-final action mailed



1983-07-05 - Assigned To Examiner

1983-07-05 - Assigned To Examiner

1983-07-05 - Assigned To Examiner

1983-06-24 - Assigned To Examiner

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**ATTORNEY/ CORRESPONDENT INFORMATION**

---

**Attorney of Record**

William H. Brewster

**Correspondent**

William H. Brewster

KILPATRICK STOCKTON LLP

1100 Peachtree Street, Suite 2800

Atlanta GA 30309

Phone Number: 404-815-6500

Fax Number: 404-815-6555

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# **EXHIBIT B**

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-03-05 14:16:49 ET

Serial Number: [73394684 Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [1255655](#)

Mark



(words only): [UNIVERSITY OF NORTH CAROLINA CHAPEL HILL N.C. LUX LIBERTAS](#)

Standard Character claim: [No](#)

Current Status: [The registration has been renewed.](#)

Date of Status: [2004-06-15](#)

Filing Date: [1982-09-30](#)

Transformed into a National Application: [No](#)

Registration Date: [1983-10-25](#)

Register: [Principal](#)

Law Office Assigned: (NOT AVAILABLE)

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: [40S -Scanning On Demand](#)

Date In Location: [2008-04-30](#)

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

---

1. University of North Carolina at Chapel Hill, The

**Address:**

University of North Carolina at Chapel Hill, The

Chapel Hill, NC 27514

United States

**Legal Entity Type:** education institution

**State or Country Where Organized:** North Carolina

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## GOODS AND/ OR SERVICES

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**International Class:** 042

**Class Status:** Active

Retail General Merchandising Services

**Basis:** 1(a)

**First Use Date:** 1977-00-00

**First Use in Commerce Date:** 1977-00-00

**Used Anywhere in Another Form:** in a different form 1966

**Used in Commerce in Another Form:** in a different form 1966

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## ADDITIONAL INFORMATION

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**Disclaimer:** No claim is made to the exclusive right to use the words "Chapel Hill, N.C.", apart from the mark as shown.

**Description of Mark:** The mark consists of a design depicting the university seal including a shield flanked by two torches.

**Translation:** THE LATIN WORD "LUX" MEANS "LIGHT"; THE LATIN WORD "LIBERTAS" MEANS "LIBERTY".

**Design Search Code(s):**

**13.01.02** - Blow torch; Propane torches; Torches; Welding torch

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

**24.05.01** - Circular or elliptical seals; Seals, circular or elliptical

**26.01.08** - Circles having letters or numerals as a border; Circles having punctuation as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle

**26.01.28** - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference

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## MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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## PROSECUTION HISTORY

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

2010-09-24 - Attorney Revoked And/Or Appointed

2010-09-24 - TEAS Revoke/Appoint Attorney Received

2008-12-18 - Notice Of Design Search Code Mailed

2008-04-30 - Case File In TICRS

2004-06-15 - First renewal 10 year

2004-06-15 - Section 8 (10-year) accepted/ Section 9 granted

2004-04-21 - Combined Section 8 (10-year)/Section 9 filed

1989-12-20 - Section 8 (6-year) accepted

1989-10-19 - Section 8 (6-year) filed

1983-10-25 - Registered - Principal Register

1983-08-02 - Published for opposition

1983-10-25 - Registered - Principal Register

1983-08-02 - Published for opposition

1983-07-11 - Notice of publication

1983-07-08 - Notice of publication

1983-07-07 - Notice of publication

1983-07-06 - Notice of publication

1983-07-05 - Notice of publication

1983-07-05 - Notice of publication

1983-07-01 - Notice of publication

1983-05-09 - Approved for Pub - Principal Register (Initial exam)

1983-05-09 - Examiner's amendment mailed

1983-05-04 - Assigned To Examiner

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**ATTORNEY/ CORRESPONDENT INFORMATION**

---

**Attorney of Record**

William H. Brewster

**Correspondent**

William H. Brewster

KILPATRICK STOCKTON LLP

1100 Peachtree Street, Suite 2800

Atlanta GA 30309

Phone Number: 404-815-6500

Fax Number: 404-815-6555

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# **EXHIBIT C**

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-03-05 14:17:09 ET

Serial Number: [73396640 Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [1255592](#)

Mark



(words only): [SIGILLVM VNIVERSITATIS CAROLINAE SEPTENTRIONALES LIBERTAS](#)

Standard Character claim: [No](#)

Current Status: [The registration has been renewed.](#)

Date of Status: [2003-11-24](#)

Filing Date: [1982-09-30](#)

Transformed into a National Application: [No](#)

Registration Date: [1983-10-25](#)

Register: [Principal](#)

Law Office Assigned: (NOT AVAILABLE)

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: [40S -Scanning On Demand](#)

Date In Location: [2008-05-01](#)



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

---

1. University of North Carolina at Chapel Hill, The

**Address:**

University of North Carolina at Chapel Hill, The  
015 Lenoir Hall Campus Box 1500  
Chapel Hill, NC 27599  
United States

**Legal Entity Type:** educational institution

**State or Country Where Organized:** North Carolina

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## GOODS AND/ OR SERVICES

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**International Class:** 041

**Class Status:** Active

Educational Services-Namely, Providing Courses at the College and Graduate Levels

**Basis:** 1(a)

**First Use Date:** 1944-00-00

**First Use in Commerce Date:** 1975-00-00

**Used Anywhere in Another Form:** in a different form 1795

**Used in Commerce in Another Form:** in a different form 1795

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## ADDITIONAL INFORMATION

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**Description of Mark:** THE MARK CONSISTS OF A DESIGN DEPICTING THE UNIVERSITY SEAL INCLUDING A SHIELD FLANKED BY TWO TORCHES.

**Translation:** The Latin wording displayed in the circular border of the seal translates, "The University of North Carolina". The Latin word "Lux" means "light"; the Latin word "Libertas" means "Liberty".

**Design Search Code(s):**

**13.01.02** - Blow torch; Propane torches; Torches; Welding torch

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

**24.05.01** - Circular or elliptical seals; Seals, circular or elliptical

**26.01.01** - Circles as carriers or as single line borders

**26.01.08** - Circles having letters or numerals as a border; Circles having punctuation as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle

**26.01.18** - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles

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## MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

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## PROSECUTION HISTORY

---

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

2010-09-24 - Attorney Revoked And/Or Appointed

2010-09-24 - TEAS Revoke/Appoint Attorney Received

2008-09-06 - Notice Of Design Search Code Mailed

2008-05-01 - Case File In TICRS

2005-08-31 - Review Of Correspondence Complete

2005-08-12 - Assigned To Paralegal

2004-04-21 - Combined Section 8 (10-year)/Section 9 filed

2003-11-24 - First renewal 10 year

2003-11-24 - Section 8 (10-year) accepted/ Section 9 granted

2003-09-12 - Combined Section 8 (10-year)/Section 9 filed

2003-09-12 - PAPER RECEIVED

1990-01-03 - Section 8 (6-year) accepted & Section 15 acknowledged

1989-10-19 - Section 8 (6-year) and Section 15 Filed

1984-04-03 - Section 7 correction issued

1983-10-25 - Registered - Principal Register

1983-08-02 - Published for opposition  
1983-10-25 - Registered - Principal Register  
1983-08-02 - Published for opposition  
1983-07-11 - Notice of publication  
1983-07-08 - Notice of publication  
1983-07-07 - Notice of publication  
1983-07-06 - Notice of publication  
1983-07-05 - Notice of publication  
1983-07-05 - Notice of publication  
1983-07-01 - Notice of publication  
1983-05-09 - Approved for Pub - Principal Register (Initial exam)  
1983-05-09 - Examiner's amendment mailed  
1983-05-04 - Assigned To Examiner

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**ATTORNEY/ CORRESPONDENT INFORMATION**

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**Attorney of Record**

William H. Brewster

**Correspondent**

William H. Brewster

KILPATRICK STOCKTON LLP

1100 Peachtree Street, Suite 2800

Atlanta GA 30309

Phone Number: 404-815-6500

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# **EXHIBIT D**

Thank you for your request. Here are the latest results from the [TARR web server](#).

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Serial Number: [85328565 Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

**NORTH CAROLINA**

(words only): [NORTH CAROLINA](#)

Standard Character claim: [Yes](#)

**Current Status:** [Approved by the examining attorney for publication but has not yet published for opposition. Although rare, withdrawal of approval prior to publication may occur after final review. The opposition period begins on the date of publication.](#)

**Date of Status:** [2012-03-03](#)

**Filing Date:** [2011-05-24](#)

**Transformed into a National Application:** [No](#)

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** [Principal](#)

**Law Office Assigned:** [LAW OFFICE 106](#)

**Attorney Assigned:**  
[SALEMI DOMINICK J](#)

**Current Location:** [L6X -TMEG Law Office 106 - Examining Attorney Assigned](#)

**Date In Location:** [2012-03-03](#)

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

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1. [The University of North Carolina at Chapel Hill](#)

**Address:**

[The University of North Carolina at Chapel Hill](#)  
[015 Lenoir Hall Campus Box 1500](#)  
[Chapel Hill, NC 27599](#)  
[United States](#)

**Legal Entity Type:** [state university](#)

**State or Country Where Organized:** [North Carolina](#)

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**GOODS AND/ OR SERVICES**

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**International Class:** [025](#)

**Class Status:** [Active](#)

[Clothing, namely, shirts, basketball jerseys, youth cheerleader outfits, shorts, sweatshirts; headwear](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1928-00-00](#)

**First Use in Commerce Date:** [1928-00-00](#)

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**ADDITIONAL INFORMATION**

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**Section 2(f)**

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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[2012-03-03 - Approved for Pub - Principal Register \(Initial exam\)](#)

[2012-03-01 - Teas/Email Correspondence Entered](#)

2012-03-01 - Communication received from applicant  
2012-03-01 - TEAS Response to Office Action Received  
2011-09-02 - Notification Of Non-Final Action E-Mailed  
2011-09-02 - Non-final action e-mailed  
2011-09-02 - Non-Final Action Written  
2011-08-31 - Assigned To Examiner  
2011-05-27 - New Application Office Supplied Data Entered In Tram  
2011-05-27 - New Application Entered In Tram

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**ATTORNEY/ CORRESPONDENT INFORMATION**

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**Attorney of Record**

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