

ESTTA Tracking number: **ESTTA841757**

Filing date: **08/24/2017**

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

Proceeding	91224580
Party	Defendant Draion M Burch Do, LLC
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Signature	/jonaschiffrin/
Date	08/24/2017
Attachments	amend notice of reliance.pdf(417408 bytes ) dr drai reliance.pdf(103846 bytes ) Notice of Reliance Exhibit A highlighted.pdf(3467970 bytes )

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

Andre Young,	§	
	§	
Opposer,	§	
	§	Opposition Nos. 91/224,580
v.	§	91/226,572
	§	
Draion M Burch DO, LLC,	§	
	§	
Applicant.	§	

**MOTION TO AMEND NOTICE OF RELIANCE**

Applicant, Draion M. Burch DO, LLC (“Applicant”) files this Motion to Amend Its Notice of Reliance in order to clarify information provided in Exhibit A to its Notice of Reliance, and to request the Board to allow an attachment of a registration owned by a third party that has already been identified in the Notice of Reliance.

Applicant has attached its Notice of Reliance cover sheet and Exhibit A to its Notice of Reliance which identifies third party registrations that share phonetic similarities to Opposer Andre Young’s (“Opposer”) DR. DRE trademark. In the actual attachment, Applicant attached information pertaining to Registration No. 3,836,211 for DRAI’S HOLLYWOOD, covering nightclub services. That information in that attachment indicates that the owner of that mark also owns Registration No. 3,660,562.

This information is properly introduced in the Notice of Reliance, but because Opposer inadvertently omitted Registration No. 3,836,211 from the list of registrations in the Notice of Reliance cover sheet, Opposer is filing this motion simply to clarify that DRAI’S HOLLYWOOD and DRAI’S (Registration No. 3,660,562) are part of the record in this case.

There should be no question that Registration No. 3,836,211 is for DRAI'S HOLLYWOOD and Registration No. 3,660,562 covers the registration for DRAI'S. However, the information could be more clear if Opposer was permitted to amend the Notice of Reliance to add both marks to the Notice of Reliance cover sheet, and to also attach the actual TESS registration print out for Registration No. 3,660,562. Again, this information is already attached as Exhibit A, but not specifically identified in the cover sheet.

Opposer would not be prejudiced by this amendment. Although the testimony period is over, the parties recently have discussed stipulations and agreed that all discovery responses will be deemed authentic. Furthermore, Applicant has already included a wealth of information regarding the DRAI'S trademark as Exhibit E to the Notice of Reliance. This third party reference will not be any sort of surprise to Opposer based on this attached Exhibit, and since neither party has filed their initial brief.

The parties have had no issues to this point, and have agreed to prior extensions on other matters. Applicant asked Opposer if he would stipulate that Registration Nos. 3,660,562 and 3,836,211 could be made of record, and Opposer has indicated that he would not do so. In response, Applicant has immediately filed this Motion to ask the Board's discretion to allow a small amendment to clarify information that has already been attached, and would be pertinent to Applicant's case. There has been no delay. Applicant has filed this Motion on the same day that Opposer indicated he would not permit a stipulation as to this evidence.

Accordingly, Applicant respectfully requests that the Board permit it to amend its Notice of Reliance to clarify information that is currently attached to the original Notice of Reliance.

Respectfully submitted,

Dated: August 24, 2017

By: /Jon A. Schiffrin/  
Schiffrin & Longo, P.C.  
8201 Greensboro Drive, Suite 300  
McLean, VA 22102

Andrea H. Evans, Esq.  
14625 Baltimore Avenue, #853  
Laurel, Maryland 20707

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion to Amend Applicant's Notice of Reliance was served by electronic mail on August 24, 2017 to the following attorneys of record:

James D. Weinberger, Esq.  
Emily Weiss, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, New York 10017

/jonaschiffrin/

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

Andre Young,	§	
	§	
Opposer,	§	
	§	Opposition Nos. 91/224,580
v.	§	91/226,572
	§	
Draion M Burch DO, LLC,	§	
	§	
Applicant.	§	

DR. DRAION M. BURCH NOTICE OF RELIANCE

Draion M Burch DO, LLC hereby serves notice that it intends to rely on the following documents under Trademark Rule 2.122(d)(2):

Exhibit A. Third-party registration certificates and United States Patent and Trademark Office TESS database pages confirming the marks:

Registration No. 4,862,740 for DRE’S HOMEMADE WATER & ICE CREAM, covering ice cream and water ice;

Registration No. 5,023,799 for DREA for doll accessories and dolls;

Registration No. 4,551,215 for DRA for, among other things, entertainment in the nature of theater productions;

Registration No. 4,182,571 for DRAY for, among other things, apparatus for recording, transmission processing and reproduction of sound, images or data;

Registration No. 4,995,595 for DRA for, among other things, personal stereos, portable media players, headphones.

Exhibit B. Copies of the trademark file histories for Application Nos.


86/590,205 for DR. DRAI (Exhibit B1), and 86/730,410 for  (Exhibit B2)

Exhibit C. Copies of Opposer’s Responses to Applicant’s First Set of Interrogatories Nos. 3, 5, 9, 10, 14, 16, 17, 18, 20, and 27

Interrogatory Response No.3 discusses the reason behind Opposer's choice of the trademark at issue;

Interrogatory Response No 5 discusses Opposer's channels of distribution;

Interrogatory Response No. 9 discusses whether there was a search opinion for Opposer's mark;

Interrogatory Response No. 10 discusses what domain names are owned by Opposer;

Interrogatory Response No. 14 discusses what limitations Opposer has as to his trade name;

Interrogatory Response No. 16 discusses the lack of actual confusion between Opposer and Applicant's marks;

Interrogatory Response No. 17 discusses the differences in services provided by the parties;

Interrogatory Response No. 18 discusses whether Opposer has any other marks based on his given name;

Interrogatory Response No. 20 discusses whether Opposer uses Dr. or Doctor in any other trademarks; and

Interrogatory Response No. 27 clarifies that Opposer is not seeking dilution by tarnishment.

Exhibit D. Copies of Printed Publications and admissible Internet evidence referring to celebrity rapper Dr. Dre, a third party that uses the same stage name as Petitioner under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

Paine, Jake, "Yo MTV Raps Host Doctor Dre Calls Straight Outta Compton 'Straight Outta Fiction' (Audio)", [www.ambrosiaforheads.com](http://www.ambrosiaforheads.com), dated January 24, 2017;

Hinckley, David, "Brown Leaving WLIB Without Anger; Luciano Exit Likely"; New York Daily News, dated May 27, 1999;

Huff, Richard, "Demme makes jump from MTV to helm of 1<sup>st</sup> feature"; Daily Variety, dated November 19, 1992;

Schoemer, Karen, "Ed and Dre At the Movies"; The New York Times, dated December 27, 1992;

Hinckley, David, "Heat Wave The History of Rap in the City Part 6 of 6"; New York Daily News, dated December 10, 2004;

Wloszczyna, Chris, "Hip, hot and profitable//Fashion and sports help Starter score"; USA Today, dated June 14, 1993;

Mainelli, John, "Hip-Hop Heave-Ho; Station Boots DJ Doctor Dre"; The New York Post, dated January 30, 2004;

Benarde, Scott, "L.A. Rapper Violent in Life, Lyrics"; Palm Beach Post, dated June 18, 1993;

Jones IV, James T., "Rap hosts no longer just a couple of 'Yo!' -yos"; USA Today, dated August 2, 1991;

Hinckley, David, "The Dr. is Out, In WQHT Shuffle"; New York Daily News, dated August 7, 1998;

Collins, Hattie, "The campaign to bring back Yo! MTV Raps starts here"; The Guardian, dated June 28, 2008;

Benziker, Robert, "What's Up, Doc?"; The Santa Fe New Mexican, dated April 4, 2008;

Johnson, Jr., Billy; "Catching Up 'Yo! MTV Raps'"; [www.yahoo.com/music/blogs/hip-hop-media-training/catching-yo-mtv-raps-original-hosts-fab-5-210109308](http://www.yahoo.com/music/blogs/hip-hop-media-training/catching-yo-mtv-raps-original-hosts-fab-5-210109308), dated December 4, 2011;

"Doctor Dre"; <https://www.discogs.com/artist/185889-Doctor-Dr%C3%A9>, accessed June 5, 2017;

"Episode 185 Doctor Dre"; <http://theciphershow.com/episode/185/>, dated January 23, 2017;

Lasala, Anthony, "Yo! MTV Raps – One of the Greatest Hip Hop Music Shows of All Time"; <http://life.topgolf.com/article/178/yo-mtv-raps-ndash-one-of-the-greatest-hip-hop-music-shows-of-all-time>, dated September 29, 2016;

"Who's Who"; [http://www.beastiemania.com/whois/dr\\_dre/](http://www.beastiemania.com/whois/dr_dre/), accessed June 5, 2017;

Exhibit E. Copies of Printed Publications and admissible Internet evidence referring to Respondent's notoriety and medical experience under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

“Baby Born Pregnant with her own Twins”; Pakistan Today, dated February 12, 2015;

Richard, Joanne, “Doctors aren’t sold on vaginal detox; holistic, organic cleanse praised by advocates, but health experts warn of harmful effects,” The Vancouver Province, dated January 24, 2016;

Gormly, Kellie B., “Exercise for Two”; Pittsburgh Tribune Review, dated November 26, 2013;

Richard, Joanne, “Fussing with mother nature; casting a jaded eye on Paltrow’s latest – jade eggs”; Calgary Sun, dated February 5, 2017;

“American Osteopathic Association Urges Physicians to Improve the Quality of Care for LGBT Patients, End Fear of Health Care Discrimination”; <https://www.osteopathic.org/inside-aoa/news-and-publications/media-center/2015-news-releases/Pages/5-13-aoa-urges-physicians-to-improve-the-quality-of-care-for-lgbt-patients-end-fear-of-health-care-discrimination.aspx>, dated May 14, 2015;

Fischer, Kristen, “What You Should Know About Taking Birth Control for Extended Periods of Time”; <http://www.sheknows.com/health-and-wellness/articles/1071541/effects-of-birth-control>, dated February 20, 2015;

Capetta, Amy, “Contrary to Popular Belief, Breastfeeding Doesn’t Make Kids Smarter”; <http://www.drozthegoodlife.com/healthy-lifestyle/body/news/a572/breastfeeding-not-associated-with-iq-study/>, dated March 27, 2017;

Townsend, Tyrus, “[Passion to Purpose]: Dr. Draion Burch Talks Medicine, Media & Purpose”; <http://www.blackenterprise.com/bemodernman/2016/11/30/passion-purpose-dr-drai-burch-talks-medicine-media-purpose/>, dated November 30, 2016;

“Dr. Draion M. Burch DO (Dr. Draï) Releases His New Book “From Medicine to Mogul: 7 Steps to 7 Figures””; <http://www.24-7pressrelease.com/press-release/dr-draion-m-burch-do-dr-drai-releases-his-new-book-from-medicine-to-mogul-7-steps-to-7-figures-428912.php>, dated September 30, 2016;

Moore, Dr. Crystal, “Four Doctors to Follow on Twitter to Optimize Your Health”; <http://www.drystalmoore.com/four-african-american-doctors-to-follow-on-twitter-to-optimize-your-health/>, dated April 19, 2016;

“Our Interview with America’s OBGYN, Dr. Draï”; [http://madamenoire.com/569979/our-interview-with-americas-obgyn-dr-drai/#disqus\\_thread](http://madamenoire.com/569979/our-interview-with-americas-obgyn-dr-drai/#disqus_thread), dated January 20, 2016;



Holohan, Meghan, “PMS Cravings are Real. These guilt-free snacks may help you feel better”; <http://www.today.com/health/pms-cravings-are-real-chocolate-cheese-may-help-you-feel-t11461>, dated March 27, 2015;

Ketchiff, Mirel, “Is it Bad That I Need to Pee All the Time?”; <http://www.shape.com/lifestyle/mind-and-body/it-bad-i-need-pee-all-time>, dated April 27, 2017;

Abbate, Emily, “4 Symptoms of the Pill That are Never Normal, so You Can Know When You Actually Have to Call Your Doctor”; <https://www.bustle.com/articles/99608-4-symptoms-of-the-pill-that-are-never-normal-so-you-can-know-when-you-actually>, dated July 24, 2015;

Nierenberg, Cari, “Having a Baby/Stages of Pregnancy”; <http://www.livescience.com/44899-stages-of-pregnancy.html>, dated March 31, 2015;

Dr. Draion M. Burch, DO background, [http://www.medicinenet.com/doctors/164279/draion-burch/pittsburgh-pa\\_doctor.htm](http://www.medicinenet.com/doctors/164279/draion-burch/pittsburgh-pa_doctor.htm), accessed on June 5, 2017;

Dr. Draai as Sexual Health and Wellness Advisor for Astroglide, <http://www.astroglide.com/blog/dr-draai-astroglide-sexual-health-advisor/>, accessed on June 5, 2017;

Meet Dr. Draai, <https://medicalmoguls.com/meet-dr-draai/>, accessed on June 5, 2017;

1,770 results for “Draion Burch” on [www.google.com](http://www.google.com), accessed on June 5, 2017.

Exhibit F. Copies of Printed Publications and admissible Internet evidence referring to the night club Draai, used to show coexistence of third party marks under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

Elfman, Doug, “Chris Brown makes angry social media outburst at Draai’s nightclub”; Las Vegas Review Journal, dated July 12, 2016;

Boehrer, Kat, “Club Tour: Draai’s Beach Club and Nightclub”; <http://vegasseven.com/2017/01/11/club-tour-draais-beach-club-nightclub/>; dated January 11, 2017;

Feldberg, Sarah, “Draai’s Beach Club and Nightclub will be more than a Music Venue for Million-Dollar DJs”; <https://lasvegasweekly.com/nightlife/2014/feb/18/draais-beach-club-and-nightclub-will-be-more-music-/>, dated February 18, 2014;

Stapleton, Susan, "Drai's LGBT Nightclub Liaison Shuttles at Bally's"; <https://vegas.eater.com/2015/2/5/7986867/drais-lgbt-nightclub-liaison-shuttles-at-ballys/>, dated February 5, 2015;

"Weekend Roundup: Jeezy, Taboo and Canelo Alvarez Party in Las Vegas"; <http://hauteliving.com/2017/05/weekend-roundup-jeezy-taboo-canelo-alvarez-party-las-vegas/635055/>, dated May 8, 2017;

"Jeezy Makes and Unforgettable Drai's LIVE Debut at Drai's Nightclub"; Las Vegas Informer, dated May 6, 2017;

"Legendary Rappers Fat Joe and Fabulous Share the Stage at Drai's Nightclub"; Las Vegas Informer, dated September 13, 2016;

Tanil, Zauni, "Meet Aaron Gillam, The Man in the Mirror at Drai's"; <http://vegasseven.com/2016/12/07/meet-aaron-gillam-man-mirror-drais/>, dated December 7, 2016;

"T.I. Brings a Full Concert to Drai's"; <http://hauteliving.com/2017/01/t-brings-full-concert-drais/627268/>, dated January 10, 2017;

Leach, Robin, "Confirmed! Victor Drai to expand nightlife empire in Cabo San Lucas"; Las Vegas Sun, dated March 15, 2016;

Latham, Jason R., "Dave Chapelle Brings the Laughs to Mandalay Bay, 50 Cent Gets in Da Club at Drai's"; <http://vegasseven.com/2017/05/03/dave-chappelle-brings-the-laughs-to-mandalay-bay-50-cent-gets-in-da-club-at-drais/>, dated May 3, 2017;

Frost, Claire, "48 hours in Las Vegas; Sin City is hotter than ever"; The Sun, dated March 27, 2016;

"At 82, Quincy Jones still hasn't got enough"; The Sunday Independent, dated June 21, 2015;

Exhibit G. Copies of Printed Publications and admissible Internet evidence referring to third party use of Dray for an entertainment talent scout, used to show coexistence of third party marks under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

"About Dray"; [www.thedrayway.com](http://www.thedrayway.com), accessed June 6, 2017;

"Exclusive Interview: Disney Producer & Creator of THE DRAY WAY, IRENE 'The Dray' Dreayer", <http://hollywoodmomblog.com/exclusive-interview-disney-the-suite-life-on-deck-exec-producer-creator-of-the-dray-way-irene-the-dray-dreayer/>, accessed June 6, 2017;

“Want to be Discovered like Debby Ryan & the Sprouse Twins? Here’s How!”; <http://www.cambio.com/news/want-to-be-discovered-like-debby-ryan-the-sprouse-twins-here-s-how/>, accessed June 6, 2017;

Exhibit H. Copies of Printed Publications and admissible Internet evidence referring to third party use of Dray Day referring to promotional efforts by the Golden State Warriors player Draymond Green, used to show coexistence of third party marks under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

“Dray Day”, [www.itunes.com](http://www.itunes.com), accessed June 6, 2017;

“Warriors’ Draymond Green filed for Dray Day trademark”, [http://www.espn.com/nba/story/\\_/id/19439844/draymond-green-golden-state-warriors-files-dray-day-trademark](http://www.espn.com/nba/story/_/id/19439844/draymond-green-golden-state-warriors-files-dray-day-trademark), accessed June 6, 2017;

Exhibit I. Copies of Printed Publications and admissible Internet evidence referring to discussions regarding two rappers using Dr. Dre in related fields under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

“Why two guys named Dr. Dre?”, <http://boards.straightdope.com/sdmb/showthread.php?t=296353>, accessed June 6, 2017;

“There is two dr. dre’s?”, <http://goodproblem.blogspot.com/2009/11/there-is-two-dr-dres.html>, dated November 5, 2009;

Johnson, Ru, “Top Five Yo! MTV Raps Videos and Moments”; <http://www.westword.com/music/top-five-yo-mtv-raps-videos-and-moments-5692539>, dated August 5, 2011;

“Doctor Dre”; <http://www.allmusic.com/artist/doctor-dr%C3%A9-mn0000794054/biography>, accessed June 6, 2017;

#### Exhibit J

File history pertaining to Cancellation Petition No. 92/055,378 filed by Petitioner against Drew Haynes Reyes’ registration for DIAMONDDRE. The file is an official record of the United States Patent and Trademark Office, and was also provided in discovery by Petitioner to Respondent. The Petition to Cancel was withdrawn and dismissed with prejudice by the Trademark Trial and Appeal Board, which shows waiver by Petitioner, third party use and registration of “dre” formative marks, and common use of “dre” as a shortened version of a given name.

#### Exhibit K

Nelson, Havelock, “Dre’s Chronic is Unsending Enjoyment; Distrib Family for Uncle?”; Billboard, January 16, 1993. Article confuses Petitioner with third party Doctor Dre while discussing Petitioner.

#### Exhibit L

Copies of Printed Publications and admissible Internet evidence referring to DJ SUPERDRE, who has “won a legal battle over your name against Dr. Dre” under 37 CFR Section 2.122(e) as follows, true and correct copies of which are appended to this Notice of Reliance.

Harris, Raquelle, “Detroit’s DJ SuperDre saves souls on the dance floor”; Rolling Out, October 13, 2016;

Milo, Jeff, “SuperDre: Methods and madness of the Detroit techno DJ”; Detroit Free Press, August 25, 2015;

Finney, Nancy, “Andrea SuperDre Wallace discusses Grand Rapids, City Lights, electronic music”; The Rapidian, August 22, 2012;

“Local talent DJ SuperDre signs national contract”;  
[www.rapidgrowthmedia.com/innovationnews](http://www.rapidgrowthmedia.com/innovationnews), dated November 18, 2010;

#### Exhibit M

Confidential document provided by Petitioner discussing agreement between Petitioner and SuperDre Music, LLC;

#### Exhibit N

Document provided by Petitioner, but also accessible through Petitioner’s Wikipedia page at [http://en.wikipedia.org/wiki/Dr.\\_Dre](http://en.wikipedia.org/wiki/Dr._Dre), 15/24 showing dissimilar public perceptions about Petitioner and women, to be contrasted against Respondent’s services to women.

#### Exhibit O

“About Amazon Best Sellers,”  
<https://www.amazon.com/gp/help/customer/display.html?nodeId=525376>, accessed June 26, 2017, used to clarify statements made by Applicant and Opposer’s counsel during Applicant’s June 21, 2017 testimony deposition.

Respectfully Submitted,

/jonaschiffrin/  
Jon A. Schiffrin, Esq.  
Schiffrin & Longo, P.C.  
8201 Greensboro Drive, Suite 300  
McLean, VA 22102  
Attorneys for Applicant

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice of Reliance have been served via electronic mail upon the following counsel of record this 26th day of June, 2017.

James D. Weinberger, Esq.  
Emily Weiss, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, New York 10017

/jonaschiffrin  
Jon A. Schiffrin



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<b>Word Mark</b>	DRE'S HOMEMADE WATER ICE & ICE CREAM EST. 2013
<b>Goods and Services</b>	IC 030. US 046. G & S: Ice cream; Water ice. FIRST USE: 20130113. FIRST USE IN COMMERCE: 20130113
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved 26.17.25 - Other lines, bands or bars
<b>Serial Number</b>	86596642
<b>Filing Date</b>	April 14, 2015
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	September 15, 2015
<b>Registration Number</b>	4862740
<b>Registration Date</b>	December 1, 2015
<b>Owner</b>	( <b>REGISTRANT</b> ) Dre's Water Ice and Ice Cream, LLC LIMITED LIABILITY COMPANY PENNSYLVANIA 5536 W. Girard Avenue Philadelphia PENNSYLVANIA 19131
<b>Attorney of Record</b>	Lynn E. Rzonca
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HOMEMADE WATER ICE & ICE CREAM EST. 2013" APART FROM THE MARK AS SHOWN
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of the stylized wording "DRE'S" appearing around the wording "HOMEMADE WATER ICE & ICE CREAM EST. 2013".

**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Other Data** The name "Dre" is the nickname of Andre Andrews, a living individual, whose consent is of record.  
**Live/Dead Indicator** LIVE

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# DREA

**Word Mark** DREA  
**Goods and Services** IC 028. US 022 023 038 050. G & S: Doll accessories; dolls. FIRST USE: 20150430. FIRST USE IN COMMERCE: 20150430  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 86661297  
**Filing Date** June 12, 2015  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** October 27, 2015  
**Registration Number** 5023799  
**Registration Date** August 16, 2016  
**Owner** (**REGISTRANT**) Maison J. Battat, Ltee. CORPORATION CANADA 8440 Darnley Road Montreal CANADA H4T1M4  
**Attorney of Record** Andrew S. Langsam  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# DRA

**Word Mark** DRA

**Goods and Services** IC 041. US 100 101 107. G & S: Providing courses of instruction at the secondary education level; Providing courses of instruction at the secondary education level for students in boarding school, students in special education, and other students with mild to moderate disabilities; Educational counseling services to assist students in planning and preparing for further education; Organizing and conducting athletic competitions and games in the field of football, baseball, basketball, wrestling, soccer, lacrosse, track and field, golf, and cheerleading; Encouraging amateur sports and physical education by organizing, sanctioning, conducting, regulating and governing amateur athletic programs and activities; Instruction in the field of music, art, automotive repair, cosmetology, skin care, personal hygiene, and personal improvement; Education services, namely, providing classes, seminars, and workshops in the fields of mathematics, science, history, art, and English; Education services, namely, providing mentoring, tutoring, classes, seminars and workshops in the field of self-improvement, family dynamics and structure as well as techniques for improvements in these areas; Entertainment in the nature of theater productions; Physical fitness instruction; Providing classes, workshops, seminars and camps in the field of football, soccer, wrestling and basketball; Providing a website featuring information in the field of secondary education for troubled and at-risk youth. FIRST USE: 19990801. FIRST USE IN COMMERCE: 19990801

IC 044. US 100 101. G & S: Art therapy; Mental health services; Mental health therapy services; Health care services, namely, equine therapy, psychopharmacology services, recreational therapy; Music therapy services; Physical therapy; Stress reduction therapy; Addiction treatment services; Chemical dependency and substance abuse treatment services; Clinical mental health counseling services; Psychological counseling; Psychological testing. FIRST USE: 19990801. FIRST USE IN COMMERCE: 19990801

IC 045. US 100 101. G & S: Counseling in the field of personal development, namely, self-improvement, self-fulfillment, and interpersonal communication; Providing emotional counseling and emotional support services for troubled and at-risk youth and their families. FIRST USE: 19990801. FIRST USE IN COMMERCE: 19990801

**Standard  
Characters  
Claimed****Mark****Drawing  
Code** (4) STANDARD CHARACTER MARK**Serial  
Number** 86103517**Filing Date** October 28, 2013**Current  
Basis** 1A**Original  
Filing Basis** 1A**Published  
for  
Opposition** April 1, 2014**Registration  
Number** 4551215**Registration  
Date** June 17, 2014**Owner** (**REGISTRANT**) Diamond Ranch Academy, Inc. CORPORATION UTAH 433 South Diamond Ranch Parkway  
Hurricane UTAH 84737**Attorney of  
Record** Tadiana W. Jones**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Live/Dead  
Indicator** LIVE

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# DRAY

**Word Mark** DRAY

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission, processing and reproduction of sound, images or data; Computer application software for wireless devices, mobile phones, handheld computers, smartphones, computers, tablet computers, laptop computers, electronic readers, personal digital assistants, and web appliances, namely, software for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information; Computer hardware; Computer programs for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information; Computer software and hardware for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information; Computer software for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information. Computer software for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information that may be downloaded from a global computer network; Downloadable computer software for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information,

namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information; Downloadable software for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information; Downloadable software in the nature of a mobile application for importing, producing, displaying, sending, querying, storing, processing, editing, retrieving, anonymizing, encrypting, masking, printing, reading, manipulating, converting, encoding, accessing, viewing, delivering, and distributing digital and video images, data, and information, namely, dealing with personal, medical, financial, educational, insurance, marketing, and legal information. FIRST USE: 20100401. FIRST USE IN COMMERCE: 20100401

**Standard  
Characters  
Claimed**

**Mark**

**Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85483190

**Filing Date** November 29, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** May 15, 2012

**Registration Number** 4182571

**Registration Date** July 31, 2012

**Owner** (**REGISTRANT**) Nautilus Medical, Inc. CORPORATION ILLINOIS 1300 South Grove Avenue Suite 200 Barrington ILLINOIS 60010

**Attorney of Record** Edward M. Roney

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** DRA

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Downloadable computer game programs; computer peripheral devices; computer operating programs, recorded; recorded computer game programs; data processing apparatus; computers; computer memories; computer memory hardware; computer game software; downloadable ring tones for mobile phones; laptop computers; computer central processing units; downloadable electronic publications in the nature of book, magazine and manual in the field of computer software; notebook computers; compact disc players; downloadable image file containing artwork, text, audio, video, games and internet web links relating to sporting and cultural activities; downloadable music files; radiotelephony sets; video telephones; switchboards; mobile telephones; cabinets for loudspeakers; horns for loudspeakers; headphones; sound reproduction apparatus; sound transmitting apparatus; sound recording apparatus; tape recorders; blank audio tapes; video recorders; blank video tapes; televisions; record players; blank magnetic tapes for tape recorders; phonograph records featuring music; personal stereos; DVD players; portable media players; compact disc players; compact discs featuring music; juke boxes, musical; audio-receivers and video-receivers; transparency projection apparatus; integrated circuits; electronic chips for the manufacture of integrated circuits

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Serial Number** 79182440

**Filing Date** November 30, 2015

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** April 26, 2016

**Registration Number** 4995595  
**International Registration Number** 1287471  
**Registration Date** July 12, 2016  
**Owner** (**REGISTRANT**) Digital Rise Technology Co., Ltd. CORPORATION CHINA Room A305-A309, Building 13 No. 232 Waihuan East Road, Xiaoguwei Street, Panyu District Guangzhou, Guangdong CHINA  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the word "DRA" in stylized lettering.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**DRAI'S HOLLYWOOD**

<b>Word Mark</b>	DRAI'S HOLLYWOOD
<b>Goods and Services</b>	IC 041. US 100 101 107. G & S: night club. FIRST USE: 20100300. FIRST USE IN COMMERCE: 20100300
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Trademark Search Facility Classification Code</b>	NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
<b>Serial Number</b>	77852042
<b>Filing Date</b>	October 19, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	April 6, 2010
<b>Registration Number</b>	3836211
<b>Registration Date</b>	August 17, 2010



**Owner** (REGISTRANT) Victor Drai INDIVIDUAL UNITED STATES 3595 Las Vegas Blvd. South Las Vegas  
NEVADA 89109

**Attorney of Record** Susan Hwang

**Prior Registrations** 3660562;3660563

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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