

ESTTA Tracking number: **ESTTA781948**

Filing date: **11/09/2016**

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	PRIMEPAY, LLC
Granted to Date of previous extension	11/09/2016
Address	1487 DUNWOODY DRIVE WEST CHESTER, PA 19380 UNITED STATES
Attorney information	Mark Lebow Ladas & Parry 1727 King Street Suite 105 Alexandria, VA 22314 UNITED STATES mlebow@ladas.com, avmail@ladas.com, lebow@ttab.org

Applicant Information

Application No	86978982	Publication date	07/12/2016
Opposition Filing Date	11/09/2016	Opposition Period Ends	11/09/2016
Applicant	Chirag R Patel 19 Mink Run Court North Brunswick, NJ 08902 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2005/11/10 First Use In Commerce: 2005/11/10 All goods and services in the class are opposed, namely: Business consultation services; business management consultancy and advisory services, namely, in the field of internet technology solutions, project management and electronic commerce; business management services in the field of consulting and staffing needs

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Applicant not rightful owner of mark for identified goods or services	Trademark Act Section 1

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2056092	Application Date	06/01/1995
Registration Date	04/22/1997	Foreign Priority	NONE

		Date	
Word Mark	PRIMEPAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1995/08/01 First Use In Commerce: 1995/08/01 providing business and financial management services		

U.S. Registration No.	2294575	Application Date	06/01/1995
Registration Date	11/23/1999	Foreign Priority Date	NONE
Word Mark	PRIMEPAY		
Design Mark	PRIMEPAY		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1999/03/00 First Use In Commerce: 1999/03/00 computerized systems comprised of computer hardware and computer software for use in business and financial management		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PRIMEPAY		
Goods/Services	Extensive range of financial services, including payroll and payroll related goods and services.		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PRIMEXPORTS		
Goods/Services	Software for creating custom tax reports for use in a spreadsheet		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PRIMETAX		
Goods/Services	Tax payment processing services; payroll tax debiting services		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PRIMELINK+		
Goods/Services	Computer software for the transmission of payroll and employee data and information from a personal computer directly to a payroll employ-		

	er services company		
U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PRIMEXPRESS		
Goods/Services	Payroll processing services for others, namely, obtaining payroll information electronically, processing and validating the information obtained, and providing payroll checks, direct deposit or reports therefrom		

Attachments	74683180#TMSN.png(bytes) Notice of Opposition.pdf(287238 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	/ml/
Name	Mark Lebow
Date	11/09/2016

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

PRIMEPAY, LLC,

Opposer,

v.

CHIRAG R. PATEL

Applicant.

Opposition No.

Serial No. 86978982

NOTICE OF OPPOSITION

Opposer, PRIMEPAY, LLC, is a Virginia limited liability company with its principal place of business located at 1487 Dunwoody Drive, West Chester, Pennsylvania 19380.

Applicant, CHIRAG R. PATEL, is an individual with an address of record with the USPTO of 19 Mink Run Court, North Brunswick, New Jersey 08902.

Opposer believes that it will be damaged by registration of the mark PRIMEDAY as shown in Application Serial No. 86978982 ("the Application") for services in International Class 35 and hereby opposes the same.

The grounds for opposition are as follows:

1. Continuously since long prior to Applicant's filing date of the Application (July 8, 2015) and its claimed date of first use for the services in the Application (November 10, 2005), Opposer and its predecessor in interest (both referred to hereafter simply as Opposer) has marketed, advertised and sold and rendered, and continues to sell and render, goods and services throughout the United States under its PRIMEPAY family of marks including PRIMEPAY, PRIMEXPORTS, PRIMETAX, PRIMELINK, PRIMEXPRESS, PRIMEFLEX and other PRIME-formative marks pertaining to an extensive range of business and financial services, including payroll and payroll related goods and services.
2. Opposer's goods and services provided under the names and marks referenced in paragraph 1 above have been promoted throughout the United States to the relevant trade and to the consuming public. Opposer operates in more than 30 offices and supports

clients in all 50 states. A full description of Opposer's services can be viewed on its website located at <http://www.primepay.com>.

3. By reason of Opposer's aforesaid promotion and sale/rendering of its goods/services, Opposer's names and marks referenced in paragraph 1 above have acquired recognition and renown, and the relevant trade and public have come to recognize the names and marks referenced in paragraph 1 above as signifying Opposer exclusively.

4. Opposer has duly registered in the United States Patent and Trademark Office (USPTO) and owns various registrations for marks that include the term PRIME, including the mark "PRIMEPAY" for business and financial management goods and services, as depicted in Opposer's U.S. Registration Nos. 2056092 and 2294575. Copies of the current status and titles for those registrations as shown in the USPTO's TARR and assignment databases excerpts attached hereto as Exhibit A.

5. The registrations referenced in Paragraph 4 above are valid, subsisting registrations in full force and effect. Furthermore, said registrations are incontestable, thereby constituting conclusive *prima facie* evidence of Opposer's exclusive right to use said marks in commerce.
6. On July 8, 2015, Applicant filed an application (Serial No. 86686926) for services in Class 35 relying on two separate bases. Section 1(a) was claimed for the services recited as "business consultation services; business management consultancy and advisory services" and Section 1(b) was claimed for the services "advertising services, namely, promoting the brands, goods and services of others".
7. After Applicant's original filing was refused as to the 1(b)-based services referenced in Paragraph 7 above for likelihood of confusion with a prior registration, Applicant requested and obtained a division of the application whereby the 1(b)-based

services remained in the parent application and the 1(a) based services were entered into a new child application, the Application herein opposed.

COUNT I - LIKELIHOOD OF CONFUSION

8. Opposer repeats and re-alleges the allegations set forth in paragraphs 1 - 7 herein.
9. The mark PRIMEDAY in the Application is so similar to Opposer's Marks and Family of Marks referenced in Paragraphs 1 and 4 above as to be likely to create confusion, mistake or deception, all to the damage of Opposer, and to the damage of Opposer's rights in its names and marks, which have been in use long prior to the filing of Applicant's trademark application.
10. The business and financial management business payroll services and payroll related goods/services rendered by Opposer via its marks referenced in paragraphs 1 and 4 above are identical to, highly related to, closely similar with or otherwise

- overlapping with the services recited in the Application.
11. Upon information and belief, the services recited in the Application could be rendered through the same channels of distribution and be rendered to the same types of businesses or companies as those using Opposer's goods and services under its marks referenced in paragraphs 1 and 4 above.
 12. Upon information and belief, the services recited in the Application could be provided to the same potential consumers or end-users as those who use Opposer's goods and services provided under its marks referenced in paragraphs 1 and 4 above.
 13. Upon information and belief, Applicant did not use its mark PRIMEDAY prior to Opposer's first use in commerce dates of at least as early as March 1999 and August 1995 claimed for its PRIMEPAY Marks referenced in Paragraph 4, respectively, or prior to the filing date (June 1995) for those registrations. Priority is therefore not an issue.

14. Applicant's use and registration of the mark PRIMEDAY in the Application is without Opposer's consent or permission.
15. Applicant's use and registration of the mark PRIMEDAY in the Application will result in damage and in the diminishment in sales and service and the loss of the value of Opposer's names and marks referenced in Paragraphs 1 and 4 above.
16. Applicant's use and registration of the mark PRIMEDAY in the Application will cause a likelihood of confusion with Opposer's Marks referenced in Paragraphs 1 and 4 above.

COUNT II - APPLICATION VOID

17. 8. Opposer repeats and re-alleges the allegations set forth in paragraphs 1 - 16 herein.
18. The specimens of use submitted in support of registration of the mark PRIMEDAY in the Application are excerpts from the website www.primeday.com

showing two pages from that cite wherein the bottom of the pages are cutoff.

19. The cutoff portions of the website excerpts submitted to the USPTO and referenced in Paragraph 16 above identify the company providing the services as being Primeday, LLC, which is Virginia limited liability company located at 2230 George C. Marshall Dr., Suite 219, Falls Church, VA 22043.
20. Upon information and belief, Applicant has never himself provided and rendered all of the services recited in the Application under the mark PRIMEDAY as an individual and that any such use has been through the registered Virginia company Primeday, LLC prior to filing of the Application.
21. Upon information and belief, Applicant himself did not have a *bona fide* intent to use the mark PRIMEDAY in the Application at the time he filed when filing the Application.

22. By virtue of the mark having been filed in the name of the wrong party, the Application is void.

WHEREFORE, Opposer prays that Application Serial No. 86978982 be rejected, that no registration be issued thereon to Applicant, that registration of the mark PRIMEDAY for the services described therein be denied and refused, and that this opposition be sustained in favor of Opposer.

Respectfully submitted,

/Mark Lebow/
Mark Lebow
Attorney for Opposer
Ladas & Parry
1727 King Street, Suite 105
Alexandria, VA 22314

November 9, 2016

CERTIFICATE OF SERVICE

I hereby certify the foregoing Notice of Opposition was served by U.S. mail, postage prepaid, to Applicant's counsel of record, Richard Gearhart, Esq., Gearhart Law Llc, 41 River Rd., Summit, New Jersey 07901-1426 this 9th day November 2016.

/Joy Climo/
Joy Climo

EXHIBIT A

Int. Cl.: 9

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

Reg. No. 2,294,575

United States Patent and Trademark Office

Registered Nov. 23, 1999

**TRADEMARK
PRINCIPAL REGISTER**

PRIMEPAY

PRIMEPAY, INC. (VIRGINIA CORPORATION)
301 LINDENWOOD DRIVE
SUITE100
MALVERN, PA 19355 BY MERGER WITH AU-
TOTAX, INC. (VIRGINIA CORPORATION)
MCLEAN, VA 22102

FOR: COMPUTERIZED SYSTEMS COM-
PRISED OF COMPUTER HARDWARE AND

COMPUTER SOFTWARE FOR USE IN BUSI-
NESS AND FINANCIAL MANAGEMENT, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-1999; IN COMMERCE
3-0-1999.

SN 74-683,180, FILED 6-1-1995.

MARY CRAWFORD, EXAMINING ATTORNEY

Int. Cl.: 9

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

Reg. No. 2,294,575

United States Patent and Trademark Office

Registered Nov. 23, 1999

**TRADEMARK
PRINCIPAL REGISTER**

PRIMEPAY

PRIMEPAY, INC. (VIRGINIA CORPORATION)
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SUITE100
MALVERN, PA 19355 BY MERGER WITH AU-
TOTAX, INC. (VIRGINIA CORPORATION)
MCLEAN, VA 22102

COMPUTER SOFTWARE FOR USE IN BUSI-
NESS AND FINANCIAL MANAGEMENT, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-1999; IN COMMERCE
3-0-1999.

SN 74-683,180, FILED 6-1-1995.

FOR: COMPUTERIZED SYSTEMS COM-
PRISED OF COMPUTER HARDWARE AND

MARY CRAWFORD, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Assignments on the Web > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [74683180](#)

Filing Dt: 06/01/1995

Reg #: [2294575](#)

Reg. Dt: 11/23/1999

Registrant: PRIMEPAY, INC.

Mark: PRIMEPAY

Assignment: 1

Reel/Frame: [1533/0584](#)

Recorded: 11/29/1996

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [AUTOTAX, INC.](#)

Exec Dt: 11/26/1996

Entity Type: CORPORATION

Citizenship: VIRGINIA

Entity Type: CORPORATION

Citizenship: VIRGINIA

Assignee: [PRIMEPAY, INC.](#)

SUITE 100

301 LINDENWOOD DRIVE

MALVERN, PENNSYLVANIA 19355

Correspondent: REED SMITH SHAW & MCCLAY

LOUIS M. HEIDELBERGER

2500 ONE LIBERTY PLACE

1650 MARKET STREET

PHILADELPHIA, PA 19103

Assignment: 2

Reel/Frame: [5426/0009](#)

Recorded: 12/23/2014

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [PRIMEPAY, INC.](#)

Exec Dt: 12/22/2014

Entity Type: CORPORATION

Citizenship: VIRGINIA

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [PRIMEPAY, LLC](#)

1487 DUNWOODY DRIVE

WEST CHESTER, PENNSYLVANIA 19380

Correspondent: MARK LEBOW

1727 KING STREET, SUITE 105

ALEXANDRIA, VA 22314

The Trademark organization is beta testing a next generation examination system. As a result, there may be instances where Office actions have unexpected formatting or spacing issues. The Office is working on improvements to resolve these issues and appreciates your patience. Please contact us at [TMFeedback](#) if you have comments or issues with the appearance of a particular Office action or its attachments.

STATUS DOCUMENTS

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Mark: PRIMEPAY

PRIMEPAY

US Serial Number: 74683180

Application Filing Date: Jun. 01, 1995

US Registration Number: 2294575

Registration Date: Nov. 23, 1999

Register: Principal

Mark Type: Trademark

TM5 Common Status



LIVE/REGISTRATION/Issued and Active

Descriptor:

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 02, 2010

Publication Date: Mar. 19, 1996

Notice of Allowance Date: Jun. 11, 1996

Mark Information

Mark Literal Elements: PRIMEPAY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;

- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: computerized systems comprised of computer hardware and computer software for use in business and financial management

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 1999

Use in Commerce: Mar. 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PRIMEPAY, LLC

Owner Address: 1487 DUNWOODY DRIVE
WEST CHESTER, PENNSYLVANIA UNITED STATES 19380

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark Lebow

Docket Number: 5541-1018

Attorney Primary Email trademarks@young-thompson.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Mark Lebow
Name/Address: Ladas & Parry LLP
 Suite 105
 1727 King Street
 Alexandria, VIRGINIA UNITED STATES 22314

Phone: 703-837-9600

Fax: 703-837-0980

Correspondent e-mail: mlebow@ladas.com avmail@ladas.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 31, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 13, 2013	NOTICE OF SUIT	
Dec. 31, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 27, 2012	NOTICE OF SUIT	
Jun. 25, 2012	NOTICE OF SUIT	
Jun. 07, 2012	NOTICE OF SUIT	
Jan. 02, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 02, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 29, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Nov. 23, 2009	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 19, 2006	CASE FILE IN TICRS	
Jan. 04, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	61619
Jan. 04, 2006	ASSIGNED TO PARALEGAL	61619
Nov. 23, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 23, 2005	PAPER RECEIVED	
Nov. 23, 1999	REGISTERED-PRINCIPAL REGISTER	
Jul. 19, 1999	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	

Jul. 17, 1999	ASSIGNED TO EXAMINER	72004
Jul. 07, 1999	STATEMENT OF USE PROCESSING COMPLETE	
Jun. 09, 1999	USE AMENDMENT FILED	
Dec. 23, 1998	EXTENSION 5 GRANTED	
Dec. 07, 1998	EXTENSION 5 FILED	
Jun. 17, 1998	EXTENSION 4 GRANTED	
Jun. 02, 1998	EXTENSION 4 FILED	
Jan. 30, 1998	EXTENSION 3 GRANTED	
Dec. 09, 1997	EXTENSION 3 FILED	
Jun. 27, 1997	EXTENSION 2 GRANTED	
Jun. 10, 1997	EXTENSION 2 FILED	
Jan. 22, 1997	EXTENSION 1 GRANTED	
Nov. 27, 1996	EXTENSION 1 FILED	
Jun. 11, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 19, 1996	PUBLISHED FOR OPPOSITION	
Feb. 16, 1996	NOTICE OF PUBLICATION	
Dec. 12, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 01, 1995	EXAMINER'S AMENDMENT MAILED	
Nov. 13, 1995	NON-FINAL ACTION MAILED	
Nov. 06, 1995	ASSIGNED TO EXAMINER	72004

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 23, 2009

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jan. 02, 2010

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)

Total Assignments: 2

Registrant: PRIMEPAY, INC.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1533/0584](#)

Pages: 3

Date Recorded: Nov. 29, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [AUTOTAX, INC.](#)

Execution Date: Nov. 26, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: VIRGINIA

Assignee

Name: [PRIMEPAY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: VIRGINIA

Address: SUITE 100
301 LINDENWOOD DRIVE
MALVERN, PENNSYLVANIA 19355

Correspondent

Correspondent Name: REED SMITH SHAW & MCCLAY

Correspondent Address: LOUIS M. HEIDELBERGER
2500 ONE LIBERTY PLACE
1650 MARKET STREET
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5426/0009](#)

Pages: 4

Date Recorded: Dec. 23, 2014

Supporting Documents: [assignment-tm-5426-0009.pdf](#)

Assignor

Name: [PRIMEPAY, INC.](#)

Execution Date: Dec. 22, 2014

Legal Entity Type: CORPORATION

State or Country Where VIRGINIA

Organized:

Assignee

Name: [PRIMEPAY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 1487 DUNWOODY DRIVE
WEST CHESTER, PENNSYLVANIA 19380

Correspondent

Correspondent Name: MARK LEBOW

Correspondent Address: 1727 KING STREET, SUITE 105
ALEXANDRIA, VA 22314

Domestic Representative - Not Found

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Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,056,092

United States Patent and Trademark Office

Registered Apr. 22, 1997

**SERVICE MARK
PRINCIPAL REGISTER**

PRIMEPAY

PRIMEPAY, INC. (VIRGINIA CORPORATION)
301 LINDENWOOD DRIVE
SUITE 100
MALVERN, PA 19355 ASSIGNEE OF AUTO-
TAX, INC. (VIRGINIA CORPORATION)
MCLEAN, VA 22102

FOR: PROVIDING BUSINESS AND FINAN-
CIAL MANAGEMENT SERVICES, IN CLASS 35
(U.S. CLS. 100, 101 AND 102).
FIRST USE 8-1-1995; IN COMMERCE
8-1-1995.

SN 74-682,810, FILED 6-1-1995.

MARY CRAWFORD, EXAMINING ATTORNEY

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STATUS DOCUMENTS

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Mark: PRIMEPAY

No Image exists for this case.

US Serial Number: 74682810

Application Filing Date: Jun. 01, 1995

US Registration Number: 2056092

Registration Date: Apr. 22, 1997

Register: Principal

Mark Type: Service Mark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 18, 2007

Publication Date: Mar. 05, 1996

Notice of Allowance Date: May 28, 1996

Mark Information

Mark Literal Elements: PRIMEPAY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: providing business and financial management services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 1995

Use in Commerce: Aug. 01, 1995

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PRIMEPAY, LLC

Owner Address: 1487 DUNWOODY DRIVE
WEST CHESTER, PENNSYLVANIA UNITED STATES 19380

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark Lebow

Docket Number: 5541-1001

Correspondent

Correspondent Mark Lebow
Name/Address: Ladas & Parry LLP
 Suite 105
 1727 King Street
 Alexandria, VIRGINIA UNITED STATES 22314

Phone: 703-837-9600

Fax: 703-837-0980

Correspondent e-mail: mlebow@ladas.com avmail@ladas.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 22, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Dec. 31, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 13, 2013	NOTICE OF SUIT	
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Sep. 27, 2012	NOTICE OF SUIT	
Jun. 25, 2012	NOTICE OF SUIT	
Jun. 07, 2012	NOTICE OF SUIT	
Mar. 15, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 18, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
May 18, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 17, 2007	ASSIGNED TO PARALEGAL	70132
Apr. 17, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 17, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 14, 2006	CASE FILE IN TICRS	
Jul. 09, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 11, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
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Apr. 22, 1997	REGISTERED-PRINCIPAL REGISTER	

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Feb. 10, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Nov. 27, 1996	USE AMENDMENT FILED	
May 28, 1996	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 05, 1996	PUBLISHED FOR OPPOSITION	
Feb. 02, 1996	NOTICE OF PUBLICATION	
Nov. 30, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 29, 1995	ASSIGNED TO EXAMINER	72004

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 22, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: May 18, 2007

Assignment Abstract Of Title Information

Summary

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Date Recorded: Nov. 29, 1996

Supporting Documents: No Supporting Documents Available

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Execution Date: Nov. 26, 1996

Legal Entity Type: CORPORATION

State or Country Where VIRGINIA

Organized:

AssigneeName: [PRIMEPAY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where VIRGINIA

Organized:

Address: SUITE 100
301 LINDENWOOD DRIVE
MALVERN, PENNSYLVANIA 19355

Correspondent

Correspondent Name: REED SMITH SHAW & MCCLAY

Correspondent Address: LOUIS M. HEIDELBERGER
2500 ONE LIBERTY PLACE
1650 MARKET STREET
PHILADELPHIA, PA 19103

Domestic Representative - Not Found**Assignment 2 of 2**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5426/0009](#)

Pages: 4

Date Recorded: Dec. 23, 2014

Supporting Documents: [assignment-tm-5426-0009.pdf](#)**Assignor**Name: [PRIMEPAY, INC.](#)

Execution Date: Dec. 22, 2014

Legal Entity Type: CORPORATION

State or Country Where VIRGINIA

Organized:

AssigneeName: [PRIMEPAY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 1487 DUNWOODY DRIVE

WEST CHESTER, PENNSYLVANIA 19380

Correspondent

Correspondent Name: MARK LEBOW

Correspondent Address: 1727 KING STREET, SUITE 105
ALEXANDRIA, VA 22314

Domestic Representative - Not Found

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [74682810](#)

Filing Dt: 06/01/1995

Reg #: [2056092](#)

Reg. Dt: 04/22/1997

Registrant: PRIMEPAY, INC.

Mark: PRIMEPAY

Assignment: 1

Reel/Frame: [1533/0584](#)

Recorded: 11/29/1996

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [AUTOTAX, INC.](#)

Exec Dt: 11/26/1996

Entity Type: CORPORATION

Citizenship: VIRGINIA

Entity Type: CORPORATION

Citizenship: VIRGINIA

Assignee: [PRIMEPAY, INC.](#)

SUITE 100

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2500 ONE LIBERTY PLACE

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Assignment: 2

Reel/Frame: [5426/0009](#)

Recorded: 12/23/2014

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [PRIMEPAY, INC.](#)

Exec Dt: 12/22/2014

Entity Type: CORPORATION

Citizenship: VIRGINIA

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [PRIMEPAY, LLC](#)

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