

ESTTA Tracking number: **ESTTA874277**

Filing date: **01/30/2018**

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	JMM Lee Properties, LLC
Granted to Date of previous extension	01/31/2018
Address	2807 Antigua Dr. Burbank, CA 91504 UNITED STATES

Correspondence information	JMM Lee Properties, LLC 2807 Antigua Dr. Burbank, CA 91504 UNITED STATES Email: mlee@jmmlee.com Phone: 2068506596
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Applicant Information

Application No	86589076	Publication date	10/03/2017
Opposition Filing Date	01/30/2018	Opposition Period Ends	01/31/2018
Applicant	Giovanni Laporta 38 Market Square Toddington Dunstable GREAT BRITAIN		

Goods/Services Affected by Opposition


Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Computer application software for computers and mobile devices, namely, software for secure document delivery, receipt, verification, signature, and storage
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Software as a service (SAAS) services featuring software for secure document delivery, receipt, verification, signature, and storage

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	5156451	Application Date	12/17/2013
Registration Date	03/07/2017	Foreign Priority	NONE


		Date	
Word Mark	AIRTOUCH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2016/12/19 First Use In Commerce: 2016/12/19 Computer hardware, operating software drivers therefor, and computer application software for providing movement-recognition based, touch-less control of smartphones and personal computers		

U.S. Registration No.	4549876	Application Date	04/23/2011
Registration Date	06/17/2014	Foreign Priority Date	NONE
Word Mark	AIRTOUCH		
Design Mark			
Description of Mark	The mark consists of the wording "AirTouch" with an arch extending over the top of the entire text.		
Goods/Services	Class 009. First use: First Use: 2011/04/19 First Use In Commerce: 2011/04/19 Telecommunications and information technology equipment and supplies, namely, telephones, pagers, wireless hand held mobile digital electronic devices for the sending and receiving of telephone calls and electronic mail, MP3 and other digital format audio players, personal digital assistants, electronic personal organizers, electronic notepads, videophones, digital cameras and machine-readable magnetically encoded cards, namely, telephone calling cards		

U.S. Registration No.	4479542	Application Date	06/27/2011
Registration Date	02/11/2014	Foreign Priority Date	NONE

Word Mark	AIRTOUCH
Design Mark	
Description of Mark	NONE
Goods/Services	Class 038. First use: First Use: 2011/04/20 First Use In Commerce: 2011/04/20 Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks

U.S. Application No.	86880214	Application Date	01/19/2016
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	AIRTOUCH
Design Mark	
Description of Mark	NONE
Goods/Services	Class 011. First use: First Use: 0 First Use In Commerce: 0 Kitchen and bath faucets with interactive sensors

U.S. Application No.	86846259	Application Date	12/11/2015
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	AIRTOUCH
Design Mark	
Description of Mark	NONE
Goods/Services	Class 011. First use: First Use: 0 First Use In Commerce: 0

	Air Filters for air conditioners and furnaces; Air purifiers, namely, portable air purifiers for household purposes
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U.S. Application No.	86500876	Application Date	01/12/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	AIRTOUCH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Environmental control systems consisting of digital thermostats and sensors to control climatic equipment, lights, and irrigation pumps from a remote locations; computer software applications for use on computers and hand-held devices, namely, software to control energy consumption, lights, and interior systems remotely		

Attachments	86146322#TMSN.png(bytes) 85302822#TMSN.png(bytes) 85356794#TMSN.png(bytes) 86880214#TMSN.png(bytes) 86846259#TMSN.png(bytes) 86500876#TMSN.png(bytes) AirTouchOpps.pdf(323669 bytes) ExhibitA.pdf(120099 bytes) ExhibitB.pdf(134335 bytes)
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Signature	/MJLee/
Name	JMM Lee Properties, LLC
Date	01/30/2018

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

US Serial Number: 86589076
Trademark: AIRTOUCH
Published in the Trademark *Official Gazette* on October 3, 2017

_____)
JMM Lee Properties, LLC)
Opposer)
)
v.)
)
Giovanni Laporta)
Applicant)
_____)


UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Opposer JMM Lee Properties, LLC (“Opposer”) believes that it will be damaged by registration of the mark shown in Application Serial No. 86589076, and hereby opposes the same. As grounds for opposition, Opposer alleges as follows:

1. Opposer, JMM Lee Properties, LLC., is a Limited Liability Company organized and existing under the laws of the State of California, with its headquarters located at 2807 Antigua Dr., Burbank, CA 91504

2. To the best of Opposer’s knowledge, Applicant, Giovanni Laporta, is an individual and citizen of Great Britain, with an address of 38 Market Square Toddington, Dunstable, UK.
3. On April 7, 2015, Applicant filed an Application, namely Serial No. 86589076 for the mark “AIRTOUCH” (“Applicant’s Mark”) in standard character form as a trademark for, “computer application software for computers and mobile devices, namely, software for secure document delivery, receipt, verification, signature, and storage,” in international class 09, and “Software as a service (SAAS) services featuring software for secure document delivery, receipt, verification, signature, and storage,” in international class 42 (hereinafter collectively referred to as “Applicant’s Goods”). Applicant’s Application was published for opposition in the *Official Gazette* on October 3, 2017.
4. Opposer is the owner of the following AIRTOUCH Registrations (“Opposer’s Marks” or “Opposer’s AIRTOUCH Marks”) for a variety of technology-related goods and services (hereafter “Opposer’s goods and services”):

Mark	Goods and Services	Reg. No.	Class
AIRTOUCH	Computer hardware, operating software drivers therefor, and computer application software for providing movement-recognition based, touch-less control of smart phones and personal computers	5156451	09
	Telecommunications and information technology equipment and supplies, namely, telephones, pagers, wireless hand held mobile digital electronic devices for the sending and receiving of telephone calls and electronic mail, MP3 and other digital format audio players, personal digital assistants, electronic personal organizers, electronic notepads, videophones,	4549876	09

	digital cameras and machine-readable magnetically encoded cards, namely, telephone calling cards		
AIRTOUCH	Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks	4479542	038

5. In addition, Opposer is the owner for the following active Applications for the AIRTOUCH mark, which were applied for prior to Applicant filing its trademark Application for AIRTOUCH.

Mark	Goods and Services	Ser. No.	Class
AIRTOUCH	Kitchen and bath faucets with interactive sensors	86880214	011
AIRTOUCH	Air Filters for air conditioners and furnaces; Air purifiers, namely, portable air purifiers for household purposes	86846259	011
AIRTOUCH	Environmental control systems consisting of digital thermostats and sensors to control climatic equipment, lights, and irrigation pumps from remote locations; computer software applications for use on computers and hand-held devices, namely, software to control energy consumption, lights, and interior systems remotely	86500876	009

6. All these trademark registrations and applications are valid and subsisting. Copies of TSDR printouts, showing the current status and title for each of the above registrations and applications are attached hereto as Exhibit A and are incorporated by reference herein as if set forth in full.

7. Opposer's Goods and Services have been advertised, offered for sale and sold throughout the United States under Opposer's Marks and Opposer's Marks are famous.
8. Opposer is now and has been for many years trading as and known by Opposer's Marks, identifying Opposer as the source of these consumer electronic goods and services.
9. Opposer has made significant investments to promote and sell its goods and service in connection with Opposer's marks. Opposer's marks are well-known and distinctive in the minds of consumers.
10. Opposer has common law rights to its AIRTOUCH Marks based on its use in commerce.
11. Opposer's common law rights in its AIRTOUCH Marks are valid, subsisting, and in full force and effect.
12. Notwithstanding Opposer's prior rights in and to its AIRTOUCH marks, Applicant filed to register the mark AIRTOUCH.

**CLAIM FOR RELIEF
(Likelihood of Confusion)**

13. Opposer repeats and realleges the allegations in preceding paragraphs 1 through 12 as if fully set forth herein.
14. Applicant's Mark shown in the Opposed Application so resembles Opposer's registered AIRTOUCH Marks as to be likely, when used on or in connection with the goods in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant's Mark is thus unregistrable under Section 2(d) of the United States Trademark Act, 15 U.S.C. § 1052(d).

15. Applicant lists its class 09 goods as, “computer application software for computers and mobile devices, namely, software for secure document delivery, receipt, verification, signature, and storage.” On information and belief, these goods are confusingly similar to Opposer’s Computer operating software drivers therefor, and computer application software for providing movement-recognition based, touch-less control of smart phones and personal computers.
16. Under class 09, Applicant’s Application and Opposer’s Registration No. 5156451 list goods consisting of software applications designed for use on computers and smartphones. On information and belief, the existence of two different software applications using the AIRTOUCH trademark on the same computer or smart phone would inevitably cause consumer confusion as to the source of the application.
17. Applicant’s goods under class 42 lists SAAS software, which is software hosted by a third-party provider and made available for use on a computer, smartphone or other device under a limited license. (See Exhibit B attached).
18. On information and belief, SAAS software and Opposer’s software would cause confusion as to the source of the goods when used on the same or similar device.
19. Upon information and belief, Opposer’s goods and Applicant’s goods will be offered to similar or overlapping classes of purchasers, and travel through the same trade channels.
20. On information and belief, Applicant’s Mark, when used in connection with Applicant’s proposed goods, is likely to cause confusion, to cause mistake, and to deceive the public as to the approval, sponsorship or endorsement of Applicant’s goods by Opposer.

21. Accordingly, registration of Applicant's Mark in connection with Applicant's software goods would damage Opposer, and registration, therefore, should be refused pursuant to 15 U.S.C. §1052(d).

WHEREFORE, Opposer believes that it would be damaged by the registration of Application Serial No. 86589076 and prays that such registration be denied

Dated: January 30, 2018

By: _____

A handwritten signature in black ink, appearing to read "M. J. Lee", is written over a light blue horizontal line.

Michael J. Lee
JMM Lee Properties, LLC
2807 Antigua Dr.
Burbank, CA 91504
(206) 850-6596
Mlee@jmmlee.com

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2018 a copy of the foregoing Notice of Opposition is being served upon the attorney for Applicant via email as follows:

BRIAN A. HALL
Traverse Legal Plc

brianhall@traverselegal.com

/Michael J. Lee/
JMM Lee Properties, LLC

Exhibit A

Generated on: This page was generated by TSDR on 2018-01-30 13:13:03 EST

Mark: AIRTOUCH

AIRTOUCH

US Serial Number: 86146322

Application Filing Date: Dec. 17, 2013

US Registration Number: 5156451

Registration Date: Mar. 07, 2017

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 07, 2017

Publication Date: May 27, 2014

Notice of Allowance Date: Jul. 22, 2014

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3990397, 4479542

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: Computer hardware, operating software drivers therefor, and computer application software for providing movement-recognition based, touch-less control of smart phones and personal computers

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 19, 2016

Use in Commerce: Dec. 19, 2016

Basis Information (Case Level)

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

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

Amended Use: No
Amended ITU: No
Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: JMM Lee Properties, LLC

Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA 91504
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR
BURBANK, CALIFORNIA 91504-1808
UNITED STATES

Phone: 206-850-6596

Correspondent e-mail: mlee@jmmlee.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 07, 2017	REGISTERED-PRINCIPAL REGISTER	
Jan. 28, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 27, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 19, 2017	STATEMENT OF USE PROCESSING COMPLETE	66154
Dec. 21, 2016	USE AMENDMENT FILED	66154
Jan. 13, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 21, 2016	TEAS STATEMENT OF USE RECEIVED	
Dec. 13, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 12, 2016	EXTENSION 5 GRANTED	61813
Nov. 23, 2016	EXTENSION 5 FILED	61813
Nov. 23, 2016	TEAS EXTENSION RECEIVED	
Jul. 01, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 30, 2016	EXTENSION 4 GRANTED	61813
Jun. 15, 2016	EXTENSION 4 FILED	61813
Jun. 15, 2016	TEAS EXTENSION RECEIVED	
Jan. 21, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 20, 2016	EXTENSION 3 GRANTED	61813
Dec. 11, 2015	EXTENSION 3 FILED	61813
Dec. 11, 2015	TEAS EXTENSION RECEIVED	
Sep. 29, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 27, 2015	EXTENSION 2 GRANTED	61813
Jul. 22, 2015	EXTENSION 2 FILED	61813
Sep. 22, 2015	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Aug. 31, 2015	NOTICE OF REVIVAL - E-MAILED	
Aug. 29, 2015	EXTENSION RECEIVED WITH TEAS PETITION	
Aug. 29, 2015	PETITION TO REVIVE-GRANTED	88889
Aug. 29, 2015	TEAS PETITION TO REVIVE RECEIVED	
Aug. 24, 2015	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Aug. 24, 2015	ABANDONMENT - NO USE STATEMENT FILED	99999
Jan. 24, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 22, 2015	EXTENSION 1 GRANTED	98765
Jan. 22, 2015	EXTENSION 1 FILED	98765
Jan. 22, 2015	TEAS EXTENSION RECEIVED	

Jul. 22, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 27, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 27, 2014	PUBLISHED FOR OPPOSITION	
May 07, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 22, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Apr. 22, 2014	ASSIGNED TO LIE	77312
Mar. 31, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 31, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 31, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 31, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 31, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 31, 2014	NON-FINAL ACTION E-MAILED	6325
Mar. 31, 2014	NON-FINAL ACTION WRITTEN	82417
Mar. 31, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 31, 2014	NON-FINAL ACTION E-MAILED	6325
Mar. 31, 2014	NON-FINAL ACTION WRITTEN	82417
Mar. 24, 2014	ASSIGNED TO EXAMINER	82417
Jan. 03, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Jan. 02, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 20, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 27, 2017

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Mark: AIRTOUCH



US Serial Number: 85302822

Application Filing Date: Apr. 23, 2011

US Registration Number: 4549876

Registration Date: Jun. 17, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jun. 17, 2014

Publication Date: Apr. 01, 2014

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "AirTouch" with an arch extending over the top of the entire text.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 26.17.09 - Bands, curved; Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved

Related Properties Information

Claimed Ownership of US Registrations: 3990397

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: Telecommunications and information technology equipment and supplies, namely, telephones, pagers, wireless hand held mobile digital electronic devices for the sending and receiving of telephone calls and electronic mail, MP3 and other digital format audio players, personal digital assistants, electronic personal organizers, electronic notepads, videophones, digital cameras and machine-readable magnetically encoded cards, namely, telephone calling cards

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 19, 2011

Use in Commerce: Apr. 19, 2011

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	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: JMM Lee Properties, LLC
Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA UNITED STATES 91504
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR
BURBANK, CALIFORNIA UNITED STATES 91504-1808

Phone: 818-843-6315

Correspondent e-mail: mlee@jmmlee.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 17, 2014	REGISTERED-PRINCIPAL REGISTER	
Apr. 01, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 01, 2014	PUBLISHED FOR OPPOSITION	
Mar. 12, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 27, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Feb. 27, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 22, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66213
Feb. 12, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Feb. 12, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Aug. 11, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Feb. 06, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66213
Feb. 06, 2012	ASSIGNED TO LIE	66213
Aug. 05, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 05, 2011	LETTER OF SUSPENSION E-MAILED	6332
Aug. 05, 2011	SUSPENSION LETTER WRITTEN	86336
Jul. 27, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 26, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 26, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 25, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 25, 2011	NON-FINAL ACTION E-MAILED	6325
Jul. 25, 2011	NON-FINAL ACTION WRITTEN	86336
Jul. 19, 2011	ASSIGNED TO EXAMINER	86336
Apr. 28, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	

Apr. 27, 2011 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM

Apr. 27, 2011 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 17, 2014

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Mark: AIRTOUCH

AIRTOUCH

US Serial Number: 85356794

Application Filing Date: Jun. 27, 2011

US Registration Number: 4479542

Registration Date: Feb. 11, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Feb. 11, 2014

Publication Date: Nov. 26, 2013

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3990397

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: Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 20, 2011

Use in Commerce: Apr. 20, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44E: No

Current Owner(s) Information

Owner Name: JMM Lee Properties, LLC
Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA UNITED STATES 91504
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None Correspondent

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR
BURBANK, CALIFORNIA UNITED STATES 91504-1808
Phone: (818) 298-8294
Correspondent e-mail: mlee@jmmlee.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Nov. 26, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 26, 2013	PUBLISHED FOR OPPOSITION	
Nov. 06, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 22, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Oct. 22, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2013	LIE CHECKED SUSP - TO ATTY FOR ACTION	66121
Apr. 16, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66121
Oct. 12, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66121
Apr. 11, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Apr. 11, 2012	LETTER OF SUSPENSION E-MAILED	6332
Apr. 11, 2012	SUSPENSION LETTER WRITTEN	75571
Apr. 05, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Apr. 05, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Mar. 29, 2012	ASSIGNED TO LIE	66121
Mar. 19, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 13, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 13, 2011	NON-FINAL ACTION E-MAILED	6325
Oct. 13, 2011	NON-FINAL ACTION WRITTEN	75571
Oct. 12, 2011	ASSIGNED TO EXAMINER	75571
Jul. 02, 2011	NOTICE OF PSEUDO MARK MAILED	
Jul. 01, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 30, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 11, 2014

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Mark: AIRTOUCH

AIRTOUCH

US Serial Number: 86880214

Application Filing Date: Jan. 19, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Dec. 13, 2017

Publication Date: May 03, 2016

Notice of Allowance Date: Jun. 28, 2016

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3990397, 4479542, 4549876

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: Kitchen and bath faucets with interactive sensors

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	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: Jmm Lee Properties, LLC
Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA UNITED STATES 91504
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None Correspondent

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR.
BURBANK, CALIFORNIA UNITED STATES 91504

Phone: 2068506596

Correspondent e-mail: Mlee@jmmlee.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 15, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2017	EXTENSION 3 GRANTED	98765
Dec. 13, 2017	EXTENSION 3 FILED	98765
Dec. 13, 2017	TEAS EXTENSION RECEIVED	
Jun. 20, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 16, 2017	EXTENSION 2 GRANTED	98765
Jun. 16, 2017	EXTENSION 2 FILED	98765
Jun. 16, 2017	TEAS EXTENSION RECEIVED	
Dec. 15, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2016	EXTENSION 1 GRANTED	98765
Dec. 13, 2016	EXTENSION 1 FILED	98765
Dec. 13, 2016	TEAS EXTENSION RECEIVED	
Jun. 28, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 03, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 03, 2016	PUBLISHED FOR OPPOSITION	
Apr. 13, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 29, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 28, 2016	ASSIGNED TO LIE	70884
Mar. 11, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 09, 2016	ASSIGNED TO EXAMINER	77762
Jan. 26, 2016	NOTICE OF PSEUDO MARK E-MAILED	
Jan. 25, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 22, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: BOULTON, KELLY F

Law Office Assigned: LAW OFFICE 102

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jun. 28, 2016

Generated on: This page was generated by TSDR on 2018-01-30 13:16:56 EST

Mark: AIRTOUCH

AIRTOUCH

US Serial Number: 86846259

Application Filing Date: Dec. 11, 2015

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Dec. 13, 2017

Publication Date: May 10, 2016

Notice of Allowance Date: Jul. 05, 2016

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3990397, 4479542, 4549876

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: Air Filters for air conditioners and furnaces; Air purifiers, namely, portable air purifiers for household purposes

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

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: JMM Lee Properties, LLC

Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA UNITED STATES 91504

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR
BURBANK, CALIFORNIA UNITED STATES 91504

Phone: 206-850-6596

Correspondent e-mail: mlee@jmmlee.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 15, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2017	EXTENSION 3 GRANTED	98765
Dec. 13, 2017	EXTENSION 3 FILED	98765
Dec. 13, 2017	TEAS EXTENSION RECEIVED	
Jun. 20, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 16, 2017	EXTENSION 2 GRANTED	98765
Jun. 16, 2017	EXTENSION 2 FILED	98765
Jun. 16, 2017	TEAS EXTENSION RECEIVED	
Dec. 15, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2016	EXTENSION 1 GRANTED	98765
Dec. 13, 2016	EXTENSION 1 FILED	98765
Dec. 13, 2016	TEAS EXTENSION RECEIVED	
Jul. 05, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 10, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 10, 2016	PUBLISHED FOR OPPOSITION	
Apr. 20, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 02, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Mar. 28, 2016	ASSIGNED TO LIE	76568
Mar. 11, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 09, 2016	ASSIGNED TO EXAMINER	77762
Dec. 17, 2015	NOTICE OF PSEUDO MARK E-MAILED	
Dec. 16, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 15, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: BOULTON, KELLY F

Law Office Assigned: LAW OFFICE 102

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jul. 05, 2016

Generated on: This page was generated by TSDR on 2018-01-30 13:17:56 EST

Mark: AIRTOUCH

AIRTOUCH

US Serial Number: 86500876

Application Filing Date: Jan. 12, 2015

Register: Principal

Mark Type: Trademark

Status: A fifth request for extension of time to file a Statement of Use has been granted.

Status Date: Dec. 14, 2017

Publication Date: Apr. 21, 2015

Notice of Allowance Date: Jun. 16, 2015

Mark Information

Mark Literal Elements: AIRTOUCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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: Environmental control systems consisting of digital thermostats and sensors to control climatic equipment, lights, and irrigation pumps from a remote locations; computer software applications for use on computers and hand-held devices, namely, software to control energy consumption, lights, and interior systems remotely

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	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: JMM Lee Properties, LLC

Owner Address: 2807 Antigua Dr.
Burbank, CALIFORNIA 91504
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record - None**Correspondent**

Correspondent Name/Address: JMM LEE PROPERTIES, LLC
JMM LEE PROPERTIES, LLC
2807 ANTIGUA DR
BURBANK, CALIFORNIA 91504-1808
UNITED STATES

Phone: 206-850-6596

Correspondent e-mail: mlee@jmlee.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Dec. 15, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 14, 2017	EXTENSION 5 GRANTED	71034
Dec. 13, 2017	EXTENSION 5 FILED	71034
Dec. 13, 2017	TEAS EXTENSION RECEIVED	
Jun. 20, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 16, 2017	EXTENSION 4 GRANTED	98765
Jun. 16, 2017	EXTENSION 4 FILED	98765
Jun. 16, 2017	TEAS EXTENSION RECEIVED	
Dec. 15, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2016	EXTENSION 3 GRANTED	98765
Dec. 13, 2016	EXTENSION 3 FILED	98765
Dec. 13, 2016	TEAS EXTENSION RECEIVED	
Jul. 26, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 23, 2016	EXTENSION 2 GRANTED	71034
Jun. 15, 2016	EXTENSION 2 FILED	71034
Jul. 20, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Jun. 15, 2016	TEAS EXTENSION RECEIVED	
Dec. 15, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 11, 2015	EXTENSION 1 GRANTED	98765
Dec. 11, 2015	EXTENSION 1 FILED	98765
Dec. 11, 2015	TEAS EXTENSION RECEIVED	
Jun. 16, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 21, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 21, 2015	PUBLISHED FOR OPPOSITION	
Apr. 01, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 14, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Mar. 10, 2015	ASSIGNED TO LIE	77312
Feb. 19, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 19, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 18, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 18, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 18, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION E-MAILED	6325
Feb. 18, 2015	NON-FINAL ACTION WRITTEN	88220
Feb. 15, 2015	ASSIGNED TO EXAMINER	88220
Jan. 23, 2015	NOTICE OF PSEUDO MARK E-MAILED	
Jan. 22, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 15, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: ARANT, LUCY B

Law Office Assigned: LAW OFFICE 117

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jul. 20, 2016

Exhibit B



TRY FOR F

Power Your Business with the Best of the Web.



New to SaaS? Welcome!

If you're just starting to explore the concept of SaaS, this is the place to find out what SaaS can do for you, see how SaaS is different, identify questions about SaaS, and learn more about developing SaaS applications.

What is SaaS?

Software as a service (or SaaS; pronounced /sæs/) is a way of delivering centrally hosted applications over the Internet—as a service. SaaS applications are sometimes called web-based software, on-demand software, or hosted software. Whatever the name, SaaS applications run on a SaaS provider's servers.

Instead of installing and maintaining software, you simply access it via the Internet, freeing yourself from complex software and hardware management. The provider manages access to the application, including security, availability, and performance. SaaS business applications are usually accessed by users using a thin client via a web browser.

What are the Advantages of SaaS?

- High adoption
- Lower initial costs
- Painless upgrades
- Seamless integration

SaaS facilitates remote application hosting and delivery, making this the key advantage of SaaS: painless application access. SaaS customers have no hardware or software to buy, install, maintain, or update. Access to applications is easy—you just need an Internet connection.

SaaS Characteristics

A good way to understand the SaaS model is by thinking of a bank, which protects the privacy of each customer while providing service that is reliable and secure—on a massive scale. A bank's customers all use the same financial systems and technology without worrying about anyone accessing their personal information without authorization.

A “bank” meets the key characteristics of the SaaS model:

MULTITENANT ARCHITECTURE

A multitenant architecture, in which all users and applications share a single, common infrastructure and code base that is centrally maintained. Because SaaS vendor clients are all on the same infrastructure and code base, vendors can innovate more quickly and save the valuable development time previously spent on maintaining numerous versions of outdated code.

EASY CUSTOMIZATION

The ability for each user to easily customize applications to fit their business processes without affecting the common infrastructure. Because of the way SaaS is architected, these customizations are unique to each company or user and are always preserved through upgrades. That means SaaS providers can make upgrades more often, with less customer risk and much lower adoption cost.

[A Quick Peek at the Platform: e-book](#)

[IDC report: Accelerate App Dev with Huge ROI](#)

[8 Key Things you need to know about PaaS](#)

E-BOOK

[See how Salesforce drives 28% more sales](#)

[THE SALESFORCE ADVANTAGE](#) 

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