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Filing date: **02/25/2019**

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

Proceeding	91243765
Party	Plaintiff Primelending, a Plainscapital Company
Correspondence Address	NATALIE L ARBAUGH WINSTON & STRAWN LLP 2121 N PEARL STREET, SUITE 900 DALLAS, TX 75201 UNITED STATES NLAIPTeam@winston.com, NArbaugh@winston.com, lLyapis@winston.com, MKulback@winston.com, DocketSF@winston.com, lfranco@winston.com, JGolinveaux@winston.com 214-453-6500
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Irina Lyapis
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Signature	/Irina Lyapis/
Date	02/25/2019
Attachments	Motion for Leave to Amend Home Loans Made Human.pdf(953379 bytes)

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

In the Matter of Application Serial No. 87803977
Filed: February 20, 2018
For the Mark: HOME LOANS. MADE HUMAN.
Published in the Official Gazette on: July 24, 2018

PrimeLending, A PlainsCapital Company,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91243765
	:	
Nations Lending Corporation,	:	
	:	
	:	
Applicant.	:	
	:	

OPPOSER’S MOTION FOR LEAVE TO AMEND THE NOTICE OF OPPOSITION

Pursuant to Fed. Rule Civ. P. 15(a), 37 C.F.R. § 2.107, and TBMP § 507, PrimeLending, A PlainsCapital Company (“Opposer”) moves for leave to amend the Notice of Opposition to plead additional factual allegations in support of its false association claim. The proposed amendments merely amplify information expressly alleged included in the Notice of Opposition.

Given Applicant’s knowledge of these allegations, Applicant will not suffer prejudice in allowing amendment at this early stage. Opposer respectfully requests that the Board grant Opposer’s motion for leave to amend under the liberal standards established by Fed. Rule Civ. P. 15(a).

I. STATEMENT OF FACTS AND PROCEDURAL HISTORY

Applicant filed for HOME LOANS. MADE HUMAN. (Ser. No. 87/803977) (“Application”) on February 20, 2018. The Application was published for opposition on July 24, 2018. PrimeLending timely submitted a 30-day Request for Extension of Time to Oppose on

August 22, 2018. On September 24, 2019 Opposer timely filed a notice of opposition to registration of the Application through the USPTO's Electronic System for Trademark Trials and Appeals ("ESTTA"), in accordance with Trademark Rule 2.101(b)(2), which resulted in the institution of Opposition No. 91243765. (1 TTABVUE)

In the ESTTA electronic opposition form for Opposition No. 91243765, Opposer indicated that it is opposing registration of Applicant's HOME LOANS. MADE HUMAN., mark on grounds of priority and likelihood of confusion under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), false suggestion of a connection under Trademark Act 15 U.S.C. § 1052(a), and dilution under Trademark Act Section 43(c), 15 U.S.C. § 1125(c).¹ (1 TTABVUE) On November 02, 2018 Applicant filed an Answer and Counterclaim. (4 TTABVUE) On November 10, 2018 the Board issued an Order granting Opposer thirty days to answer the Counterclaim and also reset the conference, discovery, disclosure and trial schedule dates. (5 TTABVUE) Opposer filed an Answer to the Counterclaims on December 07, 2018. (6 TTABVUE) On January 25, 2019 the parties held a timely discovery conference with the assigned interlocutory attorney. On January 28, 2019 the interlocutory attorney issued a further Order indicating that the Notice of Opposition sufficiently pleads a claim of priority and likelihood of confusion under 15 U.S.C. § 1052(d), but not dilution and false suggestions of a connection under 15 U.S.C. § 1125(c) and 1052(a), respectively. (11 TTABVUE) Opposer now files this motion for leave to file an Amended Notice of Opposition curing the deficiencies in the pleading identified by the interlocutory attorney during the discovery conference.

¹ In all oppositions filed through ESTTA, the electronic form requires entry of information necessary for the Board to institute the proceeding, including the grounds for opposition, which, it is expected, are further explained in the attached pleading.

II. ARGUMENT

Fed. Rule Civ. P. 15 establishes the procedure for amending the pleadings in Trademark Trial and Appeal Board matters. See 37 C.F.R. § 2.107(a) (“Pleadings in an opposition proceeding ... may be amended in the same manner and to the same extent as in a civil action in a United States district court.”). Pursuant to Rule 15, leave to amend should be freely given when justice so requires. Accordingly, the Board “has recognized that ‘amendments to pleadings should be allowed with great liberality at any stage of the proceeding where necessary to bring about a furtherance of justice unless it is shown that entry of the amendment would violate settled law or be prejudicial to the rights of any opposing parties.’” See e.g., *Commodore Elecs. Ltd. v. CBM Kabushiki Kaisha*, 26 U.S.P.Q.2d 1503, 1505 (TTAB 1993); *Polaris Indus. v. DC Comics*, 59 U.S.P.Q.2d 1798, 1799 (TTAB 2001); *Boral Ltd. v. FMC Corp.*, 59 U.S.P.Q.2d 1701 (TTAB 2000). Further, with respect to the amendments designed to clarify or amplify the factual bases for Opposer’s claims, it is well established that “a proposed amendment need not set forth a new claim or defense” but rather “may serve simply to amplify allegations already included in the moving party’s pleading.” See TBMP 507.02.

Here, Opposer requests leave to amend the Notice of Opposition in the interests of justice to expressly include additional facts to support claims already plead in its Opposition. The factual allegations are mere amplifications for Opposer’s false association claim, which was alleged in the Opposition and on the ESTTA filing cover sheet. Applicant, through the Notice of Opposition, has already been put on notice of these claims.

The Board liberally grants leave to amend pleadings when the opposing party will not be prejudiced. *Carolina Exports Intern., v. Bulgari, S.p.A.* 108 F.3d 1394, *3 (Fed. Cir. 1997) citing *Flatley v. Trump*, 11 USPQ2d 1284, 1286 (TTAB 1989). Here, Applicant would not suffer prejudice if amendment were permitted given that the proceedings have only recently commenced

and Applicant was already put on notice of these claims in the Opposition. Discovery has not been exchanged and no depositions have been taken. *See Microsoft Corp. v. Qantel Business Systems Inc.*, 16 USPQ2d 1732, 1733-34 (TTAB 1990) (proceeding still in the discovery stage and no undue prejudice shown).

Under these circumstances, there will be no prejudice if the Board grants leave to amend.

III. CONCLUSION

For the above reasons, Opposer respectfully requests that the Board grant Opposer leave to amend the Notice of Opposition attached as **Exhibit 1**.

Respectfully Submitted,

WINSTON & STRAWN LLP

Dated: February 25, 2019

/s/ Natalie L. Arbaugh
Natalie L. Arbaugh
Jennifer A. Golinveaux
2121 N. Pearl St.
Dallas, Texas 75201
Telephone: (214) 453-6500
Facsimile: (214) 453-6400
NLAIPeam@winston.com

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing Motion for Leave to Amend and Amended Notice of Opposition has been served this 25 day of February, via electronic mail, to the below-identified Counsel for Applicant:

John M. Mueller
Baker & Hostetler LLP
312 Walnut Street, Suite 3200
Cincinnati, OH 45202-4074
jmueller@bakerlaw.com

/s/Irina Lyapis

EXHIBIT 1

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

In the Matter of Application Serial No. 87803977
Filed: February 20, 2018
For the Mark: HOME LOANS. MADE HUMAN.
Published in the Official Gazette on: July 24, 2018

PrimeLending, A PlainsCapital Company,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91243765
	:	
Nations Lending Corporation,	:	
	:	
	:	
Applicant.	:	
	:	

AMENDED NOTICE OF OPPOSITION

PrimeLending, a PlainsCapital Company (“PrimeLending”) believes that it will be damaged by registration of the mark HOME LOANS. MADE HUMAN., in connection with Class 36 services for “home mortgage services, namely, arranging and financing of home purchase and refinance loans” as identified in U.S. Trademark Application Serial No. 87/803,977 (the “Application”) filed by Nations Lending Corporation (“Applicant”), and hereby opposes registration of the Application.

As grounds for the opposition, PrimeLending alleges as follows:

A. PRIMELENDING AND ITS PRIOR RIGHTS IN THE HOME LOAN MADE SIMPLE MARKS.

1. Opposer PrimeLending, a PlainsCapital Company is a Texas corporation with its principal place of business in Dallas, Texas. PrimeLending, A PlainsCapital Company is a wholly-owned subsidiary of PlainsCapital Corporation.

2. Since its founding in 1986, PrimeLending has provided and continues to provide various financial services, including but not limited to, residential mortgage lending services (the “PrimeLending Services”) throughout the United States.

3. PrimeLending is a nationwide leader in the American residential mortgage lending industry and has earned several distinctions over the years, including:

- named a Top 10 ranked purchase lender in the nation by MarketTrac;
- ranked No. 4 nationally among Top 10 large companies on the *Great Rated! People’s Picks: 20 Great Workplaces in Finance Services*;
- ranked 12th on the *Top 100 Mortgage Companies in America* by Mortgage Executive Magazine;
- inducted into the Mortgage Banker Association’s Hall of Honor program; being ranked 6th in top retail volume and 11th in top overall volume by Scotsman Guide;
- ranked by Fortune Magazine and Great Place to Work® as being among the “2017 Best Workplaces for Diversity,” “Best Workplace for Parents,” “Best Workplaces in Finance and Industry,” “Best Workplaces for Women,” “Best Workplaces in Texas,” and “Best Workplaces in Southern California;”
- ranked in the Top 10 for six straight years on The Dallas Morning News’ *Top 100 Places to Work Competition*;
- ranked third nationwide by J.D. Power in providing mortgage origination satisfaction.

In addition, PrimeLending’s mortgage originators have also earned several distinctions over the years, including eight mortgage originators being ranked in Mortgage Executive Magazine’s “Top 200 Mortgage Originators in America 2016.”

4. PrimeLending has used the HOME LOANS MADE SIMPLE mark as a source identifier for the PrimeLending Services since at least as early as 2015. PrimeLending owns the following federal trademark registrations:

MARK	SER. NO. / FILING DATE	REG. NO. / REG. DATE	GOODS/SERVICES
HOME LOANS MADE SIMPLE	86/983143 Mar. 03, 2016	5,330,567 Nov. 07, 2017	<p>Class 36: financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services</p> <p>Class 41: educational services, namely, providing classes, seminars, workshops, and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home loan services and the distribution of written course materials in connection therewith; providing a website featuring blogs in the field of mortgage lending services, mortgage planning, mortgage refinancing, home loan services and general interest stories</p>
HOME LOANS MADE SIMPLE	86/982313 Jun. 11, 2015	5,233,641 Jun. 27, 2017	<p>Class 36: financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services</p> <p>Class 41: educational services, namely, providing classes, seminars, workshops, and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home</p>

			loan services and the distribution of written course materials in connection therewith; providing a website featuring blogs in the field of mortgage lending services, mortgage planning, mortgage refinancing, home loan services and general interest stories
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5. Attached hereto as **Exhibit A** are true and correct copies of the certificates of registration for these marks, together with TSDR printouts showing their current status and title.

6. The trademarks referenced in paragraph 4 are referred to herein as the “HOME LOANS MADE SIMPLE Trademarks.”

7. The HOME LOANS MADE SIMPLE Trademarks are non-functional, distinctive, and have achieved a high degree of consumer recognition, serving to identify PrimeLending as the source of high quality services.

8. PrimeLending uses the HOME LOANS MADE SIMPLE Trademarks in connection with a wide range of financial services and related goods and services, including residential mortgage lending.

9. PrimeLending has spent substantial sums to promote the HOME LOANS MADE SIMPLE Trademarks and has generated substantial revenue in connection with the PrimeLending Services offered under the HOME LOANS MADE SIMPLE Trademarks.

10. As a result of PrimeLending’s continuous and extensive use of the HOME LOANS MADE SIMPLE Trademark, the services offered under the HOME LOANS MADE SIMPLE Trademark are widely and generally known to the consuming public and have acquired enormous value, and significant brand recognition in the United States, all of which inure to the benefit of PrimeLending. The general public, including consumers and potential consumers, as well as members of the trade such as realtors, builders and brokers not only associate the HOME LOANS MADE SIMPLE Trademarks with exceptional service in the field of residential mortgage lending

services, but also associate the services offered under the HOME LOANS MADE SIMPLE Trademark as being offered solely and exclusively by PrimeLending. As such, the HOME LOANS MADE SIMPLE Trademarks are symbols of PrimeLending's quality, reputation, and goodwill and serve as instant source identifiers for the PrimeLending Services.

B. APPLICANT AND ITS CONFUSINGLY SIMILAR MARK.

11. On information and belief, Applicant is an Ohio corporation with an address of 4 Summit Park Drive, Suite 200, Independence, Ohio 44131.

12. On February 20, 2018, notwithstanding PrimeLending's prior rights in and to the HOME LOANS MADE SIMPLE Trademarks and well after PrimeLending's HOME LOANS MADE SIMPLE Trademarks achieved registration, Applicant filed an intent-to-use application for the mark HOME LOANS. MADE HUMAN. ("Applicant's Mark") in the United States, which was assigned U.S. Application No. 87/803,977.

13. The services covered by the Application are "home mortgage services, namely, arranging and financing of home purchase and refinance loans" in International Class 36.

14. The Application was published in the USPTO's Official Gazette (Trademarks) on July 24, 2018. PrimeLending timely submitted a 30-day Request for Extension of Time to Oppose on August 22, 2018. This Opposition is timely filed pursuant to the U.S. Trademark Trial & Appeal Board's August 22, 2018 order allowing PrimeLending until September 22, 2018 to file its Notice of Opposition.

C. PRIMELENDING WILL BE HARMED IF THE APPLICATION REGISTERS.

15. There is no question of priority. Applicant's filing date for its intent-to-use Application is years after PrimeLending's first use of its HOME LOANS MADE SIMPLE Trademarks, and well after they achieved registration. Applicant therefore had constructive notice of PrimeLending's ownership of the HOME LOANS MADE SIMPLE Trademark.

16. Applicant's Mark is confusingly similar in terms of sight, sound, meaning, and commercial impression to the HOME LOANS MADE SIMPLE Trademarks.

17. Applicant's Mark would be a colorable imitation of PrimeLending's distinctive HOME LOANS MADE SIMPLE Trademarks.

18. Applicant's services, namely residential mortgage services, are identical to the services offered under the registrations of the HOME LOANS MADE SIMPLE Trademarks.

19. Applicant's services are targeted to the same potential consumers as the services offered under PrimeLending's HOME LOANS MADE SIMPLE Trademarks and are offered and provided through the same channels of trade.

20. Applicant is PrimeLending's competitor.

21. Applicant has no relationship with or connection to PrimeLending.

22. PrimeLending has been publicly known for using the HOME LOANS MADE SIMPLE Trademarks for nearly three years before Applicant's filing date of its Application (February 20, 2018).

23. Applicant's HOME LOANS. MADE HUMAN., mark is a close approximation of the HOME LOANS MADE SIMPLE Trademarks, which are extensively used and promoted by PrimeLending.

24. Consumers would recognize Applicant's HOME LOANS. MADE HUMAN., mark as a close approximation of PrimeLending's HOME LOANS MADE SIMPLE, which are uniquely and unmistakably known to be offered by PrimeLending.

25. PrimeLending's reputation and the recognition of the HOME LOANS MADE SIMPLE Trademarks are such that when Applicant's Mark is used in connection with Applicant's services, consumers are likely to mistakenly presume a connection, sponsorship or affiliation with PrimeLending.

26. Applicant's applied-for mark HOME LOANS. MADE HUMAN. is confusingly similar to PrimeLending's HOME LOANS MADE SIMPLE Trademarks, and therefore, if Applicant's Mark is allowed to register in connection with the services covered by the Application, it would likely cause confusion, deception, and mistake among consumers concerning the origin, source, ownership, affiliation or sponsorship of Applicant's services in violation of 15 U.S.C. § 1052(d), 1114, and 1125(a).

27. If Applicant's Mark is allowed to register in connection with the applied-for services, it would falsely suggest a connection with PrimeLending and is likely to deceive consumers that the services offered by Applicant are those of PrimeLending, in violation of 15 U.S.C. § 1052(a).

28. For these reasons, registration of the Application is contrary to the provisions of the Lanham Act. PrimeLending further believes and asserts that it will be damaged by the registration of HOME LOANS. MADE HUMAN. in Application Serial No. 87/803,977.

WHEREFORE, PrimeLending requests that this Opposition be sustained and that U.S. Trademark Application Serial No. 87/803,977 be refused registration.

The requisite filing fee prescribed by 37 C.F.R. § 2.6(a) (17) should be charged to Deposit Account No. 501814. If there are any additional fees due in connection with this Notice of Opposition, they should also be charged to Deposit Account No. 501814, and any excess fees should be credited to the same.

Respectfully Submitted,

WINSTON & STRAWN LLP

Dated: February 25, 2019

/s/ Natalie L. Arbaugh
Natalie L. Arbaugh
Jennifer A. Golinveaux
2121 N. Pearl St.
Dallas, Texas 75201
Telephone: (214) 453-6500
Facsimile: (214) 453-6400
NLAIPeam@winston.com

ATTORNEYS FOR OPPOSER

EXHIBIT A

United States of America

United States Patent and Trademark Office

Home Loans Made Simple

Reg. No. 5,330,567

PRIMELENDING, A PLAINSCAPITAL COMPANY (TEXAS CORPORATION)
18111 Preston Road, Suite 900
Dallas, TEXAS 75252

Registered Nov. 07, 2017

Int. Cl.: 36, 41

CLASS 36: financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services

Service Mark

Principal Register

FIRST USE 7-6-2015; IN COMMERCE 7-6-2015

CLASS 41: educational services, namely, providing classes, seminars, workshops, and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home loan services and the distribution of written course materials in connection therewith; providing a website featuring blogs in the field of mortgage lending services, mortgage planning, mortgage refinancing, home loan services and general interest stories

FIRST USE 7-6-2015; IN COMMERCE 7-6-2015

The color(s) red and gray is/are claimed as a feature of the mark.

The mark consists of the words "HOME LOANS MADE SIMPLE" in a stylized font with the words "HOME LOANS" in red and "MADE SIMPLE" in gray.

SER. NO. 86-983,143, FILED 03-03-2016



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

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Mark: HOME LOANS MADE SIMPLE

Home Loans Made Simple

US Serial Number: 86983143

Application Filing Date: Mar. 03, 2016

US Registration Number: 5330567

Registration Date: Nov. 07, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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

Status Date: Nov. 07, 2017

Publication Date: Jul. 26, 2016

Notice of Allowance Date: Sep. 20, 2016

Mark Information

Mark Literal Elements: HOME LOANS MADE SIMPLE

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the words "HOME LOANS MADE SIMPLE" in a stylized font with the words "HOME LOANS" in red and "MADE SIMPLE" in gray.

Color Drawing: Yes

Color(s) Claimed: The color(s) red and gray is/are claimed as a feature of the mark.

Related Properties Information

Child Of: [86928212](#)

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: financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 06, 2015

Use in Commerce: Jul. 06, 2015

For: educational services, namely, providing classes, seminars, workshops, and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home loan services and the distribution of written course materials in connection therewith; providing a website featuring blogs in the field of mortgage lending services, mortgage planning, mortgage refinancing, home loan services and general interest stories

International Class(es): 041 - Primary Class	U.S Class(es): 100, 101, 107
Class Status: ACTIVE	
Basis: 1(a)	
First Use: Jul. 06, 2015	Use in Commerce: Jul. 06, 2015

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PRIMELENDING, A PLAINSCAPITAL COMPANY	
Owner Address: 18111 Preston Road, Suite 900 Dallas, TEXAS UNITED STATES 75252	
Legal Entity Type: CORPORATION	State or Country Where Organized: TEXAS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Natalie L. Arbaugh	
Attorney Primary Email Address: NLAIPTeam@winston.com NArbaugh@winston.com	Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Natalie L. Arbaugh Winston & Strawn LLP 2501 N. Harwood St., 17th Floor Dallas, TEXAS UNITED STATES 75201	
Phone: 214-453-6500	Fax: 214-453-6400
Correspondent e-mail: NLAIPTeam@winston.com NArbaugh@winston.com MKulback@winston.com	Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 13, 2018	COUNTERCLAIM OPP. NO. 999999	243765
Nov. 07, 2017	REGISTERED-PRINCIPAL REGISTER	
Oct. 04, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 03, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 22, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 21, 2017	STATEMENT OF USE PROCESSING COMPLETE	66154
Sep. 07, 2017	USE AMENDMENT FILED	66154
Sep. 21, 2017	DIVISIONAL PROCESSING COMPLETE	
Sep. 07, 2017	DIVISIONAL REQUEST RECEIVED	
Sep. 21, 2017	EXTENSION 2 GRANTED	66154
Sep. 07, 2017	EXTENSION 2 FILED	66154

Sep. 21, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Sep. 07, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Sep. 07, 2017	TEAS EXTENSION RECEIVED	
Sep. 07, 2017	TEAS STATEMENT OF USE RECEIVED	
Apr. 12, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 12, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 22, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 20, 2017	EXTENSION 1 GRANTED	98765
Mar. 20, 2017	EXTENSION 1 FILED	98765
Mar. 20, 2017	TEAS EXTENSION RECEIVED	
Mar. 20, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Mar. 20, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 20, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 20, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 26, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 26, 2016	PUBLISHED FOR OPPOSITION	
Jul. 06, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 15, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 15, 2016	ASSIGNED TO EXAMINER	91244
Mar. 10, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 07, 2016	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: Oct. 03, 2017

Assignment Abstract Of Title Information - [Click to Load](#)

Proceedings - [Click to Load](#)

United States of America

United States Patent and Trademark Office

HOME LOANS MADE SIMPLE

Reg. No. 5,233,641

Registered Jun. 27, 2017

Int. Cl.: 36, 41

Service Mark

Principal Register

PRIMELENDING, A PLAINSCAPITAL COMPANY (TEXAS CORPORATION)
18111 Preston Road, Suite 900
Dallas, TX 75252

CLASS 36: Financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; Providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services

FIRST USE 7-6-2015; IN COMMERCE 7-6-2015

CLASS 41: Educational services, namely, providing classes, seminars, workshops and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home loan services and the distribution of written course materials in connection therewith

FIRST USE 7-6-2015; IN COMMERCE 7-6-2015

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "HOME LOANS"

SER. NO. 86-982,313, FILED 06-11-2015
AMY C KEAN, EXAMINING ATTORNEY



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

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Mark: HOME LOANS MADE SIMPLE

HOME LOANS MADE SIMPLE

US Serial Number: 86982313

Application Filing Date: Jun. 11, 2015

US Registration Number: 5233641

Registration Date: Jun. 27, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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

Status Date: Jun. 27, 2017

Publication Date: Apr. 12, 2016

Notice of Allowance Date: Jun. 07, 2016

Mark Information

Mark Literal Elements: HOME LOANS MADE SIMPLE

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

Disclaimer: "HOME LOANS"

Related Properties Information

Child Of: [86659870](#)

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: Financial services, namely, mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services; Providing information in the field of mortgage lending services, mortgage planning, mortgage refinancing, and home equity loan services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 06, 2015

Use in Commerce: Jul. 06, 2015

For: Educational services, namely, providing classes, seminars, workshops and non-downloadable webinars in the field of mortgage lending services, mortgage planning, mortgage refinancing and home loan services and the distribution of written course materials in connection therewith

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 06, 2015

Use in Commerce: Jul. 06, 2015

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: PRIMELENDING, A PLAINSCAPITAL COMPANY

Owner Address: 18111 Preston Road, Suite 900
Dallas, TEXAS UNITED STATES 75252

Legal Entity Type: CORPORATION **State or Country Where Organized:** TEXAS

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: Natalie L. Arbaugh

Attorney Primary Email Address: NLAIPTeam@winston.com
NArbaugh@winston.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Natalie L. Arbaugh
WINSTON & STRAWN LLP
2501 N. Harwood St., 17th Floor
Dallas, TEXAS UNITED STATES 75201

Phone: 214-453-6500 **Fax:** 214-453-6400

Correspondent e-mail: NLAIPTeam@winston.com
NArbaugh@winston.com
MKulback@winston.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jun. 27, 2017	REGISTERED-PRINCIPAL REGISTER	
May 25, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 24, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 03, 2017	DIVISIONAL PROCESSING COMPLETE	
Apr. 19, 2017	DIVISIONAL REQUEST RECEIVED	
May 01, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
May 01, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Apr. 19, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 19, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Apr. 12, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 12, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 20, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Mar. 20, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 06, 2016	TEAS EXTENSION RECEIVED	
Oct. 19, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	

Oct. 19, 2016	NON-FINAL ACTION E-MAILED	
Oct. 19, 2016	SU - NON-FINAL ACTION - WRITTEN	81843
Sep. 15, 2016	STATEMENT OF USE PROCESSING COMPLETE	69302
Aug. 22, 2016	USE AMENDMENT FILED	69302
Sep. 14, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Aug. 22, 2016	TEAS STATEMENT OF USE RECEIVED	
Jun. 07, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 12, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 12, 2016	PUBLISHED FOR OPPOSITION	
Mar. 23, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 07, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Mar. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 01, 2016	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 01, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 01, 2016	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 01, 2016	EXAMINERS AMENDMENT -WRITTEN	81843
Feb. 10, 2016	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 09, 2016	WITHDRAWN FROM PUB - OG REVIEW QUERY	99910
Jan. 28, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jan. 22, 2016	ASSIGNED TO LIE	68171
Jan. 11, 2016	ASSIGNED TO LIE	77312
Nov. 05, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 05, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 05, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 05, 2015	EXAMINERS AMENDMENT -WRITTEN	81843
Nov. 05, 2015	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Nov. 04, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 04, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 04, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 04, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 04, 2015	EXAMINERS AMENDMENT -WRITTEN	81843
Oct. 27, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 26, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 26, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 23, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 23, 2015	NON-FINAL ACTION E-MAILED	6325
Sep. 23, 2015	NON-FINAL ACTION WRITTEN	81843
Sep. 21, 2015	ASSIGNED TO EXAMINER	81843
Jun. 16, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 15, 2015	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: May 24, 2017

Assignment Abstract Of Title Information - Click to Load

[Proceedings - Click to Load](#)