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Filing date: **11/02/2020**

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

Proceeding	91245272
Party	Defendant Alibaba Group Holding Limited
Correspondence Address	JEFFREY L COSTELLIA NIXON PEABODY LLP 799 9TH STREET NW, SUITE 500 WASHINGTON, DC 20001 UNITED STATES Primary Email: nptm@nixonpeabody.com Secondary Email(s): was.managing.clerk@nixonpeabody.com, jcostellia@nixonpeabody.com, rweikert@nixonpeabody.com, larnold@nixonpeabody.com, jpsihoules@nixonpeabody.com 202-585-8000
Submission	Motion to Join/Substitute Party
Filer's Name	Jennette W. Psihoules
Filer's email	was.managing.clerk@nixonpeabody.com, nptm@nixonpeabody.com, jcostellia@nixonpeabody.com, rweikert@nixonpeabody.com, larnold@nixonpeabody.com, jpsihoules@nixonpeabody.com
Signature	/Jennette W. Psihoules/
Date	11/02/2020
Attachments	Consent Motion to Substitute Applicant.pdf(125640 bytes ) Consent Motion to Substitute Applicant Exhibit A.pdf(316492 bytes )

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

AMER GROUP INC.,

Opposer,

- vs -

ALIBABA GROUP HOLDING LIMITED,

Applicant

Opposition No. 91245272

Serial No. 87/628,472

**CONSENT MOTION TO SUBSTITUTE APPLICANT**

Pursuant to Section 512.01 of the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”), Advanced New Technologies Co., Ltd. (“Advanced New Technologies”), a corporation of the Cayman Islands, with an address of Cayman Corporate Centre, 27 Hospital Road, George Town, Grand Cayman, Cayman Islands ky1-9008, and the assignee of the U.S. Trademark Application Serial No. 87/628,472 subject to the above-caption proceeding, respectfully requests, with the express consent of Opposer Amer Group Inc., that it be substituted, in place of Alibaba Group Holding Limited, as Applicant in the proceeding.

In support of this motion, Advanced New Technologies states that on May 27, 2020, Alibaba Group Holding Limited assigned U.S. Trademark Application Serial No. 87/628,472, which is subject to this proceeding, to Advanced New Technologies. The assignment was recorded with the United States Patent and Trademark Office on June 16, 2020 at Reel/Frame 6971/0325. In accordance with Section 512.01 of the TBMP, Advanced New Technologies submits a copy of the assignment and the Notice of Recordation as Exhibit A hereto.

In view of the above, Advanced New Technologies respectfully requests that the Board substitute it as the Applicant in the proceeding.

Respectfully submitted,

**NIXON PEABODY LLP**

By: /Jennette W. Psihoules/  
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*Attorneys for Applicant  
Alibaba Group Holding Limited*

Dated: November 2, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing CONSENT MOTION TO SUBSTITUTE APPLICANT upon Opposer by causing a true and correct copy thereof to be sent on November 2, 2020, by electronic mail, to counsel for Opposer, as indicated below.

Mark B. Harrison  
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WASHINGTON, DC 20043-9998  
UNITED STATES  
trademarkdocket@venable.com, mbharrison@venable.com, cmitros@venable.com

/Jennette W. Psihoules/  
Jennette W. Psihoules  
Nixon Peabody LLP  
799 Ninth Street NW, Suite 500  
Washington, D.C. 20001

# **EXHIBIT A**

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM581500

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Alibaba Group Holding Limited		05/27/2020	Corporation: CAYMAN ISLANDS
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Advanced New Technologies Co., Ltd.		
<b>Street Address:</b>	Cayman Corporate Centre, 27 Hospital Road, Geroge Town		
<b>City:</b>	Grand Cayman		
<b>State/Country:</b>	CAYMAN ISLANDS		
<b>Postal Code:</b>	KY1-9008		
<b>Entity Type:</b>	Corporation: CAYMAN ISLANDS		
<b>PROPERTY NUMBERS Total: 19</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	3761346	ALIPAY	
<b>Registration Number:</b>	5071223	ALIPAY	
<b>Registration Number:</b>	4036742	ALIPAY	
<b>Registration Number:</b>	5521929		
<b>Registration Number:</b>	5207206	ALIPAY	
<b>Registration Number:</b>	4762643		
<b>Registration Number:</b>	5319764	ANT	
<b>Registration Number:</b>	5583176	ANT FINANCIAL	
<b>Registration Number:</b>	5314479		
<b>Registration Number:</b>	4925042		
<b>Registration Number:</b>	4925043		
<b>Registration Number:</b>	5153750		
<b>Registration Number:</b>	5308989	ANT FINANCIAL	
<b>Serial Number:</b>	87628472	ALIPAY	
<b>Serial Number:</b>	88165807	ALIPAY CONNECT	
<b>Serial Number:</b>	88165817		
<b>Serial Number:</b>	88213990	ALIPAYCONNECT	
<b>Serial Number:</b>	86171229	SESAME	
<b>Serial Number:</b>	86171237		

TRADEMARK

**CORRESPONDENCE DATA****Fax Number:** 2025858080*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.***Phone:** 2025858000**Email:** nptm@nixonpeabody.com**Correspondent Name:** Jeffrey L. Costellia, Nixon Peabody LLP**Address Line 1:** 799 9th Street, NW, Suite 500**Address Line 4:** Washington, D.C. 20001**ATTORNEY DOCKET NUMBER:** 031226-73**DOMESTIC REPRESENTATIVE****Name:** Jeffrey Costellia**Address Line 1:** 799 9th Street, NW, Suite 500**Address Line 4:** Washington, D.C. 20001**NAME OF SUBMITTER:** Alexis P Grilli**SIGNATURE:** /Alexis P. Grilli/**DATE SIGNED:** 06/16/2020**Total Attachments: 3**

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US-TM

**Trademark Assignment -- United States of America**

This Trademark Assignment (this "Assignment") is made and entered into by and between **Alibaba Group Holding Limited**, a corporation duly organized under and pursuant to the laws of Cayman Islands, and having its registered office address at Fourth Floor, One Capital Place, PO Box 847, George Town, Grand Cayman, Cayman Islands (hereinafter the "Assignor") and **Advanced New Technologies Co., Ltd.**, a corporation duly organized under and pursuant to the laws of Cayman Islands, and having its registered office address at Cayman Corporate Centre, 27 Hospital Road, George Town, Grand Cayman KY1-9008, Cayman Islands (hereinafter the "Assignee").

WHEREAS, Assignor is the owner of the trademarks, trademark applications and trade mark registrations listed in Schedule A hereto; and

WHEREAS, Assignee wishes to acquire and Assignor is willing to assign, convey and transfer to Assignee, all of Assignor's right, title and interest in and to each trademark, trademark application and trade mark registration listed in Schedule A, all goodwill associated therewith and all related and corresponding rights in any jurisdiction in the world (collectively, the "Marks"), on the following terms and conditions.

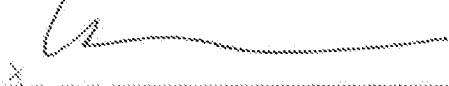
NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged by Assignor and Assignee, Assignor hereby sells, assigns, transfers and conveys to Assignee, all of Assignor's worldwide rights, titles and interests in and to the Marks, the goodwill of the business symbolized by the Marks, and all registrations that have been or may be granted thereon, all applications for registration thereof, and all common law rights in the Marks worldwide, together with all rights and privileges granted and secured thereby, including all rights to register, renew, defend, and protect interests therein under the applicable laws of all jurisdictions and all claims, demands, income, damages, royalties, payments, accounts and accounts receivable now or hereafter due and/or payable, and rights of action, both statutory and based upon common law, that Assignor has or might have by reason of date of this Assignment, together with the right to prosecute such claims, demands, and rights of action in Assignee's own name, all of said rights to be held and enjoyed by Assignee, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made. Assignor does hereby sell, assign, transfer, and convey to Assignee, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to Assignee, or may accrue hereafter including, but not limited to, the right to sue for, collect, and retain damages for past, present and future infringement of the said Marks.

This Assignment is effective from the 23<sup>rd</sup> day of September 2019.

IN TESTIMONY WHEREOF, 21<sup>st</sup> day of May 2020.

**Alibaba Group Holding Limited**

**Advanced New Technologies Co., Ltd**

By: 

By: 

Name: Li Ka Ming Angela

Name: Leiming CHEN

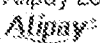



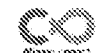
Title: Senior Legal Counsel, Head of Soft IP

Title: Director




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Schedule A to Trademark Assignment

Trade Mark	Class(es)	Application No.	Registration No.	Filing Date	Country	Status
ALIPAY	9, 35, 36, 38, 39, 42	78/537,541	3,761,346	2004.12.23	United States of America	Registered
ALIPAY	41	86/746,863	5,071,223	2015.09.03	United States of America	Registered
Alipay Logo 	9, 35, 36, 38, 42	77/812,448	4,036,742	2009.08.25	United States of America	Registered
支 Logo 	9, 35, 36, 38, 39, 41, 42	86/747,855	5,521,929	2015.09.03	United States of America	Registered
支 Logo & Alipay 	36	86/747,957	5,207,206	2015.09.04	United States of America	Registered
支付宝	9, 35, 36, 38, 39, 41, 42	85/576,922	4,762,643	2012.03.22	United States of America	Registered
ALIPAY	9, 35, 36, 38, 39, 42	87/628,472		2017.09.27	United States of America	Published for opposition
ANT	16, 35, 41, 45	86/171,242	5,319,764	2014.01.21	United States of America	Registered
ALIPAY CONNECT	9, 36, 42	88/165,807		2018.10.23	United States of America	Published for opposition
ALIPAY CONNECT Logo 	9, 36, 42	88/165,817		2018.10.23	United States of America	Published for opposition
Alipayconnect & Device + Logo 	9, 36, 42	88/213,990		2018.12.03	United States of America	Under examination
ANT FINANCIAL	9, 16, 35, 36, 38, 39, 41, 42, 45	86/490,137	5,583,176	2014.12.24	United States of America	Registered
蚂蚁	16, 36, 41, 45	86/171,244	5,314,479	2014.01.21	United States of America	Registered
SESAME	9, 16, 35, 36, 38, 39, 42, 45	86/171,229		2014.01.21	United States of America	Opposition pending
ANT Logo 	9, 16, 35, 36, 38, 39, 41, 42, 45	86/335,041	4,925,042	2014.07.11	United States of America	Registered

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Trade Mark	Class(es)	Application No.	Registration No.	Filing Date	Country	Status
ANT Logo (Full) 	9, 16, 35, 36, 38, 39, 41, 42, 45	86/335,043	4,925,043	2014.07.11	United States of America	Registered
SESAME Credit Logo 	9, 16, 35, 36, 38, 39, 41, 42, 45	86/800,637	5,153,750	2015.10.27	United States of America	Registered
芝麻	9, 16, 35, 36, 38, 39, 42, 45	86/171,237		2014.01.21	United States of America	Opposition pending
蚂蚁金服 ANT FINANCIAL & Device 	16, 35, 39, 41, 45	86/335,035	5,308,989	2014.07.11	United States of America	Registered

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