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Filing date: **02/20/2019**

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

Proceeding	91245272
Party	Defendant Alibaba Group Holding Limited
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Date	02/20/2019
Attachments	Motion to Suspend Proceeding - Opp 91245272.pdf(246756 bytes) EXHIBIT A to MTS.pdf(2563141 bytes) EXHIBIT B to MTS.pdf(418048 bytes)

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

AMER GROUP INC.,

Opposer,

v.

ALIBABA GROUP HOLDING LIMITED,

Applicant.

Opposition No.: 91245272

Application Serial No.: 87/628,472

Mark: ALIPAY

Publication Date: August 14, 2018


APPLICANT’S MOTION TO SUSPEND PROCEEDING

Pursuant to 37 C.F.R. § 2.117(a) and TMBP § 510.02(a), Applicant Alibaba Group Holding Limited (“Alibaba”), through its undersigned attorneys, hereby moves to suspend the above-captioned proceeding in view of the earlier filed opposition between the same parties and involving related marks. For the reasons presented below, the Trademark Trial and Appeal Board (the “Board”) should grant this motion and suspend the proceeding.

I. Background

On April 4, 2017, Alibaba filed a Notice of Opposition (No. 91233862) against Amer Group Inc.’s (“Amer”) U.S. Application Serial No. 86/821,204 for the mark APAY in connection with Class 36 and 45 services (the “APAY Application”) on the ground that registration of the APAY Application will create a likelihood of confusion, mistake and/or deception among consumers, within the meaning of § 2(d) of the Trademark Act, with Alibaba’s U.S. Registration No. 3,761,346 for the mark ALIPAY in connection with Class 9, 35, 36, 38, 39 and 42 goods and services, U.S. Registration No. 4,036,742 for the mark



in connection with Class 35, 36, 38 and 42 services, U.S. Registration No. 5,071,223 for the mark ALIPAY in connection with Class 41 services and/or common law rights in and to the marks ALIPAY and  (the “Alibaba Opposition”). A true and correct copy of the Notice of Opposition filed in the Alibaba Opposition is attached hereto as **Exhibit A** and incorporated herein by reference. The Alibaba Opposition is still pending before the Board. A true and correct copy of the docket in the Alibaba Opposition as of the date below is attached hereto as **Exhibit B** and incorporated herein by reference.

On December 12, 2018, Amer filed a Notice of Opposition against Alibaba’s U.S. Application Serial No. 87/628,472 for the mark ALIPAY in connection with Class 9, 35, 36, 38, 39 and 42 goods and services in the above-captioned proceeding on the grounds of priority and likelihood of confusion and no bona fide intent to use the mark in commerce for identified goods or services (the “Amer Opposition”). Amer’s priority and likelihood of confusion contentions are based on its alleged prior rights in the APAY mark as reflected in the APAY Application.

II. Argument

Pursuant to 37 C.F.R. § 2.117(a), “[w]henver it shall come to the attention of the Trademark Trial and Appeal Board that a party or parties to a pending case are engaged in a civil action or another Board proceeding which may have a bearing on the case, proceedings before the Board may be suspended until termination of the civil action or the other Board proceeding.” *See* TBMP § 510.02(a) (“[T]he Board may also, in its discretion, suspend a proceeding pending the final determination of another Board proceeding in which the parties are involved...”); *see also Cf. The Tamarkin Co. v. Seaway Food Town Inc.*, 34 USPQ2d 1587, 1592 (TTAB 1995) (suspended pending outcome of ex parte prosecution of opposer’s application). “Unless there are unusual circumstances, the Board will suspend proceedings in the case before

it if the final determination of the other proceeding may have a bearing on the issues before the Board.” TBMP § 510.02(a).

Here, the final determination of the Alibaba Opposition will more than likely have a bearing on the issues before the Board in this proceeding. First, the parties are exactly the same in both the Alibaba Opposition and the Amer Opposition. Second, the marks at issue, *i.e.*, the marks ALIPAY and APAY, and the goods and/or services associated therewith, are substantially, if not exactly, the same in both proceedings. Third, the issue of likelihood of confusion is the same in both the Alibaba Opposition and the Amer Opposition. Thus, a decision concerning the likelihood of confusion between the ALIPAY and APAY marks in the Alibaba Opposition is certain to have some bearing on the issue of likelihood of confusion between the same marks and similar goods and/or services in the subject proceeding. As such, the Board should suspend the Amer Opposition pending the disposition of the earlier filed Alibaba Opposition.

III. Conclusion

In light of the foregoing, Applicant respectfully requests that the Board suspend this proceeding pending the final determination of the Alibaba Opposition. In the event that the Board does not grant a suspension, Alibaba respectfully requests that it be allowed additional time (thirty (30) days) to file an Answer or otherwise respond to the Notice of Opposition in this proceeding.

Date: February 20, 2019

Respectfully submitted,

NIXON PEABODY LLP

/s/Jeffrey L. Costellia

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Applicant's Motion to Suspend Proceeding upon Opposer by causing a true and correct copy thereof to be sent on February 20, 2019, by electronic mail, to counsel for Opposer, as indicated below.

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EXHIBIT A

ESTTA Tracking number: **ESTTA811435**

Filing date: **04/04/2017**

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	ALIBABA GROUP HOLDING LIMITED
Granted to Date of previous extension	04/05/2017
Address	One Capital Place, P.O. Box 847 Fourth Floor George Town, Grand Cayman, CAYMAN ISLANDS
Attorney information	Jeffrey L. Costellia Nixon Peabody LLP 799 Ninth Street NW, Suite 500 Washington, DC 20001 UNITED STATES nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, jcostellia@nixonpeabody.com, jmolino@nixonpeabody.com

Applicant Information

Application No	86821204	Publication date	12/06/2016
Opposition Filing Date	04/04/2017	Opposition Period Ends	04/05/2017
Applicant	Amer Group Inc. One Blackfield Dr, Ste 416 Tiburon, CA 94920 UNITED STATES		

Goods/Services Affected by Opposition


<p>Class 036. First Use: 0 First Use In Commerce: 0</p> <p>All goods and services in the class are opposed, namely: Financial services, namely, administration of transactions involving funds drawn from securities, stocks, funds, equities, bonds, cash, or other types of financial investments in retirement plans using a credit or debit card over a global data network; Payment processing services, namely, credit card and debit card transaction processing services; Providing electronic processing of credit card transactions and electronic payments via a global computer network; providing payment processing services and payment verification services for mobile payments, contactless credit and debit card transactions, gift card transactions, loyalty reward card transactions, and bill payment transactions with retailers, merchants, and vendors via mobile devices; providing financial information by electronic means, namely, providing credit and debit card information; financial services, namely, processing and administration of mobile payments and contactless debit and credit card transactions, loyalty reward card transactions, and bill payment transactions with retailers, merchants, and vendors via mobile devices</p>
<p>Class 045. First Use: 0 First Use In Commerce: 0</p> <p>All goods and services in the class are opposed, namely: Providing user authentication of electronic funds transfer in the nature of mobile payments, contactless credit and debit card transactions, gift card transactions, loyalty reward card transactions, and bill payment transactions with retailers, mer-</p>

chants, and vendors via mobile devices
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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.	3761346	Application Date	12/23/2004
Registration Date	03/16/2010	Foreign Priority Date	NONE
Word Mark	ALIPAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Business advisory services relating to facilitating the transaction of business via local and global computer networks; providing computerized online ordering services featuring general consumer merchandise and industrial products; advertising services, namely, promoting the goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; direct marketing advertising</p>		

	<p>services for others; market research and consulting services for others; online trading services in which sellers post products to be sold and purchases are made via the Internet and providing online business evaluation relating thereto; computer services, namely, providing an online computer database in the field of shopping</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0</p> <p>Clearing and reconciling financial transactions via a global computer network; online banking services and financial services, namely, credit card or/and debit-card processing services, and transmission and processing of bills and payments thereof, conducted via a global computer network; electronic funds transfer services</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing electronic mail and electronic mail forwarding services; providing access to websites on the Internet by which third parties can offer goods and services, place and fulfill orders, enter into contracts and transact business; providing online communication links which transfer the website user to other local and global webpages to facilitate e-commerce and real world business transactions; providing online electronic bulletin boards for transmission of messages among computer users concerning products, services and business opportunities; electronic message sending; computer aided electronic transmission of messages and images telecommunications services, namely, providing telephone communication and Internet telephony services; electronic transmission of data and information via electronic communications networks; information, advisory and consultancy services relating to all the aforesaid services</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0</p> <p>Storage of electronic data and documents</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>computer services, namely, creating, maintaining and hosting websites for others; hosting of digital content for others on the Internet; computer programming for others; design and development of online computer system software; computer software design for others; computer system design for others; design and development of computer software and hardware; design and development of web pages; hosting webpages for others; information, advisory and consultancy services relating to all the aforesaid services [; application services provider featuring software in the field of electronic calendar, address book and notes feature]</p>
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U.S. Registration No.	4036742	Application Date	08/25/2009
Registration Date	10/11/2011	Foreign Priority Date	08/19/2009
Word Mark	ALIPAY		
Design Mark			
Description of Mark	<p>The mark consists of the word "Alipay" in stylized lettering with a diamond shape appearing as the dot on the letter "i" and at the end of the word, and a curved line underneath, displayed above the word "ALIPAY" in the same stylized lettering in black, with a diamond shape appearing as the dot on the letter "i" and at</p>		


	the end of the word, and a curved line underneath.
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, telephones, punch clocks, time recording devices, namely, time clocks, scales and balances, graduated rulers, electronic pocket translators, neon signs, electronic notice boards, transparency projection apparatus, kilometre recorders in the nature of odometers for vehicles, telescopes, mechanisms for counter operated apparatus, namely, point-of-sale terminals, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, eyeglasses, batteries, exposed films, namely, exposed camera film; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric wires; electric switches; electroplating apparatus, namely, electroplating machines, electric welding apparatus, namely, torches; electrified fences, namely, electric fences; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; notebook computers; laptop computers; portable computers; handheld computers; personal digital assistants; portable media players; mobile telephones; smart phones; digital cameras; computer workstations comprised of computers and computer monitors; servers, namely, computer servers; computer and telecommunications networking computer hardware; computer network adaptors, switches, routers and hubs; wireless and wired modems and computer equipment, namely, wireless cards; laptop holders in the nature of protective sleeves and carrying cases, computer bags; fire extinguishing apparatus; computer hardware, computer software and downloadable software for use in connection with the provision of an interactive website, namely, for use by third parties to post information, create electronic product catalogs, respond to requests and place and full fill orders for products, services and business opportunities via local and global computer networks, for use in document management, for searching, browsing and receiving transmissions of text, electronic documents, graphics and audiovisual information on local remote area, global computer networks, on intranets or directories of information available on computer networks, for use in software development and web authoring, for use in exchanging information via global computer networks and online from a computer database and the internet, for business use for financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, data mining, high-speed massive ecommerce data processing, and data customization all in the field of e-commerce; compact discs featuring music, computer programs and computer software in the field of business for use in financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, all in the field of e-commerce; digital music downloadable from the Internet; telecommunications apparatus devices, namely, VOIP phones, electronic facsimile apparatus, portable digital electronic device for sending and receiving electronic mails, and instant messaging communication tool in the nature of portable telecommunication instant messaging devices; mouse pads; mobile phone handsets, namely, mobile phones; mobile phone accessories devices, namely, battery chargers, cases, covers, ear phones and devices for hands-free use of mobile phones; spectacles and sunglasses</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advertising; business management; business administration; providing office functions; database management; market research and business consulting services; business consultancy services relating to facilitating the transaction of</p>

	<p>business via local and global computer networks by locating and providing referrals for the delivery of a wide variety of business and consumer products and services; providing of business information of goods and services of others via local and global computer networks; business consultancy services in the field of global computer web sites where third parties can offer and source goods and services, place, determine the status of and fulfill trade leads and orders, enter into contracts and transact business; providing computerized online ordering services featuring a wide variety of consumer, business and industrial products; advertising of goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; online trading services in the nature of online auctioneering services via the Internet and providing online business evaluation relating thereto; online retail store services featuring a wide variety of consumer goods of others; business consultancy services in the field of operating an electronic marketplace for the buyers and sellers of goods and/or services on a global computer network; business administration and management assistance for others in the field of facilitating business transaction via local and global computer networks; corporate business management consultancy services; marketing and promotion services; publication of publicity materials; real estate marketing services, namely, marketing of vacant property in the nature of condominiums, apartments, homes, commercial storefronts, office buildings, warehouses, and factories; dissemination of advertising materials, updating of advertising materials, compilation of advertisements for use as web pages on the Internet; rental of advertising space; computer data processing; providing information concerning commercial sales, providing business information, promotional information services, namely, promoting the goods of others by providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; telephone answering service; auctioneering provided on the Internet; personnel management; provision of commercial sales information, business information, advertising and commercial information through a global computer network and via the Internet; presentation of goods on communication media for retail purposes; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site specializing in the marketing of the sale of goods and services of others, retail and wholesale store services featuring telephones, mobile phone handsets, mobile phone accessories, electronic and telecommunications goods, computer hardware and computer software, batteries, battery chargers, apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images and/or sound, precious metals, jewellery, precious stones, printed matter, stationery and magnetic and non magnetically encoded cards, furniture, picture frames, household and kitchen utensils, glassware, porcelain and earthenware, textiles, clothing, footwear, headgear, laces and embroidery, buttons, ribbons, pins and needles, artificial flowers, carpets, rugs, games and electronic toys, chemicals used in industry, science, photography and agriculture, paints, varnishes and lacquers, personal hygiene products, soaps, perfumery, cosmetics, hair and body lotions, essential oils, cleaning and bleaching preparations, lubricants, fuels, candles, pharmaceutical, veterinary and sanitary preparations, ironmongery and small items of metal hardware, machines and machine tools, cutlery, razors and hand tools, computers, calculating machines, electrical, photographic, cinematographic and optical apparatus and instruments, spectacles and sun glasses, surgical and medical apparatus and instruments, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, vehicles, firearms, fireworks, silverware, horological and chronometric instruments, musical instruments, magazine, cards, paper and cardboard products, picture, typewriters and office requisites, packaging materials, rubber and plastics for manufacture use, packing and insulating materials, leather and imitations of leather and goods made from these materials, handbags, purses, wallets, leather holders, bags, luggage, umbrellas, mirrors, ropes, string, nets, tents, yarns and threads for textile use, coat hangers,</p>
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	<p>place mats, dressmaker's articles, bed and table covers, playthings and sporting articles, foodstuffs and beverages, meat, fish, poultry, preserved, dried and cooked fruits and vegetables, jams and fruit sauces, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, flour, bread and cakes, condiments, fresh fruit and vegetables, beer, mineralwater, fruit juices and other nonalcoholic drinks, alcoholic beverages, floral products, tobacco, smokers' articles and matches; direct mail advertising; buying and selling agency services, namely, purchasing a wide variety of consumer, business and industrial products and services for others; selection and procurement of goods, namely, purchasing of a wide variety of consumer, business and industrial products and services for individuals and businesses; catalog and online ordering services featuring the general consumer goods of others; secretarial services; providing statistical information; organization of exhibitions for commercial or advertising purposes; business services, namely, the compilation and rental of marketing mailing lists; business investigation; business administration consultation services in the field of processing of sales made on the Internet; business networking services and personnel placement; import-export agencies; subscriptions to newspapers; document reproduction; transcription services, namely, conference call, message and stenographic transcription; rental of office equipment; customer relationship management; business management services relating to electronic commerce; tax information services; and art gallery services</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0</p> <p>Insurance agencies; financial affairs and monetary affairs, namely, financial analysis and online escrow service for exchange of goods and services; real estate affairs, namely, assessment and management of real estate, providing information in the field of real estate via the internet; clearing and reconciling financial transactions via a global computer network, namely, providing secure commercial transactions and payment options; online banking services and online financial planning services; credit card services; electronic payment, namely, electronic processing and transmission of bill payment data; insurance underwriting for financial transactions; electronic fund transfer services; transfer of funds by electronic means for others; transmission of electronic payment data for others via the internet; financial services in the nature of credit card and debit card payment processing services; real estate services, namely, arrangement and management of leases and tenancy; renting and leasing of real estate; real estate appraisal; real estate valuation, real estate financing, real estate investment; real estate brokerage services; real estate agency services; housing agency services; actuarial services; real estate management and consultancy services; rent collection; rental of offices; rental of apartments and flats; provision of financial information via the Internet; safety deposit box services and issuing of travel vouchers services, namely, providing vouchers for payment of transportation expenses; capital investment services; financial evaluation; financial and financial asset management services; insurance and financial information and consultancy services; financial analysis services provided by telecommunication means; financial consultancy and advisory services; home banking; banking services provided on-line from a computer database or the Internet; securities brokerage services, stock exchange quotation services; stocks and bonds brokerage, financial analysis; debit card services, charge card services and check verification services; banking, savings account and investment banking services; financial clearing house services; credit card verification via global computer information network; electronic credit risk management services; pre-paid purchase card services, namely, processing electronic payments made through prepaid cards and electronic bill payment services; financial services, namely, debt settlement and providing electronic processing of credit card transactions and electronic payments via a global computer network; electronic banking services via global computer network; issuance of stored value cards, and charge cards and debit card services; telephone credit cards services, namely, telephone calling cards services; providing finance and insurance information</p>
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	<p>online from a computer database or Internet; collection agency for collection of gas and electricity fees; antique appraisal; art appraisal; jewelry appraisal; used car appraisal; charitable fund raising; rental of paper money and coin counting machines; rental of cash dispensers or automated-teller machines; online payment services, namely, electronic processing of credit card transactions and electronic payments via a global computer network; authentication and verification services, namely, credit card and check verification in relation to online payment or transfer of funds; mailing list brokerage services</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Telecommunications access services; provision of telecommunication access to computer database and to the Internet and providing online communications links which transfer the user to other local and global web pages; telecommunications services, namely, the electronic transmission of data and documents; providing telecommunications connections to the Internet or data bases; provision of telecommunication access to the world-wide web; communication by computer terminals; communication by fiber optic networks; electronic transmission of messages and images by computer; facsimile transmission; message sending; paging services; rental of modems; transmission of data by electronic means; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; transmission and delivery of data by electronic means; electronic transmission and delivery of mail messages, still picture and/or moving picture information such as characters, messages, music and images, telegrams, information and data by electronic, telephone, telegraph, cable, computer and satellite means; transmission, broadcast and reception of audio, video, still and moving images and data whether in compressed or uncompressed form and whether in real or delayed time; electronic messaging services, telephone, video and web conferencing services and order transmission services; video conferencing services; providing an electronic bulletin board that enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information concerning business and e-commerce; providing electronic bulletin boards and message boards for transmission of messages among users concerning business and e-commerce; providing an online discussion forums for transmission of messages among computer users concerning business and e-commerce; television broadcasting services; broadcasting and transmission of radio and television programs; music broadcasting in the nature of audio broadcasting; transmission of music, films, videos, via a global computer network or the internet; electronic transmission of information in the field of on-line shopping and general retail services; video-on-demand transmission services; news agency services for electronic transmission; providing access to computer databases on the global computer network; providing chat room services or transmission of messages among computer users concerning business and e-commerce; providing multiple user access to global computer information networks; communication services, namely, text and numeric wireless digital messaging services; transmission of information and data communications for assisting decision making; transmission of information through video communication systems; web conferencing services; providing electronic bulletin boards for the posting and transmission of messages among and between computer users concerning consumer products, services and business leads and opportunities; providing an online interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; providing electronic mail and electronic mail forwarding services; audio and video communication via computers and computer networks, and via a global communications network; providing computer access to online interactive bulletin boards and databases</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific and technological services and research and design relating thereto, namely, providing temporary use of online non-downloadable software and temporary use of online non-downloadable cloud computing software for planning and management of personal and business finances, e-commerce data</p>
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	mining, high-speed massive e-commerce data processing, and data customization, customer relationship management, inventory management, sales force management, and marketing information management; design and development of computer hardware and software; design of computers, notebook computers, laptop computers, portable computers and handheld computers; design for others in the field of personal digital assistants and personal media players; design for others in the field of mobile telephones and smart phones; design for others in the field of digital cameras; computer services, namely, computer system administration for others; computer programming; computer system software services, namely, design and development of on-line computer software systems; providing direct connection services between computer users for exchanging data, namely, providing temporary use of online non-downloadable software for the exchange of data; computer software design; computer system design; design and development of webpages; hosting webpages for others; hosting computer application software of others for use in searching and retrieving information from databases and computer networks; providing technical information at the specific request of end-users by means of telephone or global computer network; computer services relating to customized searching of computer databases and websites, namely, providing customized online web pages featuring user-defined information which includes online links to third party web sites
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U.S. Registration No.	5071223	Application Date	09/03/2015
Registration Date	11/01/2016	Foreign Priority Date	NONE
Word Mark	ALIPAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Education, namely, providing live and online seminars and conferences in the field of business and e-commerce; providing of training in the field of business and e-commerce; entertainment, namely, providing online video games and non-downloadable playback of digital music; organizing community sporting and cultural activities; publication of texts, books and journals; sporting and cultural activities, namely, organizing community sporting and cultural events; publication of newspapers, magazines and periodicals containing diagrams, images and photographs; education, namely, training courses and instructional classes in the field of telecommunications hardware and software, operation of computers, computer programming, web site design, e-commerce, business management and advertising; provision of education, recreation, instruction and training via online interactive and non-interactive courses, classes, workshops and seminars in the field of business and e-commerce; design of educational courses, namely, development of curriculum and examinations for others in the field of business and e-commerce; entertainment provided via electronic and digital interactive media, namely, providing online computer games; electronic games services provided by means of the Internet, namely, providing online</p>		

	<p>computer games; provision of information about education, entertainment information, information in the field of sports and sporting events, and information in the field of recreation and leisure activities and cultural activities and exhibitions; providing online non-downloadable electronic publications, namely, books, journals, newsletters and articles in the field of business and e-commerce; arranging, organizing, hosting and conducting singing competitions; arranging, organizing, hosting and conducting musical concerts. arranging, organizing, hosting and conducting events and competitions for education or entertainment purposes, namely, providing conferences, competitions and symposia in the field of business and e-commerce; entertainment services, namely, production and distribution of a game show; entertainment ticket agency services; providing entertainment information and information about education from a computer database or the Internet; providing non-downloadable prerecorded digital music from the Internet; providing non-downloadable prerecorded digital music from MP3 Internet web sites; entertainment and education services, namely, conducting courses of instruction relating to planning, production and distribution of sound, images, digital music, movies, live or recorded audio, visual or audiovisual material for broadcasting on terrestrial cable, satellite channels, the Internet, wireless or wirelink systems and other means of communications; music entertainment services, namely, live music concerts; rental of sound recordings; entertainment in the nature of on-going television programs in the fields of business and e-commerce; producing entertainment, educational, documentary and news programs in the fields of business and e-commerce for broadcasting; news reporters' services; providing news in the field of sporting or cultural events, and current events reporting provided by satellite television transmission, the Internet or radio; production of television and radio programs and film production; production of television programs; provision of information, data, graphics, sound, music, videos, animation and text for entertainment purpose, namely, animation rendered by means of a global computer network; game services provided online from a computer network; provision of recreation, sporting and gymnasium facilities; live performances by a musical band; night club services, discotheque, and fashion shows for entertainment purposes; club services relating to entertainment, education and cultural services, namely, arranging and conducting educational conferences, conventions, seminars and training workshops in the field of business and e-commerce; organizing and conducting exhibitions for cultural or educational purposes; art exhibition services; art gallery services, namely, rental of artwork; training services in the field of occupational health and safety, and environmental conservation; provision of cigar appreciation classes, wine tasting classes; providing educational research and information about educational research; arranging, organizing, planning and running of educational seminars in the field of business and e-commerce; animal training; direction in producing broadcasting programs, namely, production of television and radio programs and film production; instructional services, namely, training in operation of audiovisual machines and equipment, which is used for the production of broadcasting programs; providing audio and visual studios; providing sports facilities; providing facilities for movies, shows, plays, music or educational training; entertainment booking agencies, namely, booking of seats for shows and sports events; rental of motion pictures; rental and leasing of musical instruments; rental and leasing of television programmes; rental and leasing of television sets; lending libraries; archive library services; subtitling services, namely, preparing subtitles for movies; sign language interpretation services; rental of entertainment software, namely, rental of computer game software; providing online non-downloadable music and movies through the internet; providing online computer games and conducting contests; rental of pre-recorded video tapes; rental and leasing of game machines; rental of arcade game equipment; photography; translation; language interpretation; educational and training programs in the field of risk management; provision of news in the nature of current event reporting; lottery services; provision of facilities for shows and performances, namely, performance venues, studios, sets, dressing rooms; educational and training programs relating to certification; provision of news; providing on-line videos fea-</p>
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	turing news, sports, entertainment, popular culture, lifestyles, music, artwork, education, information technology, finance, architecture, law, psychology, business administration, marketing, financial literacy and financial planning, not downloadable; tutoring; consultancy, information and advisory services relating to the aforesaid services
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	ALIPAY		
Goods/Services	<p>Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems, in Class 9; Business advisory services relating to facilitating the transaction of business via local and global computer networks; providing computerized online ordering services featuring general consumer merchandise and industrial products; advertising services, namely, promoting the goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; direct marketing advertising services for others; market research and consulting services for others; online trading services in which sellers post products to be sold and purchases are made via the Internet and providing online business evaluation relating thereto; computer services, namely, providing an online computer database in the field of shopping, in Class 35; Clearing and reconciling financial transactions via a global computer network; online banking services and financial services, namely, credit card or/and debit card processing services, and transmission and processing of bills and payments thereof, conducted via a global computer network; electronic funds transfer services, in Class 36; Providing electronic mail and electronic mail forwarding services; providing access to websites on the Internet by which third parties can offer goods and services, place and fulfill orders, enter into contracts and transact business; providing online communication links which transfer the website user to other local and global webpages to facilitate e-commerce and real world business transactions; providing online electronic bulletin boards for transmission of messages among computer users concerning products, services and business opportunities; electronic message sending; computer aided electronic transmission of messages and images telecommunications services, namely, providing telephone communication and Internet telephony services; electronic transmission of data and information via electronic communications networks; information, advisory and consultancy services relating to all the aforesaid services, in Class 38; Storage of electronic data and documents, in Class 39; computer services, namely, creating, maintaining and hosting websites for others; hosting of digital content for others on the Internet; computer programming for others; design and development of online computer system software; computer software design for oth-</p>		

	ers; computer system design for others; design and development of computer software and hardware; design and development of web pages; hosting webpages for others; information, advisory and consultancy services relating to all the aforesaid services [; application services provider featuring software in the field of electronic calendar, address book and notes feature], in Class 42
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U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Design Mark	
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Goods/Services	Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, telephones, punch clocks, time recording devices, namely, time clocks, scales and balances, graduated rulers, electronic pocket translators, neon signs, electronic notice boards, transparency projection apparatus, kilometer recorders in the nature of odometers for vehicles, telescopes, mechanisms for counter operated apparatus, namely, point-of-sale terminals, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, eyeglasses, batteries, exposed files, namely, exposed camera film; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric wires; electric switches; electroplating apparatus, namely, electroplating machines, electric welding apparatus, namely, torches; electrified fences, namely, electric fences; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; notebook computers; laptop computers; portable computers; handheld computers; personal digital assistants; portable media players; mobile telephones; smart phones; di-
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	<p> gital cameras; computer workstations comprised of computers and computer monitors; servers, namely, computer servers; computer and telecommunications networking computer hardware; computer network adaptors, switches, routers and hubs; wireless and wired modems and computer equipment, namely, wireless cards; laptop holders in the nature of protective sleeves and carrying cases, computer bags; fire extinguishing apparatus; computer hardware, computer software and downloadable software for use in connection with the provision of an interactive website, namely, for use by third parties to post information, create electronic product catalogs, respond to requests and place and full fill orders for products, services and business opportunities via local and global computer networks, for use in document management, for searching, browsing and receiving transmissions of text, electronic documents, graphics and audiovisual information on local remote area, global computer networks, on intranets or directories of information available on computer networks, for use in software development and web authoring, for use in exchanging information via global computer networks and online from a computer database and the internet, for business use for financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, data mining, high-speed massive ecommerce data processing, and data customization all in the field of e-commerce; compact discs featuring music, computer programs and computer software in the field of business for use in financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, all in the field of e-commerce; digital music downloadable from the Internet; telecommunications apparatus devices, namely, VOIP phones, electronic facsimile apparatus, portable digital electronic device for sending and receiving electronic mails, and instant messaging communication tool in the nature of portable telecommunication instant messaging devices; mouse pads; mobile phone handsets, namely, mobile phones; mobile phone accessories devices, namely, battery chargers, cases, covers, ear phones and devices for hands-free use of mobile phones; spectacles and sunglasses, in Class 9; # Advertising; business management; business administration; providing office functioning services; database management; market research and business consulting services; business consultancy services relating to facilitating the transaction of business via local and global computer networks by locating and providing referrals for the delivery of a wide variety of business and consumer products and services; providing of business information of goods and services of others via local and global computer networks; business consultancy services in the field of global computer web sites where third parties can offer and source goods and services, place, determine the status of and fulfill trade leads and orders, enter into contracts and transact business; providing computerized online ordering services featuring a wide variety of consumer, business and industrial products; advertising of goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; online trading services in the nature of online auctioneering services via the Internet and providing online business evaluation relating thereto; online retail store services featuring a wide variety of consumer goods of others; business consultancy services in the field of operating an electronic marketplace for the buyers and sellers of goods and/or services on a global computer network; business admin- </p>
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	<p>istration and management assistance for others in the field of facilitating business transaction via local and global computer networks; corporate business management consultancy services; marketing and promotion services; publication of publicity materials; real estate marketing services, namely, marketing of vacant property in the nature of condominiums, apartments, homes, commercial storefronts, office buildings, warehouses, and factories; dissemination of advertising materials, updating of advertising materials, compilation of advertisements for use as web pages on the Internet; rental of advertising space; computer data processing; providing information concerning commercial sales, providing business information, promotional information services, namely, promoting the goods of others by providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; telephone answering service; auctioneering provided on the Internet; personnel management; provision of commercial sales information, business information, advertising and commercial information through a global computer network and via the Internet; presentation of goods on communication media for retail purposes; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site specializing in the marketing of the sale of goods and services of others, retail and wholesale store services featuring telephones, mobile phone handsets, mobile phone accessories, electronic and telecommunications goods, computer hardware and computer software, batteries, battery chargers, apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images and/or sound, precious metals, jewellery, precious stones, printed matter, stationery and magnetic and non magnetically encoded cards, furniture, picture frames, household and kitchen utensils, glassware, porcelain and earthenware, textiles, clothing, footwear, headgear, laces and embroidery, buttons, ribbons, pins and needles, artificial flowers, carpets, rugs, games and electronic toys, chemicals used in industry, science, photography and agriculture, paints, varnishes and lacquers, personal hygiene products, soaps, perfumery, cosmetics, hair and body lotions, essential oils, cleaning and bleaching preparations, lubricants, fuels, candles, pharmaceutical, veterinary and sanitary preparations, ironmongery and small items of metal hardware, machines and machine tools, cutlery, razors and hand tools, computers, calculating machines, electrical, photographic, cinematographic and optical apparatus and instruments, spectacles and sun glasses, surgical and medical apparatus and instruments, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, vehicles, firearms, fireworks, silverware, horological and chronometric instruments, musical instruments, magazine, cards, paper and cardboard products, picture, typewriters and office requisites, packaging materials, rubber and plastics for manufacture use, packing and insulating materials, leather and imitations of leather and goods made from these materials, handbags, purses, wallets, leather holders, bags, luggage, umbrellas, mirrors, ropes, string, nets, tents, yarns and threads for textile use, coat hangers, place mats, dressmaker's articles, bed and table covers, playthings and sporting articles, foodstuffs and beverages, meat, fish, poultry, preserved, dried and cooked fruits and vegetables, jams and fruit sauces, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, flour, bread and cakes, condiments, fresh fruit and vegetables, beer, mineral water, fruit juices and other nonalcoholic drinks, alcoholic beverages, floral products, tobacco, smokers' articles and matches; direct mail advertising; buying and selling agency services, namely, purchasing a wide variety of</p>
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	<p>consumer, business and industrial products and services for others; selection and procurement of goods, namely, purchasing of a wide variety of consumer, business and industrial products and services for individuals and businesses; catalog and online ordering services featuring the general consumer goods of others; secretarial services; providing statistical information; organization of exhibitions for commercial or advertising purposes; business services, namely, the compilation and rental of marketing mailing lists; business investigation; business administration consultation services in the field of processing of sales made on the Internet; business networking services and personnel placement; import-export agencies; subscriptions to newspapers; document reproduction; transcription services, namely, conference call, message and stenographic transcription; rental of office equipment; customer relationship management; business management services relating to electronic commerce; tax information services; and art gallery services, in Class 35; Insurance agencies; financial affairs and monetary affairs, namely, financial analysis and online escrow service for exchange of goods and services; real estate affairs, namely, assessment and management of real estate, providing information in the field of real estate via the internet; clearing and reconciling financial transactions via a global computer network, namely, providing secure commercial transactions and payment options; online banking services and online financial planning services; credit card services; electronic payment, namely, electronic processing and transmission of bill payment data; insurance underwriting for financial transactions; electronic funds transfer services; transfer of funds by electronic means for others; transmission of electronic payment data for others via the internet; financial services in the nature of credit card and debit card payment processing services; real estate services, namely, arrangement and management of leases and tenancy; renting and leasing of real estate; real estate appraisal; real estate valuation, real estate financing, real estate investment; real estate brokerage services; real estate agency services; housing agency services; actuarial services; real estate management and consultancy services; rent collection; rental of offices; rental of apartments and flats; provision of financial information via the Internet; safety deposit box services and issuing of travel vouchers services, namely, providing vouchers for payment of transportation expenses; capital investment services; financial evaluation; financial and financial asset management services; insurance and financial information and consultancy services; financial analysis services provided by telecommunication means; financial consultancy and advisory services; home banking; banking services provided on-line from a computer database or the Internet; securities brokerage services, stock exchange quotation services; stocks and bonds brokerage, financial analysis; debit card services, charge card services and check verification services; banking, savings account and investment banking services; financial clearing house services; credit card verification via global computer information network; electronic credit risk management services; prepaid purchase card services, namely, processing electronic payments made through prepaid cards and electronic bill payment services; financial services, namely, debt settlement and providing electronic processing of credit card transactions and electronic payments via a global computer network; electronic banking services via global computer network; issuance of stored value cards, and charge cards and debit card services; telephone credit cards services, namely, telephone calling cards services; providing finance and insurance information online from a computer database or Internet; collection agency for collection of gas and electricity fees; antique appraisal; art appraisal; jewelry appraisal; used car appraisal; charitable fund raising; rental</p>
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	<p>of paper money and coin counting machines; rental of cash dispensers or automated-teller machines; online payment services, namely, electronic processing of credit card transactions and electronic payments via a global computer network; authentication and verification services, namely, credit card and check verification in relation to online payment or transfer of funds; mailing list brokerage services, in Class 36; Telecommunications access services; provision of telecommunication access to computer database and to the Internet and providing online communications links which transfer the user to other local and global web pages; telecommunications services, namely, the electronic transmission of data and documents; providing telecommunications connections to the Internet or data bases; provision of telecommunication access to the world-wide web; communication by computer terminals; communication by fiber optic networks; electronic transmission of messages and images by computer; facsimile transmission; message sending; paging services; rental of modems; transmission of data by electronic means; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; transmission and delivery of data by electronic means; electronic transmission and delivery of mail messages, still picture and/or moving picture information such as characters, messages, music and images, telegrams, information and data by electronic, telephone, telegraph, cable, computer and satellite means; transmission, broadcast and reception of audio, video, still and moving images and data whether in compressed or uncompressed form and whether in real or delayed time; electronic messaging services, telephone, video and web conferencing services and order transmission services; video conferencing services; providing an electronic bulletin board that enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information concerning business and e-commerce; providing electronic bulletin boards and message boards for transmission of messages among users concerning business and e-commerce; providing an online discussion forums for transmission of messages among computer users concerning business and ecommerce; television broadcasting services; broadcasting and transmission of radio and television programs; music broadcasting in the nature of audio broadcasting; transmission of music, films, videos, via a global computer network or the internet; electronic transmission of information in the field of on-line shopping and general retail services; video-on-demand transmission services; news agency services for electronic transmission; providing access to computer databases on the global computer network; providing chat room services or transmission of messages among computer users concerning business and e-commerce; providing multiple user access to global computer information networks; communication services, namely, text and numeric wireless digital messaging services; transmission of information and data communications for assisting decision making; transmission of information through video communication systems; web conferencing services; providing electronic bulletin boards for the posting and transmission of messages among and between computer users concerning consumer products, services and business leads and opportunities; providing an online interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; providing electronic mail and electronic mail forwarding services; audio and video communication via computers and computer networks, and via a global communications network; providing computer access to online interactive bulletin boards and databases, in Class 38; Scientific and technological services and research and design relating thereto, namely, providing temporary use of online</p>
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	<p>non-downloadable software and temporary use of online non-downloadable cloud computing software for planning and management of personal and business finances, e-commerce data mining, high-speed massive e-commerce data processing, and data customization, customer relationship management, inventory management, sales force management, and marketing information management; design and development of computer hardware and software; design of computers, notebook computers, laptop computers, portable computers and handheld computers; design for others in the field of personal digital assistants and personal media players; design for others in the field of mobile telephones and smart phones; design for others in the field of digital cameras; computer services, namely, computer system administration for others; computer programming; computer system software services, namely, design and development of on-line computer software systems; providing direct connection services between computer users for exchanging data, namely, providing temporary use of online non-downloadable software for the exchange of data; computer software design; computer system design; design and development of webpages; hosting webpages for others; hosting computer application software of others for use in searching and retrieving information from databases and computer networks; providing technical information at the specific request of end-users by means of telephone or global computer network; computer services relating to customized searching of computer databases and websites, namely, providing customized online web pages featuring user-defined information which includes online links to third party web sites, in Class 42</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	ALIPAY		
Goods/Services	<p>Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems, in Class 41</p>		

Attachments	<p>78537541#TMSN.png(bytes) 77812448#TMSN.png(bytes) 86746863#TMSN.png(bytes) ALIPAY Design.jpg Notice of Opposition APAY for filing 4812 1886 3430 v4.pdf(2796523 bytes)</p>
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Signature	/JSM/
Name	Jeffrey S. Molinoff
Date	04/04/2017

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

In the Matter of:

Application Serial No. 86/821,204

Mark: APAY

Published in the *Official Gazette*: December 6, 2016

ALIBABA GROUP HOLDING LIMITED,)	
)	
)	
v. Opposer,)	Opposition No. _____
)	
AMER GROUP INC.,)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

ALIBABA GROUP HOLDING LIMITED, a corporation organized under the laws of the Cayman Islands, with its principal place of business at One Capital Place, P.O. Box 847, Fourth Floor, George Town, Grand Cayman, Cayman Islands (hereinafter “Opposer”), believing it will be damaged by registration of the above-captioned application, hereby opposes registration of the mark APAY shown in Application Serial No. 86/821,204, filed November 16, 2015, under the Trademark Act of 1946, in the name of Amer Group Inc., a Delaware corporation with an address of record of One Blackfield Dr., Ste. 416, Tiburon, California 94920 (hereinafter “Applicant”), published for opposition in the *Official Gazette* of December 16, 2016.

The grounds of Opposition are as follows:

1. Opposer is the owner of U.S. Registration No. 3,761,346 (the “ ‘346 Registration”), for the mark ALIPAY, for use in connection with, *inter alia*:

- *Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for*

processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems, in Class 9;

- *Business advisory services relating to facilitating the transaction of business via local and global computer networks; providing computerized online ordering services featuring general consumer merchandise and industrial products; advertising services, namely, promoting the goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; direct marketing advertising services for others; market research and consulting services for others; online trading services in which sellers post products to be sold and purchases are made via the Internet and providing online business evaluation relating thereto; computer services, namely, providing an online computer database in the field of shopping, in Class 35;*
- *Clearing and reconciling financial transactions via a global computer network; online banking services and financial services, namely, credit card or/and debit card processing services, and transmission and processing of bills and payments thereof, conducted via a global computer network; electronic funds transfer services, in Class 36;*
- *Providing electronic mail and electronic mail forwarding services; providing access to websites on the Internet by which third parties can offer goods and services, place and fulfill orders, enter into contracts and transact business; providing online communication links which transfer the website user to other local and global webpages to facilitate e-commerce and real world business transactions; providing online electronic bulletin boards for transmission of messages among computer users concerning products, services and business opportunities; electronic message sending; computer aided electronic transmission of messages and images telecommunications services, namely, providing telephone communication and Internet telephony services; electronic transmission of data and information via electronic communications networks; information, advisory and consultancy services relating to all the aforesaid services, in Class 38;*
- *Storage of electronic data and documents, in Class 39;*
- *computer services, namely, creating, maintaining and hosting websites for others; hosting of digital content for others on the Internet; computer programming for others; design and development of online computer system software; computer software design for others; computer system design for others; design and development of computer software and hardware; design and development of web*

pages; hosting webpages for others; information, advisory and consultancy services relating to all the aforesaid services [; application services provider featuring software in the field of electronic calendar, address book and notes feature], in Class 42.

2. Opposer is the owner of U.S. Registration No. 4,036,742, for the mark ALIPAY

& Design () (the “ ‘742 Registration”):, for use in connection with,
inter alia:

- *Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, telephones, punch clocks, time recording devices, namely, time clocks, scales and balances, graduated rulers, electronic pocket translators, neon signs, electronic notice boards, transparency projection apparatus, kilometer recorders in the nature of odometers for vehicles, telescopes, mechanisms for counter operated apparatus, namely, point-of-sale terminals, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, eyeglasses, batteries, exposed films, namely, exposed camera film; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric wires; electric switches; electroplating apparatus, namely, electroplating machines, electric welding apparatus, namely, torches; electrified fences, namely, electric fences; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; notebook computers; laptop computers; portable computers; handheld computers; personal digital assistants; portable media players; mobile telephones; smart phones; digital cameras; computer workstations comprised of computers and computer monitors; servers, namely, computer servers; computer and telecommunications networking computer hardware; computer network adaptors, switches, routers and hubs; wireless and wired modems and computer equipment, namely, wireless cards; laptop holders in the nature of protective sleeves and carrying cases, computer bags; fire extinguishing apparatus; computer hardware, computer software and downloadable software for use in connection with the provision of an interactive website, namely, for use by third parties to post information, create electronic product catalogs, respond to requests and place and full fill orders for products, services and business opportunities via local and global computer networks, for use in document management, for searching, browsing and receiving transmissions of text, electronic documents, graphics and audiovisual information on local remote area, global computer networks, on intranets or directories of information available on computer networks, for use in software development and web authoring, for use in exchanging information via global computer networks and online from a computer database and the internet, for business use for financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force*

management, planning and management of personal and business finances, and marketing information management, data mining, high-speed massive ecommerce data processing, and data customization all in the field of e-commerce; compact discs featuring music, computer programs and computer software in the field of business for use in financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, all in the field of e-commerce; digital music downloadable from the Internet; telecommunications apparatus devices, namely, VOIP phones, electronic facsimile apparatus, portable digital electronic device for sending and receiving electronic mails, and instant messaging communication tool in the nature of portable telecommunication instant messaging devices; mouse pads; mobile phone handsets, namely, mobile phones; mobile phone accessories devices, namely, battery chargers, cases, covers, ear phones and devices for hands-free use of mobile phones; spectacles and sunglasses, in Class 9;

- *Advertising; business management; business administration; providing office functions; database management; market research and business consulting services; business consultancy services relating to facilitating the transaction of business via local and global computer networks by locating and providing referrals for the delivery of a wide variety of business and consumer products and services; providing of business information of goods and services of others via local and global computer networks; business consultancy services in the field of global computer web sites where third parties can offer and source goods and services, place, determine the status of and fulfill trade leads and orders, enter into contracts and transact business; providing computerized online ordering services featuring a wide variety of consumer, business and industrial products; advertising of goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; online trading services in the nature of online auctioneering services via the Internet and providing online business evaluation relating thereto; online retail store services featuring a wide variety of consumer goods of others; business consultancy services in the field of operating an electronic marketplace for the buyers and sellers of goods and/or services on a global computer network; business administration and management assistance for others in the field of facilitating business transaction via local and global computer networks; corporate business management consultancy services; marketing and promotion services; publication of publicity materials; real estate marketing services, namely, marketing of vacant property in the nature of condominiums, apartments, homes, commercial storefronts, office buildings, warehouses, and factories; dissemination of advertising materials, updating of advertising materials, compilation of advertisements for use as web pages on the Internet; rental of advertising space; computer data processing; providing information concerning commercial sales, providing business information, promotional information services, namely, promoting the goods of others by providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; telephone answering service; auctioneering provided on the Internet; personnel management; provision of commercial sales information,*

business information, advertising and commercial information through a global computer network and via the Internet; presentation of goods on communication media for retail purposes; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site specializing in the marketing of the sale of goods and services of others, retail and wholesale store services featuring telephones, mobile phone handsets, mobile phone accessories, electronic and telecommunications goods, computer hardware and computer software, batteries, battery chargers, apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images and/or sound, precious metals, jewellery, precious stones, printed matter, stationery and magnetic and non magnetically encoded cards, furniture, picture frames, household and kitchen utensils, glassware, porcelain and earthenware, textiles, clothing, footwear, headgear, laces and embroidery, buttons, ribbons, pins and needles, artificial flowers, carpets, rugs, games and electronic toys, chemicals used in industry, science, photography and agriculture, paints, varnishes and lacquers, personal hygiene products, soaps, perfumery, cosmetics, hair and body lotions, essential oils, cleaning and bleaching preparations, lubricants, fuels, candles, pharmaceutical, veterinary and sanitary preparations, ironmongery and small items of metal hardware, machines and machine tools, cutlery, razors and hand tools, computers, calculating machines, electrical, photographic, cinematographic and optical apparatus and instruments, spectacles and sun glasses, surgical and medical apparatus and instruments, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, vehicles, firearms, fireworks, silverware, horological and chronometric instruments, musical instruments, magazine, cards, paper and cardboard products, picture, typewriters and office requisites, packaging materials, rubber and plastics for manufacture use, packing and insulating materials, leather and imitations of leather and goods made from these materials, handbags, purses, wallets, leather holders, bags, luggage, umbrellas, mirrors, ropes, string, nets, tents, yarns and threads for textile use, coat hangers, place mats, dressmaker's articles, bed and table covers, playthings and sporting articles, foodstuffs and beverages, meat, fish, poultry, preserved, dried and cooked fruits and vegetables, jams and fruit sauces, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, flour, bread and cakes, condiments, fresh fruit and vegetables, beer, mineral water, fruit juices and other nonalcoholic drinks, alcoholic beverages, floral products, tobacco, smokers' articles and matches; direct mail advertising; buying and selling agency services, namely, purchasing a wide variety of consumer, business and industrial products and services for others; selection and procurement of goods, namely, purchasing of a wide variety of consumer, business and industrial products and services for individuals and businesses; catalog and online ordering services featuring the general consumer goods of others; secretarial services; providing statistical information; organization of exhibitions for commercial or advertising purposes; business services, namely, the compilation and rental of marketing mailing lists; business investigation; business administration consultation services in the field of processing of sales made on the Internet; business networking services and personnel placement; import-export

agencies; subscriptions to newspapers; document reproduction; transcription services, namely, conference call, message and stenographic transcription; rental of office equipment; customer relationship management; business management services relating to electronic commerce; tax information services; and art gallery services, in Class 35;

- *Insurance agencies; financial affairs and monetary affairs, namely, financial analysis and online escrow service for exchange of goods and services; real estate affairs, namely, assessment and management of real estate, providing information in the field of real estate via the internet; clearing and reconciling financial transactions via a global computer network, namely, providing secure commercial transactions and payment options; online banking services and online financial planning services; credit card services; electronic payment, namely, electronic processing and transmission of bill payment data; insurance underwriting for financial transactions; electronic funds transfer services; transfer of funds by electronic means for others; transmission of electronic payment data for others via the internet; financial services in the nature of credit card and debit card payment processing services; real estate services, namely, arrangement and management of leases and tenancy; renting and leasing of real estate; real estate appraisal; real estate valuation, real estate financing, real estate investment; real estate brokerage services; real estate agency services; housing agency services; actuarial services; real estate management and consultancy services; rent collection; rental of offices; rental of apartments and flats; provision of financial information via the Internet; safety deposit box services and issuing of travel vouchers services, namely, providing vouchers for payment of transportation expenses; capital investment services; financial evaluation; financial and financial asset management services; insurance and financial information and consultancy services; financial analysis services provided by telecommunication means; financial consultancy and advisory services; home banking; banking services provided on-line from a computer database or the Internet; securities brokerage services, stock exchange quotation services; stocks and bonds brokerage, financial analysis; debit card services, charge card services and check verification services; banking, savings account and investment banking services; financial clearing house services; credit card verification via global computer information network; electronic credit risk management services; pre-paid purchase card services, namely, processing electronic payments made through prepaid cards and electronic bill payment services; financial services, namely, debt settlement and providing electronic processing of credit card transactions and electronic payments via a global computer network; electronic banking services via global computer network; issuance of stored value cards, and charge cards and debit card services; telephone credit cards services, namely, telephone calling cards services; providing finance and insurance information online from a computer database or Internet; collection agency for collection of gas and electricity fees; antique appraisal; art appraisal; jewelry appraisal; used car appraisal; charitable fund raising; rental of paper money and coin counting machines; rental of cash dispensers or automated-teller machines; online payment services, namely, electronic processing of credit card transactions and electronic payments via a global computer network; authentication and*

verification services, namely, credit card and check verification in relation to online payment or transfer of funds; mailing list brokerage services, in Class 36;

- *Telecommunications access services; provision of telecommunication access to computer database and to the Internet and providing online communications links which transfer the user to other local and global web pages; telecommunications services, namely, the electronic transmission of data and documents; providing telecommunications connections to the Internet or data bases; provision of telecommunication access to the world-wide web; communication by computer terminals; communication by fiber optic networks; electronic transmission of messages and images by computer; facsimile transmission; message sending; paging services; rental of modems; transmission of data by electronic means; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; transmission and delivery of data by electronic means; electronic transmission and delivery of mail messages, still picture and/or moving picture information such as characters, messages, music and images, telegrams, information and data by electronic, telephone, telegraph, cable, computer and satellite means; transmission, broadcast and reception of audio, video, still and moving images and data whether in compressed or uncompressed form and whether in real or delayed time; electronic messaging services, telephone, video and web conferencing services and order transmission services; video conferencing services; providing an electronic bulletin board that enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information concerning business and e-commerce; providing electronic bulletin boards and message boards for transmission of messages among users concerning business and e-commerce; providing an online discussion forums for transmission of messages among computer users concerning business and ecommerce; television broadcasting services; broadcasting and transmission of radio and television programs; music broadcasting in the nature of audio broadcasting; transmission of music, films, videos, via a global computer network or the internet; electronic transmission of information in the field of on-line shopping and general retail services; video-on-demand transmission services; news agency services for electronic transmission; providing access to computer databases on the global computer network; providing chat room services or transmission of messages among computer users concerning business and e-commerce; providing multiple user access to global computer information networks; communication services, namely, text and numeric wireless digital messaging services; transmission of information and data communications for assisting decision making; transmission of information through video communication systems; web conferencing services; providing electronic bulletin boards for the posting and transmission of messages among and between computer users concerning consumer products, services and business leads and opportunities; providing an online interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; providing electronic mail and electronic mail forwarding services; audio and video communication via computers and computer networks, and via a global communications network; providing computer access to online interactive bulletin boards and databases, in Class 38;*

- *Scientific and technological services and research and design relating thereto, namely, providing temporary use of online non-downloadable software and temporary use of online non-downloadable cloud computing software for planning and management of personal and business finances, e-commerce data mining, high-speed massive e-commerce data processing, and data customization, customer relationship management, inventory management, sales force management, and marketing information management; design and development of computer hardware and software; design of computers, notebook computers, laptop computers, portable computers and handheld computers; design for others in the field of personal digital assistants and personal media players; design for others in the field of mobile telephones and smart phones; design for others in the field of digital cameras; computer services, namely, computer system administration for others; computer programming; computer system software services, namely, design and development of on-line computer software systems; providing direct connection services between computer users for exchanging data, namely, providing temporary use of online non-downloadable software for the exchange of data; computer software design; computer system design; design and development of webpages; hosting webpages for others; hosting computer application software of others for use in searching and retrieving information from databases and computer networks; providing technical information at the specific request of end-users by means of telephone or global computer network; computer services relating to customized searching of computer databases and websites, namely, providing customized online web pages featuring user-defined information which includes online links to third party web sites, in Class 42.*

3. Opposer is the owner of U.S. Registration No. 5,071,223 (the “ ‘223 Registration”), for the mark ALIPAY, for use in connection with, *inter alia*:

- *Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems, in Class 41.*

4. Opposer claims common law rights in the ALIPAY and ALIPAY & Design Marks, as described above, for use with a wide variety of goods and services, including those listed in Paragraphs 1 through 3 above.

5. The marks set forth in the '346, '742, and the '223 Registrations shall be referred to herein collectively as the "Alibaba ALIPAY Marks." Copies of the Registration Certificates and Trademark Status & Document Retrieval ("TSDR") system records for the foregoing registrations are attached hereto as Exhibit A.

6. Through its '346, '742, and the '223 Registrations, Opposer is entitled to a first use date in conjunction with the Alibaba ALIPAY Marks in commerce in connection with at least the goods and services set forth in the '346, '742, and the '223 Registrations well before any date of use that could be claimed by Applicant. Opposer has developed significant goodwill in the Alibaba ALIPAY Marks.

7. On November 16, 2015, Applicant filed U.S. Application Serial No. 86/821,204 (the "Opposed Application"), pursuant to Trademark Act § 1(b), for the mark APAY, for use in connection with the services, *Financial services, namely, administration of transactions involving funds drawn from securities, stocks, funds, equities, bonds, cash, or other types of financial investments in retirement plans using a credit or debit card over a global data network; Payment processing services, namely, credit card and debit card transaction processing services; Providing electronic processing of credit card transactions and electronic payments via a global computer network; providing payment processing services and payment verification services for mobile payments, contactless credit and debit card transactions, gift card transactions, loyalty reward card transactions, and bill payment transactions with retailers, merchants, and vendors via mobile devices; providing financial information by electronic means, namely, providing credit and debit card information; financial services, namely, processing and administration of mobile payments and contactless debit and credit card transactions, loyalty reward card transactions, and bill payment transactions with retailers, merchants, and vendors*

via mobile devices, in Class 36, and Providing user authentication of electronic funds transfer in the nature of mobile payments, contactless credit and debit card transactions, gift card transactions, loyalty reward card transactions, and bill payment transactions with retailers, merchants, and vendors via mobile devices, in Class 45 (“the Opposed Mark”).

8. Opposer has established prior rights in the Alibaba ALIPAY Marks in connection with at least the goods and services set forth within its aforementioned Registrations prior to any date upon which Applicant can rely for use of the mark set forth in the Opposed Application, through its ownership of the ‘346, ‘742, and the ‘223 Registrations, each with application filing dates well before any date upon which Applicant can rely for use of the mark set forth in the Opposed Application.

9. Opposer has expended significant revenue and resources in creating and marketing its payment software and hardware, its financial and payment processing services, including credit card processing services, retail services, retail support services, business advisory services, and a wide range of other goods and services, and, through these efforts, has established valuable consumer recognition and goodwill therein.

10. Applicant’s proposed use and registration of the mark set forth in the Opposed Application will create a likelihood of confusion, mistake and/or deception among consumers, within the meaning of Trademark Act § 2(d), all to the detriment of Opposer.

WHEREFORE, Opposer believes that it has been damaged and will continue to be damaged by virtue of Applicant’s attempted registration of Applicant’s Trademark Application No. 86/821,204 and requests that said application be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposer.

Opposer has appointed Jeffrey L. Costellia and Jeffrey S. Molinoff, of the law firm of Nixon Peabody LLP, members of the Bar of the District of Colombia, to prosecute this opposition proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

Jeffrey L. Costellia
Nixon Peabody LLP
799 Ninth Street NW, Suite 500
Washington, DC 20001

Email: was.managing.clerk@nixonpeabody.com
nptm@nixonpeabody.com

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-2686.

Dated: April 4, 2017

Respectfully submitted,

NIXON PEABODY LLP

by: /JLC/

Jeffrey L. Costellia
Jeffrey S. Molinoff

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Washington, D.C. 20001
202-585-8000 (Phone)
was.managing.clerk@nixonpeabody.com
Counsel for Opposer

EXHIBIT A

United States of America

United States Patent and Trademark Office

ALIPAY

Reg. No. 3,761,346

Registered Mar. 16, 2010

ALIBABA GROUP HOLDING LIMITED (CAYMAN ISLANDS CORPORATION)
FOURTH FLOOR, ONE CAPITAL PLACE
P.O. BOX 847
GRAND CAYMAN, CAYMAN ISLANDS

**Int. Cls.: 9, 35, 36, 38, 39
and 42**

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

FOR: SOFTWARE FOR PROCESSING ELECTRONIC PAYMENTS TO AND FROM OTHERS; AUTHENTICATION SOFTWARE FOR AUTHENTICATING THE IDENTITY OF A PAYER; RECORDED COMPUTER PROGRAMS FOR PROCESSING ELECTRONIC PAYMENTS AND/OR AUTHENTICATING THE IDENTITY OF A PAYER; RECORDED COMPUTER SOFTWARE FOR PROCESSING ELECTRONIC PAYMENTS AND/OR AUTHENTICATING THE IDENTITY OF A PAYER; COMPUTERS; COMPUTER PERIPHERALS; DOWNLOADABLE ELECTRONIC PUBLICATIONS IN THE NATURE OF MAGAZINES, ARTICLES, BROCHURES, LEAFLETS AND DATASHEETS CONTAINING INFORMATION OR INSTRUCTIONS IN THE FIELD OF ELECTRONIC PAYMENTS, PRE-RECORDED AUDIO TAPES, CD-ROMS, DISCS AND VIDEO TAPES IN THE FIELD OF ELECTRONIC PAYMENTS; COMPUTER SOFTWARE FOR USE IN THE SEARCH AND RETRIEVAL OF COMPUTERIZED INFORMATION ON HOBBIES, COLLECTIBLES, AUCTIONS AND PRODUCTS ACCESSED FROM GLOBAL INFORMATION NETWORKS AND NETWORK SYSTEMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: BUSINESS ADVISORY SERVICES RELATING TO FACILITATING THE TRANSACTION OF BUSINESS VIA LOCAL AND GLOBAL COMPUTER NETWORKS; PROVIDING COMPUTERIZED ONLINE ORDERING SERVICES FEATURING GENERAL CONSUMER MERCHANDISE AND INDUSTRIAL PRODUCTS; ADVERTISING SERVICES, NAMELY, PROMOTING THE GOODS AND SERVICES OF OTHERS VIA LOCAL AND GLOBAL COMPUTER NETWORKS; INTERNATIONAL IMPORT AND EXPORT AGENCY SERVICES; RENTAL OF ADVERTISING SPACE ON COMMUNICATION MEDIA; DIRECT MARKETING ADVERTISING SERVICES FOR OTHERS; MARKET RESEARCH AND CONSULTING SERVICES FOR OTHERS; ONLINE TRADING SERVICES IN WHICH SELLERS POST PRODUCTS TO BE SOLD AND PURCHASES ARE MADE VIA THE INTERNET AND PROVIDING ONLINE BUSINESS EVALUATION RELATING THERETO; COMPUTER SERVICES, NAMELY, PROVIDING AN ONLINE COMPUTER DATABASE IN THE FIELD OF SHOPPING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).



David J. Kappas

Director of the United States Patent and Trademark Office

FOR: CLEARING AND RECONCILING FINANCIAL TRANSACTIONS VIA A GLOBAL COMPUTER NETWORK; ONLINE BANKING SERVICES AND FINANCIAL SERVICES, NAMELY, CREDIT CARD OR/AND DEBIT CARD PROCESSING SERVICES, AND TRANS-

Reg. No. 3,761,346 MISSION AND PROCESSING OF BILLS AND PAYMENTS THEREOF, CONDUCTED VIA A GLOBAL COMPUTER NETWORK; ELECTRONIC FUNDS TRANSFER SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FOR: PROVIDING ELECTRONIC MAIL AND ELECTRONIC MAIL FORWARDING SERVICES; PROVIDING ACCESS TO WEBSITES ON THE INTERNET BY WHICH THIRD PARTIES CAN OFFER GOODS AND SERVICES, PLACE AND FULFILL ORDERS, ENTER INTO CONTRACTS AND TRANSACT BUSINESS; PROVIDING ONLINE COMMUNICATION LINKS WHICH TRANSFER THE WEBSITE USER TO OTHER LOCAL AND GLOBAL WEBPAGES TO FACILITATE E-COMMERCE AND REAL WORLD BUSINESS TRANSACTIONS; PROVIDING ONLINE ELECTRONIC BULLETIN BOARDS FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING PRODUCTS, SERVICES AND BUSINESS OPPORTUNITIES; ELECTRONIC MESSAGE SENDING; COMPUTER AIDED ELECTRONIC TRANSMISSION OF MESSAGES AND IMAGES TELECOMMUNICATIONS SERVICES, NAMELY, PROVIDING TELEPHONE COMMUNICATION AND INTERNET TELEPHONY SERVICES; ELECTRONIC TRANSMISSION OF DATA AND INFORMATION VIA ELECTRONIC COMMUNICATIONS NETWORKS; INFORMATION, ADVISORY AND CONSULTANCY SERVICES RELATING TO ALL THE AFORESAID SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: STORAGE OF ELECTRONIC DATA AND DOCUMENTS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FOR: COMPUTER SERVICES, NAMELY, CREATING, MAINTAINING AND HOSTING WEBSITES FOR OTHERS; HOSTING OF DIGITAL CONTENT FOR OTHERS ON THE INTERNET; COMPUTER PROGRAMMING FOR OTHERS; DESIGN AND DEVELOPMENT OF ONLINE COMPUTER SYSTEM SOFTWARE; COMPUTER SOFTWARE DESIGN FOR OTHERS; COMPUTER SYSTEM DESIGN FOR OTHERS; DESIGN AND DEVELOPMENT OF COMPUTER SOFTWARE AND HARDWARE; DESIGN AND DEVELOPMENT OF WEB PAGES; HOSTING WEBPAGES FOR OTHERS; INFORMATION, ADVISORY AND CONSULTANCY SERVICES RELATING TO ALL THE AFORESAID SERVICES; APPLICATION SERVICES PROVIDER FEATURING SOFTWARE IN THE FIELD OF ELECTRONIC CALENDAR, ADDRESS BOOK AND NOTES FEATURE, IN CLASS 42 (U.S. CLS. 100 AND 101).

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

OWNER OF TAIWAN REG. NO. 1178696, DATED 10-16-2005, EXPIRES 10-15-2015.

OWNER OF TAIWAN REG. NO. 1167652, DATED 8-1-2005, EXPIRES 7-31-2015.

OWNER OF TAIWAN REG. NO. 1178520, DATED 10-16-2005, EXPIRES 10-15-2015.

OWNER OF TAIWAN REG. NO. 1176367, DATED 10-1-2005, EXPIRES 9-30-2015.

OWNER OF TAIWAN REG. NO. 1178345, DATED 10-16-2005, EXPIRES 10-15-2015.

SER. NO. 78-537,541, FILED 12-23-2004.

WON TEAK OH, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2017-03-31 09:20:23 EDT

Mark: ALIPAY

ALIPAY

US Serial Number: 78537541
Application Filing Date: Dec. 23, 2004
US Registration Number: 3761346
Registration Date: Mar. 16, 2010
Register: Principal
Mark Type: Trademark, Service Mark
Status: A Section 8 declaration has been accepted.
Status Date: Nov. 30, 2016
Publication Date: Dec. 29, 2009

Mark Information

Mark Literal Elements: ALIPAY
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

Foreign Information

Foreign Registration Number: 1178345	Foreign Registration Date: Oct. 16, 2005
Application/Registration Country: TAIWAN	Foreign Expiration Date: Oct. 15, 2015

Foreign Registration Number: 1176367	Foreign Registration Date: Oct. 01, 2005
Application/Registration Country: TAIWAN	Foreign Expiration Date: Sep. 30, 2015

Foreign Registration Number: 1178520	Foreign Registration Date: Oct. 16, 2005
Application/Registration Country: TAIWAN	Foreign Expiration Date: Oct. 15, 2015

Foreign Registration Number: 1167652	Foreign Registration Date: Aug. 01, 2005
Application/Registration Country: TAIWAN	Foreign Expiration Date: Jul. 31, 2015

Foreign Registration Number: 1178696	Foreign Registration Date: Oct. 16, 2005
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Foreign TAIWAN
Application/Registration
Country:

Foreign Expiration Oct. 15, 2015
Date:

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: Software for processing electronic payments to and from others; authentication software for authenticating the identity of a payer; recorded computer programs for processing electronic payments and/or authenticating the identity of a payer; recorded computer software for processing electronic payments and/or authenticating the identity of a payer; [computers;] computer peripherals; downloadable electronic publications in the nature of magazines, articles, brochures, leaflets and datasheets containing information or instructions in the field of electronic payments, [pre-recorded audio tapes, CD-ROMs, discs and video tapes in the field of electronic payments;] computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and products accessed from global information networks and network systems

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Business advisory services relating to facilitating the transaction of business via local and global computer networks; providing computerized online ordering services featuring general consumer merchandise and industrial products; advertising services, namely, promoting the goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; direct marketing advertising services for others; market research and consulting services for others; online trading services in which sellers post products to be sold and purchases are made via the Internet and providing online business evaluation relating thereto; computer services, namely, providing an online computer database in the field of shopping

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Clearing and reconciling financial transactions via a global computer network; online banking services and financial services, namely, credit card or/and debit card processing services, and transmission and processing of bills and payments thereof, conducted via a global computer network; electronic funds transfer services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Providing electronic mail and electronic mail forwarding services; providing access to websites on the Internet by which third parties can offer goods and services, place and fulfill orders, enter into contracts and transact business; providing online communication links which transfer the website user to other local and global webpages to facilitate e-commerce and real world business transactions; providing online electronic bulletin boards for transmission of messages among computer users concerning products, services and business opportunities; electronic message sending; computer aided electronic transmission of messages and images telecommunications services, namely, providing telephone communication and Internet telephony services; electronic transmission of data and information via electronic communications networks; information, advisory and consultancy services relating to all the aforesaid services

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Storage of electronic data and documents

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 44(e)

For: computer services, namely, creating, maintaining and hosting websites for others; hosting of digital content for others on the Internet; computer programming for others; design and development of online computer system software; computer software design for others; computer system design for others; design and development of computer software and hardware; design and development of web pages; hosting webpages for others; information, advisory and consultancy services relating to all the aforesaid services [; application services provider featuring software in the field of electronic calendar, address book and notes feature]

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

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: Yes

Amended 44E: Yes

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: ALIBABA GROUP HOLDING LIMITED

Owner Address: FOURTH FLOOR, ONE CAPITAL PLACE
P.O. BOX 847
GRAND CAYMAN
CAYMAN ISLANDS

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

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Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 30, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Nov. 30, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED	74704
Nov. 30, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Sep. 14, 2016	TEAS SECTION 8 RECEIVED	
Aug. 05, 2016	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 05, 2016	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 16, 2015	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	

Mar. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 29, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 29, 2009	PUBLISHED FOR OPPOSITION	
Nov. 24, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Nov. 23, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 04, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Nov. 04, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Oct. 19, 2009	ASSIGNED TO LIE	66121
Oct. 08, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 31, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 31, 2009	NON-FINAL ACTION E-MAILED	6325
Aug. 31, 2009	NON-FINAL ACTION WRITTEN	72152
Aug. 31, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Aug. 31, 2009	1(B) BASIS DELETED; NEW BASIS REQUESTED	66303
Aug. 17, 2009	NOTICE OF ALLOWANCE CANCELLED	66303
Aug. 31, 2009	PETITION TO DIRECTOR - CHANGE BASIS - GRANTED	66303
Aug. 21, 2009	ASSIGNED TO PETITION STAFF	66303
Aug. 17, 2009	PETITION TO DIRECTOR - CHANGE BASIS - RECEIVED	77978
Aug. 17, 2009	FAX RECEIVED	
Feb. 18, 2009	EXTENSION 5 GRANTED	69302
Feb. 15, 2009	EXTENSION 5 FILED	69302
Feb. 16, 2009	TEAS EXTENSION RECEIVED	
Aug. 19, 2008	EXTENSION 4 GRANTED	69302
Aug. 07, 2008	EXTENSION 4 FILED	69302
Aug. 19, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Aug. 07, 2008	TEAS EXTENSION RECEIVED	
Feb. 22, 2008	EXTENSION 3 GRANTED	66154
Feb. 06, 2008	EXTENSION 3 FILED	66154
Feb. 13, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 06, 2008	TEAS EXTENSION RECEIVED	
Sep. 12, 2007	EXTENSION 2 GRANTED	64657
Jul. 10, 2007	EXTENSION 2 FILED	64657
Jul. 10, 2007	TEAS EXTENSION RECEIVED	
Feb. 07, 2007	EXTENSION 1 GRANTED	98765
Feb. 07, 2007	EXTENSION 1 FILED	98765
Feb. 07, 2007	TEAS EXTENSION RECEIVED	
Aug. 15, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 23, 2006	PUBLISHED FOR OPPOSITION	
May 03, 2006	NOTICE OF PUBLICATION	
Apr. 03, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	69803
Mar. 30, 2006	ASSIGNED TO LIE	69803
Mar. 22, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 02, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 02, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 02, 2006	EXAMINERS AMENDMENT -WRITTEN	72152
Feb. 10, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	68658
Feb. 02, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Feb. 02, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 02, 2005	NON-FINAL ACTION E-MAILED	6325
Aug. 02, 2005	NON-FINAL ACTION WRITTEN	72152
Jul. 29, 2005	ASSIGNED TO EXAMINER	72152
Jan. 06, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Continued Use:

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Nov. 30, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: ALIBABA GROUP HOLDING LIMITED

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [3716/0047](#)

Pages: 3

Date Recorded: Feb. 08, 2008

Supporting Documents: [assignment-tm-3716-0047.pdf](#)

Assignor

Name: [ALIBABA.COM CORPORATION](#)

Execution Date: Nov. 05, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

Assignee

Name: [ALIBABA GROUP HOLDING LIMITED](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

Address: P.O. BOX 847
FOURTH FLOOR, ONE CAPITAL PLACE
GRAND CAYMAN, CAYMAN ISLANDS

Correspondent

Correspondent Name: CONNIE L. ELLERBACH

Correspondent Address: 801 CALIFORNIA STREET
SILICON VALLEY CENTER
MOUNTAIN VIEW, CA 94041

Domestic Representative

Domestic Representative Name: CONNIE L. ELLERBACH

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MOUNTAIN VIEW, CA 94041

United States of America

United States Patent and Trademark Office

Alipay

Reg. No. 4,036,742

Registered Oct. 11, 2011

**Int. Cls.: 9, 35, 36, 38
and 42**

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

ALIBABA GROUP HOLDING LIMITED (CAYMAN ISLANDS CORPORATION)
FOURTH FLOOR, ONE CAPITAL PLACE
P.O. BOX 847
GRAND CAYMAN, CAYMAN ISLANDS

FOR: SCIENTIFIC, NAUTICAL, SURVEYING, PHOTOGRAPHIC, CINEMATOGRAPHIC, OPTICAL, WEIGHING, MEASURING, SIGNALLING, CHECKING, LIFE-SAVING AND TEACHING APPARATUS AND INSTRUMENTS, NAMELY, TELEPHONES, PUNCH CLOCKS, TIME RECORDING DEVICES, NAMELY, TIME CLOCKS, SCALES AND BALANCES, GRADUATED RULERS, ELECTRONIC POCKET TRANSLATORS, NEON SIGNS, ELECTRONIC NOTICE BOARDS, TRANSPARENCY PROJECTION APPARATUS, KILOMETER RECORDERS IN THE NATURE OF ODOMETERS FOR VEHICLES, TELESCOPES, MECHANISMS FOR COUNTER OPERATED APPARATUS, NAMELY, POINT-OF-SALE TERMINALS, FIRE EXTINGUISHERS, ACOUSTIC ALARMS, NAMELY, SMOKE AND FIRE ALARMS, EYEGLASSES, BATTERIES, EXPOSED FILMS, NAMELY, EXPOSED CAMERA FILM; APPARATUS AND INSTRUMENTS FOR CONDUCTING, SWITCHING, TRANSFORMING, ACCUMULATING, REGULATING OR CONTROLLING ELECTRICITY, NAMELY, ELECTRIC WIRES; ELECTRIC SWITCHES; ELECTROPLATING APPARATUS, NAMELY, ELECTROPLATING MACHINES, ELECTRIC WELDING APPARATUS, NAMELY, TORCHES; ELECTRIFIED FENCES, NAMELY, ELECTRIC FENCES; APPARATUS FOR RECORDING, TRANSMISSION OR REPRODUCTION OF SOUND OR IMAGES; BLANK MAGNETIC DATA CARRIERS AND RECORDING DISCS; AUTOMATIC VENDING MACHINES AND MECHANISMS FOR COIN-OPERATED APPARATUS; CASH REGISTERS, CALCULATING MACHINES, DATA PROCESSING EQUIPMENT AND COMPUTERS; NOTEBOOK COMPUTERS; LAPTOP COMPUTERS; PORTABLE COMPUTERS; HANDHELD COMPUTERS; PERSONAL DIGITAL ASSISTANTS; PORTABLE MEDIA PLAYERS; MOBILE TELEPHONES; SMART PHONES; DIGITAL CAMERAS; COMPUTER WORKSTATIONS COMPRISED OF COMPUTERS AND COMPUTER MONITORS; SERVERS, NAMELY, COMPUTER SERVERS; COMPUTER AND TELECOMMUNICATIONS NETWORKING COMPUTER HARDWARE; COMPUTER NETWORK ADAPTORS, SWITCHES, ROUTERS AND HUBS; WIRELESS AND WIRED MODEMS AND COMPUTER EQUIPMENT, NAMELY, WIRELESS CARDS; LAPTOP HOLDERS IN THE NATURE OF PROTECTIVE SLEEVES AND CARRYING CASES, COMPUTER BAGS; FIRE EXTINGUISHING APPARATUS; COMPUTER HARDWARE, COMPUTER SOFTWARE AND DOWNLOADABLE SOFTWARE FOR USE IN CONNECTION WITH THE PROVISION OF AN INTERACTIVE WEBSITE, NAMELY, FOR USE BY THIRD PARTIES TO POST INFORMATION, CREATE ELECTRONIC PRODUCT CATALOGS, RESPOND TO REQUESTS AND PLACE AND FULL FILL ORDERS FOR PRODUCTS, SERVICES AND



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,036,742 BUSINESS OPPORTUNITIES VIA LOCAL AND GLOBAL COMPUTER NETWORKS, FOR USE IN DOCUMENT MANAGEMENT, FOR SEARCHING, BROWSING AND RECEIVING TRANSMISSIONS OF TEXT, ELECTRONIC DOCUMENTS, GRAPHICS AND AUDIOVISUAL INFORMATION ON LOCAL REMOTE AREA, GLOBAL COMPUTER NETWORKS, ON INTRANETS OR DIRECTORIES OF INFORMATION AVAILABLE ON COMPUTER NETWORKS, FOR USE IN SOFTWARE DEVELOPMENT AND WEB AUTHORING, FOR USE IN EXCHANGING INFORMATION VIA GLOBAL COMPUTER NETWORKS AND ONLINE FROM A COMPUTER DATABASE AND THE INTERNET, FOR BUSINESS USE FOR FINANCIAL MANAGEMENT, FINANCIAL PLANNING, BUSINESS MANAGEMENT, CUSTOMER RELATIONSHIP MANAGEMENT (CRM), INVENTORY MANAGEMENT, SALES FORCE MANAGEMENT, PLANNING AND MANAGEMENT OF PERSONAL AND BUSINESS FINANCES, AND MARKETING INFORMATION MANAGEMENT, DATA MINING, HIGH-SPEED MASSIVE ECOMMERCE DATA PROCESSING, AND DATA CUSTOMIZATION ALL IN THE FIELD OF E-COMMERCE; COMPACT DISCS FEATURING MUSIC, COMPUTER PROGRAMS AND COMPUTER SOFTWARE IN THE FIELD OF BUSINESS FOR USE IN FINANCIAL MANAGEMENT, FINANCIAL PLANNING, BUSINESS MANAGEMENT, CUSTOMER RELATIONSHIP MANAGEMENT (CRM), INVENTORY MANAGEMENT, SALES FORCE MANAGEMENT, PLANNING AND MANAGEMENT OF PERSONAL AND BUSINESS FINANCES, AND MARKETING INFORMATION MANAGEMENT, ALL IN THE FIELD OF E-COMMERCE; DIGITAL MUSIC DOWNLOADABLE FROM THE INTERNET; TELECOMMUNICATIONS APPARATUS DEVICES, NAMELY, VOIP PHONES, ELECTRONIC FACSIMILE APPARATUS, PORTABLE DIGITAL ELECTRONIC DEVICE FOR SENDING AND RECEIVING ELECTRONIC MAILS, AND INSTANT MESSAGING COMMUNICATION TOOL IN THE NATURE OF PORTABLE TELECOMMUNICATION INSTANT MESSAGING DEVICES; MOUSE PADS; MOBILE PHONE HANDSETS, NAMELY, MOBILE PHONES; MOBILE PHONE ACCESSORIES DEVICES, NAMELY, BATTERY CHARGERS, CASES, COVERS, EAR PHONES AND DEVICES FOR HANDS-FREE USE OF MOBILE PHONES; SPECTACLES AND SUNGLASSES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: ADVERTISING; BUSINESS MANAGEMENT; BUSINESS ADMINISTRATION; PROVIDING OFFICE FUNCTIONS; DATABASE MANAGEMENT; MARKET RESEARCH AND BUSINESS CONSULTING SERVICES; BUSINESS CONSULTANCY SERVICES RELATING TO FACILITATING THE TRANSACTION OF BUSINESS VIA LOCAL AND GLOBAL COMPUTER NETWORKS BY LOCATING AND PROVIDING REFERRALS FOR THE DELIVERY OF A WIDE VARIETY OF BUSINESS AND CONSUMER PRODUCTS AND SERVICES; PROVIDING OF BUSINESS INFORMATION OF GOODS AND SERVICES OF OTHERS VIA LOCAL AND GLOBAL COMPUTER NETWORKS; BUSINESS CONSULTANCY SERVICES IN THE FIELD OF GLOBAL COMPUTER WEB SITES WHERE THIRD PARTIES CAN OFFER AND SOURCE GOODS AND SERVICES, PLACE, DETERMINE THE STATUS OF AND FULFILL TRADE LEADS AND ORDERS, ENTER INTO CONTRACTS AND TRANSACT BUSINESS; PROVIDING COMPUTERIZED ONLINE ORDERING SERVICES FEATURING A WIDE VARIETY OF CONSUMER, BUSINESS AND INDUSTRIAL PRODUCTS; ADVERTISING OF GOODS AND SERVICES OF OTHERS VIA LOCAL AND GLOBAL COMPUTER NETWORKS; INTERNATIONAL IMPORT AND EXPORT AGENCY SERVICES; RENTAL OF ADVERTISING SPACE ON COMMUNICATION MEDIA; ONLINE TRADING SERVICES IN THE NATURE OF ONLINE AUCTIONEERING SERVICES VIA THE INTERNET AND PROVIDING ONLINE BUSINESS EVALUATION RELATING THERETO; ONLINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF CONSUMER GOODS OF OTHERS; BUSINESS CONSULTANCY SERVICES IN THE FIELD OF OPERATING AN ELECTRONIC MARKETPLACE FOR THE BUYERS AND SELLERS OF GOODS AND/OR SERVICES ON A GLOBAL COMPUTER NETWORK; BUSINESS ADMINISTRATION AND MANAGEMENT ASSISTANCE FOR OTHERS IN THE FIELD OF FACILITATING BUSINESS TRANSACTION VIA LOCAL AND GLOBAL COMPUTER NETWORKS; CORPORATE BUSINESS MANAGEMENT CONSULTANCY SERVICES; MARKETING AND PROMOTION SERVICES; PUBLICATION OF PUBLICITY MATERIALS; REAL ESTATE MARKETING SERVICES, NAMELY, MARKETING OF VACANT PROPERTY IN THE NATURE OF CONDOMINIUMS, APARTMENTS, HOMES, COMMERCIAL STOREFRONTS, OFFICE BUILDINGS, WAREHOUSES, AND FACTORIES; DISSEMINATION OF ADVERTISING MATERIALS, UPDATING OF

Reg. No. 4,036,742 ADVERTISING MATERIALS, COMPILATION OF ADVERTISEMENTS FOR USE AS WEB PAGES ON THE INTERNET; RENTAL OF ADVERTISING SPACE; COMPUTER DATA PROCESSING; PROVIDING INFORMATION CONCERNING COMMERCIAL SALES, PROVIDING BUSINESS INFORMATION, PROMOTIONAL INFORMATION SERVICES, NAMELY, PROMOTING THE GOODS OF OTHERS BY PROVIDING INFORMATION REGARDING DISCOUNTS, COUPONS, REBATES, VOUCHERS AND SPECIAL OFFERS FOR THE GOODS OF OTHERS; TELEPHONE ANSWERING SERVICE; AUCTIONEERING PROVIDED ON THE INTERNET; PERSONNEL MANAGEMENT; PROVISION OF COMMERCIAL SALES INFORMATION, BUSINESS INFORMATION, ADVERTISING AND COMMERCIAL INFORMATION THROUGH A GLOBAL COMPUTER NETWORK AND VIA THE INTERNET; PRESENTATION OF GOODS ON COMMUNICATION MEDIA FOR RETAIL PURPOSES; THE BRINGING TOGETHER, FOR THE BENEFIT OF OTHERS, OF A VARIETY OF GOODS, ENABLING CUSTOMERS TO CONVENIENTLY VIEW AND PURCHASE THOSE GOODS FROM A GENERAL MERCHANDISE INTERNET WEB SITE SPECIALIZING IN THE MARKETING OF THE SALE OF GOODS AND SERVICES OF OTHERS, RETAIL AND WHOLESALE STORE SERVICES FEATURING TELEPHONES, MOBILE PHONE HANDSETS, MOBILE PHONE ACCESSORIES, ELECTRONIC AND TELECOMMUNICATIONS GOODS, COMPUTER HARDWARE AND COMPUTER SOFTWARE, BATTERIES, BATTERY CHARGERS, APPARATUS AND INSTRUMENTS FOR RECORDING, RECEIVING, TRANSMITTING AND/OR REPRODUCING DATA, INFORMATION, PICTURES, IMAGES AND/OR SOUND, PRECIOUS METALS, JEWELLERY, PRECIOUS STONES, PRINTED MATTER, STATIONERY AND MAGNETIC AND NON MAGNETICALLY ENCODED CARDS, FURNITURE, PICTURE FRAMES, HOUSEHOLD AND KITCHEN UTENSILS, GLASSWARE, PORCELAIN AND EARTHENWARE, TEXTILES, CLOTHING, FOOTWEAR, HEADGEAR, LACES AND EMBROIDERY, BUTTONS, RIBBONS, PINS AND NEEDLES, ARTIFICIAL FLOWERS, CARPETS, RUGS, GAMES AND ELECTRONIC TOYS, CHEMICALS USED IN INDUSTRY, SCIENCE, PHOTOGRAPHY AND AGRICULTURE, PAINTS, VARNISHES AND LACQUERS, PERSONAL HYGIENE PRODUCTS, SOAPS, PERFUMERY, COSMETICS, HAIR AND BODY LOTIONS, ESSENTIAL OILS, CLEANING AND BLEACHING PREPARATIONS, LUBRICANTS, FUELS, CANDLES, PHARMACEUTICAL, VETERINARY AND SANITARY PREPARATIONS, IRONMONGERY AND SMALL ITEMS OF METAL HARDWARE, MACHINES AND MACHINE TOOLS, CUTLERY, RAZORS AND HAND TOOLS, COMPUTERS, CALCULATING MACHINES, ELECTRICAL, PHOTOGRAPHIC, CINEMATOGRAPHIC AND OPTICAL APPARATUS AND INSTRUMENTS, SPECTACLES AND SUN GLASSES, SURGICAL AND MEDICAL APPARATUS AND INSTRUMENTS, APPARATUS FOR LIGHTING, HEATING, STEAM GENERATING, COOKING, REFRIGERATING, DRYING, VENTILATING, WATER SUPPLY AND SANITARY PURPOSES, VEHICLES, FIREARMS, FIREWORKS, SILVERWARE, HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS, MUSICAL INSTRUMENTS, MAGAZINE, CARDS, PAPER AND CARDBOARD PRODUCTS, PICTURE, TYPEWRITERS AND OFFICE REQUISITES, PACKAGING MATERIALS, RUBBER AND PLASTICS FOR MANUFACTURE USE, PACKING AND INSULATING MATERIALS, LEATHER AND IMITATIONS OF LEATHER AND GOODS MADE FROM THESE MATERIALS, HANDBAGS, PURSES, WALLETS, LEATHER HOLDERS, BAGS, LUGGAGE, UMBRELLAS, MIRRORS, ROPES, STRING, NETS, TENTS, YARNS AND THREADS FOR TEXTILE USE, COAT HANGERS, PLACE MATS, DRESSMAKER'S ARTICLES, BED AND TABLE COVERS, PLAYTHINGS AND SPORTING ARTICLES, FOODSTUFFS AND BEVERAGES, MEAT, FISH, POULTRY, PRESERVED, DRIED AND COOKED FRUITS AND VEGETABLES, JAMS AND FRUIT SAUCES, EGGS, MILK AND MILK PRODUCTS, EDIBLE OILS AND FATS, COFFEE, TEA, COCOA, SUGAR, RICE, FLOUR, BREAD AND CAKES, CONDIMENTS, FRESH FRUIT AND VEGETABLES, BEER, MINERAL WATER, FRUIT JUICES AND OTHER NONALCOHOLIC DRINKS, ALCOHOLIC BEVERAGES, FLORAL PRODUCTS, TOBACCO, SMOKERS' ARTICLES AND MATCHES; DIRECT MAIL ADVERTISING; BUYING AND SELLING AGENCY SERVICES, NAMELY, PURCHASING A WIDE VARIETY OF CONSUMER, BUSINESS AND INDUSTRIAL PRODUCTS AND SERVICES FOR OTHERS; SELECTION AND PROCUREMENT OF GOODS, NAMELY, PURCHASING OF A WIDE VARIETY OF CONSUMER, BUSINESS AND INDUSTRIAL PRODUCTS AND SERVICES FOR INDIVIDUALS AND BUSINESSES; CATALOG AND ONLINE ORDERING SERVICES FEATURING THE GENERAL CONSUMER GOODS OF OTHERS; SECRETARIAL SERVICES; PROVIDING

Reg. No. 4,036,742 STATISTICAL INFORMATION; ORGANIZATION OF EXHIBITIONS FOR COMMERCIAL OR ADVERTISING PURPOSES; BUSINESS SERVICES, NAMELY, THE COMPILATION AND RENTAL OF MARKETING MAILING LISTS; BUSINESS INVESTIGATION; BUSINESS ADMINISTRATION CONSULTATION SERVICES IN THE FIELD OF PROCESSING OF SALES MADE ON THE INTERNET; BUSINESS NETWORKING SERVICES AND PERSONNEL PLACEMENT; IMPORT-EXPORT AGENCIES; SUBSCRIPTIONS TO NEWSPAPERS; DOCUMENT REPRODUCTION; TRANSCRIPTION SERVICES, NAMELY, CONFERENCE CALL, MESSAGE AND STENOGRAPHIC TRANSCRIPTION; RENTAL OF OFFICE EQUIPMENT; CUSTOMER RELATIONSHIP MANAGEMENT; BUSINESS MANAGEMENT SERVICES RELATING TO ELECTRONIC COMMERCE; TAX INFORMATION SERVICES; AND ART GALLERY SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: INSURANCE AGENCIES; FINANCIAL AFFAIRS AND MONETARY AFFAIRS, NAMELY, FINANCIAL ANALYSIS AND ONLINE ESCROW SERVICE FOR EXCHANGE OF GOODS AND SERVICES; REAL ESTATE AFFAIRS, NAMELY, ASSESSMENT AND MANAGEMENT OF REAL ESTATE, PROVIDING INFORMATION IN THE FIELD OF REAL ESTATE VIA THE INTERNET; CLEARING AND RECONCILING FINANCIAL TRANSACTIONS VIA A GLOBAL COMPUTER NETWORK, NAMELY, PROVIDING SECURE COMMERCIAL TRANSACTIONS AND PAYMENT OPTIONS; ONLINE BANKING SERVICES AND ONLINE FINANCIAL PLANNING SERVICES; CREDIT CARD SERVICES; ELECTRONIC PAYMENT, NAMELY, ELECTRONIC PROCESSING AND TRANSMISSION OF BILL PAYMENT DATA; INSURANCE UNDERWRITING FOR FINANCIAL TRANSACTIONS; ELECTRONIC FUNDS TRANSFER SERVICES; TRANSFER OF FUNDS BY ELECTRONIC MEANS FOR OTHERS; TRANSMISSION OF ELECTRONIC PAYMENT DATA FOR OTHERS VIA THE INTERNET; FINANCIAL SERVICES IN THE NATURE OF CREDIT CARD AND DEBIT CARD PAYMENT PROCESSING SERVICES; REAL ESTATE SERVICES, NAMELY, ARRANGEMENT AND MANAGEMENT OF LEASES AND TENANCY; RENTING AND LEASING OF REAL ESTATE; REAL ESTATE APPRAISAL; REAL ESTATE VALUATION, REAL ESTATE FINANCING, REAL ESTATE INVESTMENT; REAL ESTATE BROKERAGE SERVICES; REAL ESTATE AGENCY SERVICES; HOUSING AGENCY SERVICES; ACTUARIAL SERVICES; REAL ESTATE MANAGEMENT AND CONSULTANCY SERVICES; RENT COLLECTION; RENTAL OF OFFICES; RENTAL OF APARTMENTS AND FLATS; PROVISION OF FINANCIAL INFORMATION VIA THE INTERNET; SAFETY DEPOSIT BOX SERVICES AND ISSUING OF TRAVEL VOUCHERS SERVICES, NAMELY, PROVIDING VOUCHERS FOR PAYMENT OF TRANSPORTATION EXPENSES; CAPITAL INVESTMENT SERVICES; FINANCIAL EVALUATION; FINANCIAL AND FINANCIAL ASSET MANAGEMENT SERVICES; INSURANCE AND FINANCIAL INFORMATION AND CONSULTANCY SERVICES; FINANCIAL ANALYSIS SERVICES PROVIDED BY TELECOMMUNICATION MEANS; FINANCIAL CONSULTANCY AND ADVISORY SERVICES; HOME BANKING; BANKING SERVICES PROVIDED ON-LINE FROM A COMPUTER DATABASE OR THE INTERNET; SECURITIES BROKERAGE SERVICES, STOCK EXCHANGE QUOTATION SERVICES; STOCKS AND BONDS BROKERAGE, FINANCIAL ANALYSIS; DEBIT CARD SERVICES, CHARGE CARD SERVICES AND CHECK VERIFICATION SERVICES; BANKING, SAVINGS ACCOUNT AND INVESTMENT BANKING SERVICES; FINANCIAL CLEARING HOUSE SERVICES; CREDIT CARD VERIFICATION VIA GLOBAL COMPUTER INFORMATION NETWORK; ELECTRONIC CREDIT RISK MANAGEMENT SERVICES; PRE-PAID PURCHASE CARD SERVICES, NAMELY, PROCESSING ELECTRONIC PAYMENTS MADE THROUGH PREPAID CARDS AND ELECTRONIC BILL PAYMENT SERVICES; FINANCIAL SERVICES, NAMELY, DEBT SETTLEMENT AND PROVIDING ELECTRONIC PROCESSING OF CREDIT CARD TRANSACTIONS AND ELECTRONIC PAYMENTS VIA A GLOBAL COMPUTER NETWORK; ELECTRONIC BANKING SERVICES VIA GLOBAL COMPUTER NETWORK; ISSUANCE OF STORED VALUE CARDS, AND CHARGE CARDS AND DEBIT CARD SERVICES; TELEPHONE CREDIT CARDS SERVICES, NAMELY, TELEPHONE CALLING CARDS SERVICES; PROVIDING FINANCE AND INSURANCE INFORMATION ONLINE FROM A COMPUTER DATABASE OR INTERNET; COLLECTION AGENCY FOR COLLECTION OF GAS AND ELECTRICITY FEES; ANTIQUE APPRAISAL; ART APPRAISAL; JEWELRY APPRAISAL; USED CAR APPRAISAL; CHARITABLE FUND RAISING; RENTAL OF PAPER MONEY AND COIN COUNTING MACHINES; RENTAL OF CASH DISPENSERS OR

Reg. No. 4,036,742 AUTOMATED-TELLER MACHINES; ONLINE PAYMENT SERVICES, NAMELY, ELECTRONIC PROCESSING OF CREDIT CARD TRANSACTIONS AND ELECTRONIC PAYMENTS VIA A GLOBAL COMPUTER NETWORK; AUTHENTICATION AND VERIFICATION SERVICES, NAMELY, CREDIT CARD AND CHECK VERIFICATION IN RELATION TO ONLINE PAYMENT OR TRANSFER OF FUNDS; MAILING LIST BROKERAGE SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FOR: TELECOMMUNICATIONS ACCESS SERVICES; PROVISION OF TELECOMMUNICATION ACCESS TO COMPUTER DATABASE AND TO THE INTERNET AND PROVIDING ONLINE COMMUNICATIONS LINKS WHICH TRANSFER THE USER TO OTHER LOCAL AND GLOBAL WEB PAGES; TELECOMMUNICATIONS SERVICES, NAMELY, THE ELECTRONIC TRANSMISSION OF DATA AND DOCUMENTS; PROVIDING TELECOMMUNICATIONS CONNECTIONS TO THE INTERNET OR DATA BASES; PROVISION OF TELECOMMUNICATION ACCESS TO THE WORLD-WIDE WEB; COMMUNICATION BY COMPUTER TERMINALS; COMMUNICATION BY FIBER OPTIC NETWORKS; ELECTRONIC TRANSMISSION OF MESSAGES AND IMAGES BY COMPUTER; FACSIMILE TRANSMISSION; MESSAGE SENDING; PAGING SERVICES; RENTAL OF MODEMS; TRANSMISSION OF DATA BY ELECTRONIC MEANS; RENTAL OF TELECOMMUNICATION EQUIPMENT; ELECTRONIC MESSAGE SENDING, RECEIVING AND FORWARDING SERVICES; TRANSMISSION AND DELIVERY OF DATA BY ELECTRONIC MEANS; ELECTRONIC TRANSMISSION AND DELIVERY OF MAIL MESSAGES, STILL PICTURE AND/OR MOVING PICTURE INFORMATION SUCH AS CHARACTERS, MESSAGES, MUSIC AND IMAGES, TELEGRAMS, INFORMATION AND DATA BY ELECTRONIC, TELEPHONE, TELEGRAPH, CABLE, COMPUTER AND SATELLITE MEANS; TRANSMISSION, BROADCAST AND RECEPTION OF AUDIO, VIDEO, STILL AND MOVING IMAGES AND DATA WHETHER IN COMPRESSED OR UNCOMPRESSED FORM AND WHETHER IN REAL OR DELAYED TIME; ELECTRONIC MESSAGING SERVICES, TELEPHONE, VIDEO AND WEB CONFERENCING SERVICES AND ORDER TRANSMISSION SERVICES; VIDEO CONFERENCING SERVICES; PROVIDING AN ELECTRONIC BULLETIN BOARD THAT ENABLES USERS TO PERFORM A REAL-TIME INTERACTIVE TALK BETWEEN A COMPUTER TERMINAL AND AN ELECTRONIC BULLETIN BOARD CONTAINING STILL PICTURE AND MOVING PICTURE INFORMATION AND VOICE INFORMATION CONCERNING BUSINESS AND E-COMMERCE; PROVIDING ELECTRONIC BULLETIN BOARDS AND MESSAGE BOARDS FOR TRANSMISSION OF MESSAGES AMONG USERS CONCERNING BUSINESS AND E-COMMERCE; PROVIDING AN ONLINE DISCUSSION FORUMS FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING BUSINESS AND E-COMMERCE; TELEVISION BROADCASTING SERVICES; BROADCASTING AND TRANSMISSION OF RADIO AND TELEVISION PROGRAMS; MUSIC BROADCASTING IN THE NATURE OF AUDIO BROADCASTING; TRANSMISSION OF MUSIC, FILMS, VIDEOS, VIA A GLOBAL COMPUTER NETWORK OR THE INTERNET; ELECTRONIC TRANSMISSION OF INFORMATION IN THE FIELD OF ON-LINE SHOPPING AND GENERAL RETAIL SERVICES; VIDEO-ON-DEMAND TRANSMISSION SERVICES; NEWS AGENCY SERVICES FOR ELECTRONIC TRANSMISSION; PROVIDING ACCESS TO COMPUTER DATABASES ON THE GLOBAL COMPUTER NETWORK; PROVIDING CHAT ROOM SERVICES OR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING BUSINESS AND E-COMMERCE; PROVIDING MULTIPLE USER ACCESS TO GLOBAL COMPUTER INFORMATION NETWORKS; COMMUNICATION SERVICES, NAMELY, TEXT AND NUMERIC WIRELESS DIGITAL MESSAGING SERVICES; TRANSMISSION OF INFORMATION AND DATA COMMUNICATIONS FOR ASSISTING DECISION MAKING; TRANSMISSION OF INFORMATION THROUGH VIDEO COMMUNICATION SYSTEMS; WEB CONFERENCING SERVICES; PROVIDING ELECTRONIC BULLETIN BOARDS FOR THE POSTING AND TRANSMISSION OF MESSAGES AMONG AND BETWEEN COMPUTER USERS CONCERNING CONSUMER PRODUCTS, SERVICES AND BUSINESS LEADS AND OPPORTUNITIES; PROVIDING AN ONLINE INTERACTIVE BULLETIN BOARD FOR THE POSTING, PROMOTION, SALE AND RESALE OF ITEMS VIA A GLOBAL COMPUTER NETWORK; PROVIDING ELECTRONIC MAIL AND ELECTRONIC MAIL FORWARDING SERVICES; AUDIO AND VIDEO COMMUNICATION VIA COMPUTERS AND COMPUTER NETWORKS, AND VIA A GLOBAL COMMUNICATIONS NETWORK; PROVIDING COMPUTER ACCESS TO ONLINE

Reg. No. 4,036,742 INTERACTIVE BULLETIN BOARDS AND DATABASES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: SCIENTIFIC AND TECHNOLOGICAL SERVICES AND RESEARCH AND DESIGN RELATING THERETO, NAMELY, PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE SOFTWARE AND TEMPORARY USE OF ONLINE NON-DOWNLOADABLE CLOUD COMPUTING SOFTWARE FOR PLANNING AND MANAGEMENT OF PERSONAL AND BUSINESS FINANCES, E-COMMERCE DATA MINING, HIGH-SPEED MASSIVE E-COMMERCE DATA PROCESSING, AND DATA CUSTOMIZATION, CUSTOMER RELATIONSHIP MANAGEMENT, INVENTORY MANAGEMENT, SALES FORCE MANAGEMENT, AND MARKETING INFORMATION MANAGEMENT; DESIGN AND DEVELOPMENT OF COMPUTER HARDWARE AND SOFTWARE; DESIGN OF COMPUTERS, NOTEBOOK COMPUTERS, LAPTOP COMPUTERS, PORTABLE COMPUTERS AND HANDHELD COMPUTERS; DESIGN FOR OTHERS IN THE FIELD OF PERSONAL DIGITAL ASSISTANTS AND PERSONAL MEDIA PLAYERS; DESIGN FOR OTHERS IN THE FIELD OF MOBILE TELEPHONES AND SMART PHONES; DESIGN FOR OTHERS IN THE FIELD OF DIGITAL CAMERAS; COMPUTER SERVICES, NAMELY, COMPUTER SYSTEM ADMINISTRATION FOR OTHERS; COMPUTER PROGRAMMING; COMPUTER SYSTEM SOFTWARE SERVICES, NAMELY, DESIGN AND DEVELOPMENT OF ON-LINE COMPUTER SOFTWARE SYSTEMS; PROVIDING DIRECT CONNECTION SERVICES BETWEEN COMPUTER USERS FOR EXCHANGING DATA, NAMELY, PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE SOFTWARE FOR THE EXCHANGE OF DATA; COMPUTER SOFTWARE DESIGN; COMPUTER SYSTEM DESIGN; DESIGN AND DEVELOPMENT OF WEBPAGES; HOSTING WEBPAGES FOR OTHERS; HOSTING COMPUTER APPLICATION SOFTWARE OF OTHERS FOR USE IN SEARCHING AND RETRIEVING INFORMATION FROM DATABASES AND COMPUTER NETWORKS; PROVIDING TECHNICAL INFORMATION AT THE SPECIFIC REQUEST OF END-USERS BY MEANS OF TELEPHONE OR GLOBAL COMPUTER NETWORK; COMPUTER SERVICES RELATING TO CUSTOMIZED SEARCHING OF COMPUTER DATABASES AND WEBSITES, NAMELY, PROVIDING CUSTOMIZED ONLINE WEB PAGES FEATURING USER-DEFINED INFORMATION WHICH INCLUDES ONLINE LINKS TO THIRD PARTY WEB SITES, IN CLASS 42 (U.S. CLS. 100 AND 101).

PRIORITY CLAIMED UNDER SEC. 44(D) ON HONG KONG APPLICATION NO. 301409607AA, FILED 8-19-2009, REG. NO. 301409607AA, DATED 8-19-2009, EXPIRES 8-19-2019.

PRIORITY CLAIMED UNDER SEC. 44(D) ON HONG KONG APPLICATION NO. 301409607AB, FILED 8-19-2009, REG. NO. 301409607AB, DATED 8-19-2009, EXPIRES 8-19-2019.

THE MARK CONSISTS OF THE WORD "ALIPAY" IN STYLIZED LETTERING WITH A DIAMOND SHAPE APPEARING AS THE DOT ON THE LETTER "I" AND AT THE END OF THE WORD, AND A CURVED LINE UNDERNEATH, DISPLAYED ABOVE THE WORD "ALIPAY" IN THE SAME STYLIZED LETTERING IN BLACK, WITH A DIAMOND SHAPE APPEARING AS THE DOT ON THE LETTER "I" AND AT THE END OF THE WORD, AND A CURVED LINE UNDERNEATH.

SER. NO. 77-812,448, FILED 8-25-2009.

ELLEN PERKINS, EXAMINING ATTORNEY

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Mark: ALIPAY



US Serial Number: 77812448

Application Filing Date: Aug. 25, 2009

US Registration Number: 4036742

Registration Date: Oct. 11, 2011

Register: Principal

Mark Type: Trademark, Service Mark

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

Status Date: Oct. 11, 2011

Publication Date: Jul. 26, 2011

Mark Information

Mark Literal Elements: ALIPAY

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 word "Alipay" in stylized lettering with a diamond shape appearing as the dot on the letter "i" and at the end of the word, and a curved line underneath, displayed above the word "ALIPAY" in the same stylized lettering in black, with a diamond shape appearing as the dot on the letter "i" and at the end of the word, and a curved line underneath.

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

Design Search Code(s): 26.07.15 - Diamonds, four or more diamonds; Four or more diamonds
26.07.21 - Diamonds that are completely or partially shaded
26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s)
26.17.05 - Bands, horizontal; Lines, horizontal; Horizontal line(s), band(s) or bar(s); Bars, horizontal
26.17.13 - Underlined words or letters; Overlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines
27.03.01 - Geometric figures forming letters, numerals or punctuation

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 301409607AB

Foreign Application Filing Date: Aug. 19, 2009

Foreign Registration Number: 301409607AB

Foreign Registration Date: Aug. 19, 2009

Application/Registration Country: Foreign HONG KONG

Foreign Expiration Date: Aug. 19, 2019

Priority Claimed: Yes

Foreign Application Number: 301409607AA

Foreign Application Filing Date: Aug. 19, 2009

Foreign Registration Number: 301409607AA

Foreign Registration Date: Aug. 19, 2009

Application/Registration Country: Foreign HONG KONG

Foreign Expiration Date: Aug. 19, 2019

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: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments, namely, telephones, punch clocks, time recording devices, namely, time clocks, scales and balances, graduated rulers, electronic pocket translators, neon signs, electronic notice boards, transparency projection apparatus, kilometer recorders in the nature of odometers for vehicles, telescopes, mechanisms for counter operated apparatus, namely, point-of-sale terminals, fire extinguishers, acoustic alarms, namely, smoke and fire alarms, eyeglasses, batteries, exposed files, namely, exposed camera film; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric wires; electric switches; electroplating apparatus, namely, electroplating machines, electric welding apparatus, namely, torches; electrified fences, namely, electric fences; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; notebook computers; laptop computers; portable computers; handheld computers; personal digital assistants; portable media players; mobile telephones; smart phones; digital cameras; computer workstations comprised of computers and computer monitors; servers, namely, computer servers; computer and telecommunications networking computer hardware; computer network adaptors, switches, routers and hubs; wireless and wired modems and computer equipment, namely, wireless cards; laptop holders in the nature of protective sleeves and carrying cases, computer bags; fire extinguishing apparatus; computer hardware, computer software and downloadable software for use in connection with the provision of an interactive website, namely, for use by third parties to post information, create electronic product catalogs, respond to requests and place and full fill orders for products, services and business opportunities via local and global computer networks, for use in document management, for searching, browsing and receiving transmissions of text, electronic documents, graphics and audiovisual information on local remote area, global computer networks, on intranets or directories of information available on computer networks, for use in software development and web authoring, for use in exchanging information via global computer networks and online from a computer database and the internet, for business use for financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, data mining, high-speed massive ecommerce data processing, and data customization all in the field of e-commerce; compact discs featuring music, computer programs and computer software in the field of business for use in financial management, financial planning, business management, customer relationship management (CRM), inventory management, sales force management, planning and management of personal and business finances, and marketing information management, all in the field of e-commerce; digital music downloadable from the Internet; telecommunications apparatus devices, namely, VOIP phones, electronic facsimile apparatus, portable digital electronic device for sending and receiving electronic mails, and instant messaging communication tool in the nature of portable telecommunication instant messaging devices; mouse pads; mobile phone handsets, namely, mobile phones; mobile phone accessories devices, namely, battery chargers, cases, covers, ear phones and devices for hands-free use of mobile phones; spectacles and sunglasses

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Advertising; business management; business administration; providing office functions; database management; market research and business consulting services; business consultancy services relating to facilitating the transaction of business via local and global computer networks by locating and providing referrals for the delivery of a wide variety of business and consumer products and services; providing of business information of goods and services of others via local and global computer networks; business consultancy services in the field of global computer web sites where third parties can offer and source goods and services, place, determine the status of and fulfill trade leads and orders, enter into contracts and transact business; providing computerized online ordering services featuring a wide variety of consumer, business and industrial products; advertising of goods and services of others via local and global computer networks; international import and export agency services; rental of advertising space on communication media; online trading services in the nature of online auctioneering services via the Internet and providing online business evaluation relating thereto; online retail store services featuring a wide variety of consumer goods of others; business consultancy services in the field of operating an electronic marketplace for the buyers and sellers of goods and/or services on a global computer network; business administration and management assistance for others in the field of facilitating business transaction via local and global computer networks; corporate business management consultancy services; marketing and promotion services; publication of publicity materials; real estate marketing services, namely, marketing of vacant property in the nature of condominiums, apartments, homes, commercial storefronts, office buildings, warehouses, and factories; dissemination of advertising materials, updating of advertising materials, compilation of advertisements for use as web pages on the Internet; rental of advertising space; computer data processing; providing information concerning commercial sales, providing business information, promotional information services, namely, promoting the goods of others by providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; telephone answering service; auctioneering provided on the Internet; personnel management; provision of commercial sales information, business information, advertising and commercial information through a global computer network and via the Internet; presentation of goods on communication media for retail purposes; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site specializing in the marketing of the sale of goods and services of others, retail and wholesale store services featuring telephones, mobile phone handsets, mobile phone accessories, electronic and telecommunications goods, computer hardware and computer software, batteries, battery chargers, apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images and/or sound, precious metals, jewellery, precious stones, printed matter, stationery and magnetic and non magnetically encoded cards, furniture, picture frames, household and kitchen utensils, glassware, porcelain and earthenware, textiles, clothing, footwear, headgear, laces and embroidery, buttons, ribbons, pins and needles, artificial flowers, carpets, rugs, games and electronic toys, chemicals used in industry, science, photography and agriculture, paints, varnishes and lacquers, personal hygiene products, soaps, perfumery, cosmetics, hair and body lotions, essential oils, cleaning and bleaching preparations, lubricants, fuels, candles, pharmaceutical, veterinary and sanitary preparations, ironmongery and small items of metal hardware, machines and machine tools, cutlery, razors and hand tools, computers, calculating machines, electrical, photographic, cinematographic and optical apparatus and instruments, spectacles and sun glasses, surgical and medical apparatus and instruments, apparatus for lighting, heating, steam

generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, vehicles, firearms, fireworks, silverware, horological and chronometric instruments, musical instruments, magazine, cards, paper and cardboard products, picture, typewriters and office requisites, packaging materials, rubber and plastics for manufacture use, packing and insulating materials, leather and imitations of leather and goods made from these materials, handbags, purses, wallets, leather holders, bags, luggage, umbrellas, mirrors, ropes, string, nets, tents, yarns and threads for textile use, coat hangers, place mats, dressmaker's articles, bed and table covers, playthings and sporting articles, foodstuffs and beverages, meat, fish, poultry, preserved, dried and cooked fruits and vegetables, jams and fruit sauces, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, flour, bread and cakes, condiments, fresh fruit and vegetables, beer, mineral water, fruit juices and other nonalcoholic drinks, alcoholic beverages, floral products, tobacco, smokers' articles and matches; direct mail advertising; buying and selling agency services, namely, purchasing a wide variety of consumer, business and industrial products and services for others; selection and procurement of goods, namely, purchasing of a wide variety of consumer, business and industrial products and services for individuals and businesses; catalog and online ordering services featuring the general consumer goods of others; secretarial services; providing statistical information; organization of exhibitions for commercial or advertising purposes; business services, namely, the compilation and rental of marketing mailing lists; business investigation; business administration consultation services in the field of processing of sales made on the Internet; business networking services and personnel placement; import-export agencies; subscriptions to newspapers; document reproduction; transcription services, namely, conference call, message and stenographic transcription; rental of office equipment; customer relationship management; business management services relating to electronic commerce; tax information services; and art gallery services

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Insurance agencies; financial affairs and monetary affairs, namely, financial analysis and online escrow service for exchange of goods and services; real estate affairs, namely, assessment and management of real estate, providing information in the field of real estate via the internet; clearing and reconciling financial transactions via a global computer network, namely, providing secure commercial transactions and payment options; online banking services and online financial planning services; credit card services; electronic payment, namely, electronic processing and transmission of bill payment data; insurance underwriting for financial transactions; electronic funds transfer services; transfer of funds by electronic means for others; transmission of electronic payment data for others via the internet; financial services in the nature of credit card and debit card payment processing services; real estate services, namely, arrangement and management of leases and tenancy; renting and leasing of real estate; real estate appraisal; real estate valuation, real estate financing, real estate investment; real estate brokerage services; real estate agency services; housing agency services; actuarial services; real estate management and consultancy services; rent collection; rental of offices; rental of apartments and flats; provision of financial information via the Internet; safety deposit box services and issuing of travel vouchers services, namely, providing vouchers for payment of transportation expenses; capital investment services; financial evaluation; financial and financial asset management services; insurance and financial information and consultancy services; financial analysis services provided by telecommunication means; financial consultancy and advisory services; home banking; banking services provided on-line from a computer database or the Internet; securities brokerage services, stock exchange quotation services; stocks and bonds brokerage, financial analysis; debit card services, charge card services and check verification services; banking, savings account and investment banking services; financial clearing house services; credit card verification via global computer information network; electronic credit risk management services; pre-paid purchase card services, namely, processing electronic payments made through prepaid cards and electronic bill payment services; financial services, namely, debt settlement and providing electronic processing of credit card transactions and electronic payments via a global computer network; electronic banking services via global computer network; issuance of stored value cards, and charge cards and debit card services; telephone credit cards services, namely, telephone calling cards services; providing finance and insurance information online from a computer database or Internet; collection agency for collection of gas and electricity fees; antique appraisal; art appraisal; jewelry appraisal; used car appraisal; charitable fund raising; rental of paper money and coin counting machines; rental of cash dispensers or automated-teller machines; online payment services, namely, electronic processing of credit card transactions and electronic payments via a global computer network; authentication and verification services, namely, credit card and check verification in relation to online payment or transfer of funds; mailing list brokerage services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Telecommunications access services; provision of telecommunication access to computer database and to the Internet and providing online communications links which transfer the user to other local and global web pages; telecommunications services, namely, the electronic transmission of data and documents; providing telecommunications connections to the Internet or data bases; provision of telecommunication access to the world-wide web; communication by computer terminals; communication by fiber optic networks; electronic transmission of messages and images by computer; facsimile transmission; message sending; paging services; rental of modems; transmission of data by electronic means; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; transmission and delivery of data by electronic means; electronic transmission and delivery of mail messages, still picture and/or moving picture information such as characters, messages, music and images, telegrams, information and data by electronic, telephone, telegraph, cable, computer and satellite means; transmission, broadcast and reception of audio, video, still and moving images and data whether in compressed or uncompressed form and whether in real or delayed time; electronic messaging services, telephone, video and web conferencing services and order transmission services; video conferencing services; providing an electronic bulletin board that enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information concerning business and e-commerce; providing electronic bulletin boards and message boards for transmission of messages among users concerning business and e-commerce; providing an online discussion forums for transmission of messages among computer users concerning business and e-commerce; television broadcasting services; broadcasting and transmission of radio and television programs; music broadcasting in the nature of audio broadcasting; transmission of music, films, videos, via a global computer network or the internet; electronic transmission of information in the field of on-line shopping and general retail services; video-on-demand transmission services; news agency services for electronic transmission; providing access to computer databases on the global computer network; providing chat room services or transmission of messages among computer users concerning business and e-commerce; providing multiple user

access to global computer information networks; communication services, namely, text and numeric wireless digital messaging services; transmission of information and data communications for assisting decision making; transmission of information through video communication systems; web conferencing services; providing electronic bulletin boards for the posting and transmission of messages among and between computer users concerning consumer products, services and business leads and opportunities; providing an online interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; providing electronic mail and electronic mail forwarding services; audio and video communication via computers and computer networks, and via a global communications network; providing computer access to online interactive bulletin boards and databases

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: Scientific and technological services and research and design relating thereto, namely, providing temporary use of online non-downloadable software and temporary use of online non-downloadable cloud computing software for planning and management of personal and business finances, e-commerce data mining, high-speed massive e-commerce data processing, and data customization, customer relationship management, inventory management, sales force management, and marketing information management; design and development of computer hardware and software; design of computers, notebook computers, laptop computers, portable computers and handheld computers; design for others in the field of personal digital assistants and personal media players; design for others in the field of mobile telephones and smart phones; design for others in the field of digital cameras; computer services, namely, computer system administration for others; computer programming; computer system software services, namely, design and development of on-line computer software systems; providing direct connection services between computer users for exchanging data, namely, providing temporary use of online non-downloadable software for the exchange of data; computer software design; computer system design; design and development of webpages; hosting webpages for others; hosting computer application software of others for use in searching and retrieving information from databases and computer networks; providing technical information at the specific request of end-users by means of telephone or global computer network; computer services relating to customized searching of computer databases and websites, namely, providing customized online web pages featuring user-defined information which includes online links to third party web sites

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Alibaba Group Holding Limited

Owner Address: Fourth Floor, One Capital Place
P.O. Box 847
Grand Cayman
CAYMAN ISLANDS

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey Costellia

Docket Number: 074619-312

Attorney Primary Email Address: nptm@nixonpeabody.com

Attorney Email Authorized: Yes

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Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jeffrey Costellia

Phone: 202-585-8000

Fax: 202-585-8080

Domestic Representative e-mail: nptm@nixonpeabody.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Oct. 11, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 05, 2016	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 05, 2016	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 11, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 26, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 26, 2011	PUBLISHED FOR OPPOSITION	
Jun. 20, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Jun. 13, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 10, 2011	EXAMINER'S AMENDMENT ENTERED	70629
Jun. 09, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 09, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 09, 2011	EXAMINERS AMENDMENT -WRITTEN	78328
Jun. 06, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	70629
Jun. 06, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Jun. 01, 2011	ASSIGNED TO LIE	70629
May 24, 2011	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 11, 2010	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Dec. 11, 2010	INQUIRY TO SUSPENSION E-MAILED	
Dec. 11, 2010	SUSPENSION INQUIRY WRITTEN	78328
Jun. 11, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jun. 11, 2010	LETTER OF SUSPENSION E-MAILED	6332
Jun. 11, 2010	SUSPENSION LETTER WRITTEN	78328
Jun. 07, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 07, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 07, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 08, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 08, 2009	NON-FINAL ACTION E-MAILED	6325
Dec. 08, 2009	NON-FINAL ACTION WRITTEN	78328
Nov. 30, 2009	ASSIGNED TO EXAMINER	78328
Aug. 29, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Aug. 28, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 28, 2009	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. 11, 2011

United States of America

United States Patent and Trademark Office

ALIPAY

Reg. No. 5,071,223

Registered Nov. 01, 2016

Int. Cl.: 41

Service Mark

Principal Register

Alibaba Group Holding Limited (CAYMAN ISLANDS CORPORATION)
P.O. Box 847
Fourth Floor, One Capital Place
George Town CAYMAN ISLANDS

CLASS 41: Education, namely, providing live and online seminars and conferences in the field of business and e-commerce; providing of training in the field of business and e-commerce; entertainment, namely, providing online video games and non-downloadable playback of digital music; organizing community sporting and cultural activities; publication of texts, books and journals; sporting and cultural activities, namely, organizing community sporting and cultural events; publication of newspapers, magazines and periodicals containing diagrams, images and photographs; education, namely, training courses and instructional classes in the field of telecommunications hardware and software, operation of computers, computer programming, web site design, e-commerce, business management and advertising; provision of education, recreation, instruction and training via online interactive and non-interactive courses, classes, workshops and seminars in the field of business and e-commerce; design of educational courses, namely, development of curriculum and examinations for others in the field of business and e-commerce; entertainment provided via electronic and digital interactive media, namely, providing online computer games; electronic games services provided by means of the Internet, namely, providing online computer games; provision of information about education, entertainment information, information in the field of sports and sporting events, and information in the field of recreation and leisure activities and cultural activities and exhibitions; providing online non-downloadable electronic publications, namely, books, journals, newsletters and articles in the field of business and e-commerce; arranging, organizing, hosting and conducting singing competitions; arranging, organizing, hosting and conducting musical concerts. arranging, organizing, hosting and conducting events and competitions for education or entertainment purposes, namely, providing conferences, competitions and symposia in the field of business and e-commerce; entertainment services, namely, production and distribution of a game show; entertainment ticket agency services; providing entertainment information and information about education from a computer database or the Internet; providing non-downloadable prerecorded digital music from the Internet; providing non-downloadable prerecorded digital music from MP3 Internet web sites; entertainment and education services, namely, conducting courses of instruction relating to planning, production and distribution of sound, images, digital music, movies, live or recorded audio, visual or audiovisual material for broadcasting on terrestrial cable, satellite channels, the Internet, wireless or wirelink systems and other means of communications; music entertainment services, namely, live music concerts; rental of sound recordings; entertainment in the nature of on-going television programs in the fields of business and e-commerce; producing entertainment, educational, documentary and news programs in the fields of business and e-commerce for broadcasting; news reporters' services; providing news in the field of sporting or cultural events, and current events reporting provided by satellite television transmission, the Internet or radio; production of television and radio programs and film production; production of television programs; provision of



Michelle K. Lee

Director of the United States
Patent and Trademark Office

information, data, graphics, sound, music, videos, animation and text for entertainment purpose, namely, animation rendered by means of a global computer network; game services provided online from a computer network; provision of recreation, sporting and gymnasium facilities; live performances by a musical band; night club services, discotheque, and fashion shows for entertainment purposes; club services relating to entertainment, education and cultural services, namely, arranging and conducting educational conferences, conventions, seminars and training workshops in the field of business and e-commerce; organizing and conducting exhibitions for cultural or educational purposes; art exhibition services; art gallery services, namely, rental of artwork; training services in the field of occupational health and safety, and environmental conservation; provision of cigar appreciation classes, wine tasting classes; providing educational research and information about educational research; arranging, organizing, planning and running of educational seminars in the field of business and e-commerce; animal training; direction in producing broadcasting programs, namely, production of television and radio programs and film production; instructional services, namely, training in operation of audiovisual machines and equipment, which is used for the production of broadcasting programs; providing audio and visual studios; providing sports facilities; providing facilities for movies, shows, plays, music or educational training; entertainment booking agencies, namely, booking of seats for shows and sports events; rental of motion pictures; rental and leasing of musical instruments; rental and leasing of television programmes; rental and leasing of television sets; lending libraries; archive library services; subtitling services, namely, preparing subtitles for movies; sign language interpretation services; rental of entertainment software, namely, rental of computer game software; providing online non-downloadable music and movies through the internet; providing online computer games and conducting contests; rental of pre-recorded video tapes; rental and leasing of game machines; rental of arcade game equipment; photography; translation; language interpretation; educational and training programs in the field of risk management; provision of news in the nature of current event reporting; lottery services; provision of facilities for shows and performances, namely, performance venues, studios, sets, dressing rooms; educational and training programs relating to certification; provision of news; providing on-line videos featuring news, sports, entertainment, popular culture, lifestyles, music, artwork, education, information technology, finance, architecture, law, psychology, business administration, marketing, financial literacy and financial planning, not downloadable; tutoring; consultancy, information and advisory services relating to the aforesaid services

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

OWNER OF HONG KONG REG. NO. 302032307, DATED 09-15-2011, RENEWED AS REG. NO. 302032307, EXPIRES 09-15-2021

SER. NO. 86-746,863, FILED 09-03-2015
BRIDGETT G SMITH, EXAMINING ATTORNEY

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Mark: ALIPAY

ALIPAY

US Serial Number: 86746863

Application Filing Date: Sep. 03, 2015

US Registration Number: 5071223

Registration Date: Nov. 01, 2016

Register: Principal

Mark Type: Service Mark

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

Status Date: Nov. 01, 2016

Publication Date: Aug. 16, 2016

Mark Information

Mark Literal Elements: ALIPAY

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

Foreign Information

Foreign Registration Number: 302032307

Foreign Registration Date: Sep. 15, 2011

Application/Registration Country: Foreign HONG KONG

Foreign Expiration Date: Sep. 15, 2021

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: Education, namely, providing live and online seminars and conferences in the field of business and e-commerce; providing of training in the field of business and e-commerce; entertainment, namely, providing online video games and non-downloadable playback of digital music; organizing community sporting and cultural activities; publication of texts, books and journals; sporting and cultural activities, namely, organizing community sporting and cultural events; publication of newspapers, magazines and periodicals containing diagrams, images and photographs; education, namely, training courses and instructional classes in the field of telecommunications hardware and software, operation of computers, computer programming, web site design, e-commerce, business management and advertising; provision of education, recreation, instruction and training via online interactive and non-interactive courses, classes, workshops and seminars in the field of business and e-commerce; design of educational courses, namely, development of curriculum and examinations for others in the field of business and e-commerce; entertainment provided via electronic and digital interactive media, namely, providing online computer games; electronic games services provided by means of the Internet, namely, providing online computer games; provision of information about education, entertainment information, information in the field of sports and sporting events, and information in the field of recreation and leisure activities and cultural activities and exhibitions; providing online non-downloadable electronic publications, namely, books, journals, newsletters and articles in the field of business and e-commerce; arranging, organizing, hosting and conducting singing competitions; arranging, organizing, hosting and conducting musical concerts. arranging, organizing, hosting and conducting events and competitions for education or entertainment purposes, namely, providing conferences, competitions and symposia in the field of business and e-commerce; entertainment services, namely, production and distribution of a game show; entertainment ticket agency services; providing entertainment information and information about education from a computer database or the Internet; providing non-downloadable prerecorded digital music from the Internet; providing non-downloadable prerecorded digital music from MP3 Internet web sites; entertainment and education services, namely, conducting courses of instruction relating to planning, production and distribution of sound, images, digital music, movies, live or recorded audio, visual or audiovisual material for broadcasting on terrestrial cable, satellite channels, the Internet, wireless or wirelink systems and other means of communications; music entertainment services, namely, live music concerts; rental of sound recordings; entertainment in the nature of on-going television programs in the fields of business and e-commerce; producing entertainment, educational,

documentary and news programs in the fields of business and e-commerce for broadcasting; news reporters' services; providing news in the field of sporting or cultural events, and current events reporting provided by satellite television transmission, the Internet or radio; production of television and radio programs and film production; production of television programs; provision of information, data, graphics, sound, music, videos, animation and text for entertainment purpose, namely, animation rendered by means of a global computer network; game services provided online from a computer network; provision of recreation, sporting and gymnasium facilities; live performances by a musical band; night club services, discotheque, and fashion shows for entertainment purposes; club services relating to entertainment, education and cultural services, namely, arranging and conducting educational conferences, conventions, seminars and training workshops in the field of business and e-commerce; organizing and conducting exhibitions for cultural or educational purposes; art exhibition services; art gallery services, namely, rental of artwork; training services in the field of occupational health and safety, and environmental conservation; provision of cigar appreciation classes, wine tasting classes; providing educational research and information about educational research; arranging, organizing, planning and running of educational seminars in the field of business and e-commerce; animal training; direction in producing broadcasting programs, namely, production of television and radio programs and film production; instructional services, namely, training in operation of audiovisual machines and equipment, which is used for the production of broadcasting programs; providing audio and visual studios; providing sports facilities; providing facilities for movies, shows, plays, music or educational training; entertainment booking agencies, namely, booking of seats for shows and sports events; rental of motion pictures; rental and leasing of musical instruments; rental and leasing of television programmes; rental and leasing of television sets; lending libraries; archive library services; subtitling services, namely, preparing subtitles for movies; sign language interpretation services; rental of entertainment software, namely, rental of computer game software; providing online non-downloadable music and movies through the internet; providing online computer games and conducting contests; rental of pre-recorded video tapes; rental and leasing of game machines; rental of arcade game equipment; photography; translation; language interpretation; educational and training programs in the field of risk management; provision of news in the nature of current event reporting; lottery services; provision of facilities for shows and performances, namely, performance venues, studios, sets, dressing rooms; educational and training programs relating to certification; provision of news; providing on-line videos featuring news, sports, entertainment, popular culture, lifestyles, music, artwork, education, information technology, finance, architecture, law, psychology, business administration, marketing, financial literacy and financial planning, not downloadable; tutoring; consultancy, information and advisory services relating to the aforesaid services

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: Yes

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Alibaba Group Holding Limited

Owner Address: P.O. Box 847
Fourth Floor, One Capital Place
George Town
CAYMAN ISLANDS

Legal Entity Type: CORPORATION

State or Country Where Organized: CAYMAN ISLANDS

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Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2016	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 16, 2016	PUBLISHED FOR OPPOSITION	
Jul. 27, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 08, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Jul. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 09, 2016	EXAMINER'S AMENDMENT ENTERED	68123
Jun. 08, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 08, 2016	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 08, 2016	EXAMINERS AMENDMENT -WRITTEN	76582
May 13, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
May 13, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
May 05, 2016	ASSIGNED TO LIE	68123
Apr. 21, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 10, 2015	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Dec. 10, 2015	PRIORITY ACTION E-MAILED	6326
Dec. 10, 2015	PRIORITY ACTION WRITTEN	76582
Nov. 30, 2015	ASSIGNED TO EXAMINER	76582
Sep. 10, 2015	NOTICE OF PSEUDO MARK E-MAILED	
Sep. 09, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 07, 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: Nov. 01, 2016

EXHIBIT B



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Opposition**Number:** 91233862**Status:** Suspended**Filing Date:** 04/04/2017**Status Date:** 10/02/2018**General Contact Number:** 571-272-8500**Interlocutory Attorney:** [ELIZABETH A DUNN](#)**Paralegal Name:** [MONIQUE HILL-TYSON](#)**Defendant****Name:** [Amer Group Inc.](#)**Correspondence:** [MARK B HARRISON](#)

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Serial #: [86821204](#)[Application File](#)[Assignment](#)**Application Status:** Opposition Pending**Mark:** APAY**Plaintiff****Name:** [Alibaba Group Holding Limited](#)**Correspondence:** [JEFFREY L COSTELLIA](#)

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Serial #: [78537541](#)[Application File](#)[Assignment](#)**Registration** [3761346](#)
#:**Application Status:** Section 8 - Accepted**Mark:** ALIPAY**Serial #:** [77812448](#)[Application File](#)[Assignment](#)**Registration** [4036742](#)
#:**Application Status:** Partial Section 8 Accepted**Mark:** ALIPAY

Serial #: [86746863](#)[Application File](#)[Assignment](#)**Registration** [5071223](#)
#:**Application Status:** Registered**Mark:** ALIPAY**Prosecution History**

#	Date	History Text	Due Date
17	02/06/2019	P MOT FOR SUMMARY JGT DENIED	
16	12/18/2018	SUSP PEND DISP OF OUTSTNDNG MOT	
15	11/21/2018	P REPLY IN SUPPORT OF MOTION	
14	11/01/2018	D OPP/RESP TO MOTION	
13	10/02/2018	P MOT FOR SUMMARY JUDGMENT	
12	06/25/2018	PROCEEDINGS RESUMED	
11	04/30/2018	SUSP PEND DISP OF OUTSTNDNG MOT	
10	04/05/2018	P MOT TO COMPEL DISCOVERY	
9	01/09/2018	EXTENSION OF TIME GRANTED	
8	01/09/2018	STIP FOR EXT	
7	06/15/2017	ANSWER	
6	05/19/2017	EXTENSION OF TIME GRANTED	
5	05/16/2017	D MOT FOR EXT W/ CONSENT	
4	05/16/2017	D APPEARANCE / POWER OF ATTORNEY	
3	04/07/2017	PENDING, INSTITUTED	
2	04/07/2017	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	05/17/2017
1	04/04/2017	FILED AND FEE	

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