

ESTTA Tracking number: **ESTTA963744**

Filing date: **03/30/2019**

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 | Axiom Bancshares, Inc. |
| Granted to Date of previous extension | 04/03/2019 |
| Address | 258 Southhall Lane Suite 400 Maitland, FL 32751 UNITED STATES |

| | |
|----------------------|--|
| Attorney information | Alisa C. Simmons, Joseph Nabor and Sherri Blount Fitch Even Tabin & Flannery LLP 120 South LaSalle Street, Suite 2100 Chicago, IL 60603 UNITED STATES trademark@fitcheven.com, asimmons@fitcheven.com 3125777000 |
|----------------------|--|

Applicant Information

| | | | |
|------------------------|---|------------------------|------------|
| Application No | 87768332 | Publication date | 12/04/2018 |
| Opposition Filing Date | 03/30/2019 | Opposition Period Ends | 04/03/2019 |
| Applicant | Axiom Foundation 203 S. Main St. STE 3000 Sheridan, WY 82801 UNITED STATES | | |

Goods/Services Affected by Opposition

| |
|---|
| Class 036. First Use: 2018/01/07 First Use In Commerce: 2018/01/07 All goods and services in the class are opposed, namely: cryptocurrency exchange services for use by members of an online community via a global computer network |
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Grounds for Opposition

| | |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act Section 2(d) |
|--------------------------------------|----------------------------|


Marks Cited by Opposer as Basis for Opposition


| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4526188 | Application Date | 12/08/2011 |
| Registration Date | 05/06/2014 | Foreign Priority Date | NONE |
| Word Mark | AXIOM | | |

| | |
|---------------------|--|
| Design Mark | <h1>AXIOM</h1> |
| Description of Mark | NONE |
| Goods/Services | Class 036. First use: First Use: 2014/02/18 First Use In Commerce: 2014/02/18 Banking services; checking and savings account services; debit card and credit card services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4526203 | Application Date | 01/09/2012 |
| Registration Date | 05/06/2014 | Foreign Priority Date | NONE |

| | |
|---------------------|--|
| Word Mark | CREDIT AXIOM |
| Design Mark | <h1>CREDIT AXIOM</h1> |
| Description of Mark | NONE |
| Goods/Services | Class 036. First use: First Use: 2014/02/18 First Use In Commerce: 2014/02/18 Banking services; checking and savings account services; debit card and credit card services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit |

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 5673343 | Application Date | 04/24/2018 |
| Registration Date | 02/12/2019 | Foreign Priority Date | NONE |
| Word Mark | AXIOM BANK | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | <p>Class 036. First use: First Use: 2014/11/01 First Use In Commerce: 2014/11/01 Banking services; checking and savings account services; debit card and credit card transaction processing services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit</p> | | |

| | | | |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 5673344 | Application Date | 04/24/2018 |
| Registration Date | 02/12/2019 | Foreign Priority Date | NONE |
| Word Mark | AXIOM BANK | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | <p>Class 036. First use: First Use: 2014/11/01 First Use In Commerce: 2014/11/01 Banking services; checking and savings account services; debit card and credit card transaction processing services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; auto-</p> | | |

| | |
|--|--|
| | mated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit |
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| | |
|-------------|---|
| Attachments | 85490865#TMSN.png(bytes) 85511811#TMSN.png(bytes) 87890231#TMSN.png(bytes) 87890239#TMSN.png(bytes) AXIOM FOUNDATION Notice of Opposition.pdf(104851 bytes) AXIOM FOUNDATION Opposition - Exhibits.pdf(140339 bytes) |
|-------------|---|

| | |
|-----------|--|
| Signature | /Alisa C. Simmons/ |
| Name | Alisa C. Simmons, Joseph Nabor and Sherri Blount |
| Date | 03/30/2019 |

8856-144741

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

| | | |
|------------------------|---|------------------|
| Axiom Bancshares, Inc. |) | |
| |) | |
| v. |) | Opposition No. |
| |) | |
| Axiom Foundation |) | |
| |) | |
| |) | Applicant. |
| |) | |
| Serial No. |) | 87768332 |
| Filed: |) | January 24, 2018 |
| Mark: |) | AXIOM FOUNDATION |
| Published: |) | December 4, 2018 |

NOTICE OF OPPOSITION

Opposer Axiom Bancshares, Inc. (“Opposer” and “Axiom Bank” in this opposition), a Delaware corporation, having a principal place of business at 258 Southhall Lane, Suite 400, Maitland, Florida, believes that it will be damaged by the registration of the AXIOM FOUNDATION mark in Application No. 87768332 filed by Axiom Foundation identified as a Wyoming Corporation with an address of 203 South Main Street, Suite 3000, Sheridan, Wyoming (“Applicant”) and opposes the same upon the following grounds:

COUNT 1: PRIORITY AND LIKELIHOOD OF CONFUSION

1. In Application No. 87768332, Applicant seeks registration on the Principal Register for the AXIOM FOUNDATION mark for “Cryptocurrency exchange services for use by members of an online community via a global computer network” in International Class 36.
2. Axiom Bank owns and uses the trademarks AXIOM, AXIOM BANK, AXIOM BANK & Design, and CREDIT AXIOM in connection with providing banking services, checking and savings account services, debit card and credit card services, loan financing and financial loan consultation, commercial and consumer lending, providing interactive banking consultation and

information via the internet, electronic processing and transmission of bill payment data, cash management, financial information services in the nature of rates of exchange, and automated teller machine services, among others and has used these marks in connection with providing such services since at least as early as 2014, long before the Applicant can make any claim to its AXIOM FOUNDATION mark.


3. On May 6, 2014, the United States Patent & Trademark Office (USPTO) registered on the Principal Register and issued Registration No. 4526188 for the mark AXIOM for use on “Banking services; checking and savings account services; debit card and credit card services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit” in International Class 36. This Registration is presently valid and subsisting and is now owned by Opposer and is *prima facie* evidence of Opposer’s exclusive right to use said mark in commerce in connection with these services. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 4526188 appears in Exhibit A.

4. On May 6, 2014, the USPTO registered on the Principal Register and issued Registration No. 4526203 for the mark CREDIT AXIOM for use on “Banking services; checking and savings account services; debit card and credit card services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending;

providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit” in International Class 36. This Registration is presently valid and subsisting and is now owned by Opposer and is *prima facie* evidence of Opposer’s exclusive right to use said mark in commerce in connection with these services. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 4526188 appears in Exhibit B.

5. On February 12, 2019, the USPTO registered on the Principal Register and issued Registration No. 5673343 for the mark AXIOM BANK for use on “Banking services; checking and savings account services; debit card and credit card transaction processing services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit” in International Class 36. This Registration is presently valid and subsisting and is now owned by Opposer and is *prima facie* evidence of Opposer’s exclusive right to use this mark in commerce in connection with these services. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 5673343 appears in Exhibit C.

6. On February 12, 2019, the USPTO registered on the Principal Register and issued

Registration No. 5673344 for the mark AXIOM BANK & Design  for use on “Banking services; checking and savings account services; debit card and credit card transaction processing services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit” in International Class 36. This Registration is presently valid and subsisting and is now owned by Opposer and is *prima facie* evidence of Opposer’s exclusive right to use said mark in commerce in connection with these services. A current printout of information from the USPTO electronic database records showing the current status and title of Registration No. 5673344 appears in Exhibit D.

7. Each of Opposer’s marks set forth in paragraphs 4-6 (collectively referred to as the “Axiom and Axiom Bank Marks”) has been in continuous use and is currently in use in the United States in connection with the services specified in the above registrations (collectively referred to as the “Axiom Bank services.”)

8. Upon information and belief, Applicant cannot claim priority in the United States for the AXIOM FOUNDATION mark earlier than January 7, 2018, date of use alleged in the filing date of its application.

9. Opposer has expended substantial monies and effort in marketing, advertising, and promoting its Axiom and Axiom Bank Marks in connection with its Axiom Bank services in the United States.

10. By reason of longstanding and extensive marketing, advertising and promotion of the services in connection with the Axiom and Axiom Bank Marks, and the high quality of those services, the Axiom and Axiom Bank Marks have come to represent extremely valuable goodwill to Axiom Bank.

11. On information and belief, Applicant's adoption and use of the Applicant's AXIOM FOUNDATION mark has been with actual or constructive knowledge of the prior use and registration of the Axiom and Axiom Bank Marks.

12. Applicant's adoption and use of the Applicant's AXIOM FOUNDATION mark has been without the consent or permission of the Opposer.

13. The services specified in the Applicant's trademark application for the AXIOM FOUNDATION mark are related to the services identified in the registrations for the Axiom and Axiom Bank Marks and provided by Opposer in connection with its Axiom and Axiom Bank Marks.

14. On information and belief, the Applicant's AXIOM FOUNDATION services are promoted and provided to the same consumers as Opposer's customers through the same channels of trade as those used by Opposer in connection with its offering and providing the Axiom Bank services.

15. The Applicant's AXIOM FOUNDATION mark features the term "AXIOM" and is confusingly similar in appearance, sound, and meaning to the Axiom and Axiom Bank Marks of Opposer.

16. Applicant's AXIOM FOUNDATION mark is likely to cause confusion, mistake, or deception that Applicant's services are those of Axiom Bank or are otherwise endorsed, sponsored, or approved by Axiom Bank, whereby Axiom Bank will be damaged by the registration of Applicant's AXIOM FOUNDATION mark on the Principal Register of the USPTO.

17. If Applicant is granted registration of its AXIOM FOUNDATION mark as set forth in the Application No. 87768332, Applicant will thereby obtain the *prima facie* exclusive right to use such mark, and such registration will damage, impair, diminish, and dilute Axiom Bank's goodwill and rights in its Axiom and Axiom Bank Marks causing irreparable injury to the Opposer.

PRAYER FOR RELIEF

WHEREFORE, the Opposer Axiom Bank respectfully requests that this opposition be sustained, that Application No. 87768332 be rejected, that registration of the Applicant's AXIOM FOUNDATION mark be refused, and that Axiom Bank be awarded such further relief as this Board deems just and proper.

Respectfully submitted,

March 30, 2019

s/Alisa C. Simmons/

Alisa C. Simmons

Joseph T. Nabor

Sherri N. Blount

Kerianne Strachan

Fitch, Even, Tabin & Flannery, LLP

120 South LaSalle, Suite 2100

Chicago, Illinois 60603-3406

Telephone: 312.577.7000/Facsimile: 312.577.7007

Email: Trademark@fitcheven.com;

Asimmons@fitcheven.com

Attorneys for Opposer

Exhibit A

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Mark: AXIOM

AXIOM

US Serial Number: 85490865

Application Filing Date: Dec. 08, 2011

US Registration Number: 4526188

Registration Date: May 06, 2014

Register: Principal

Mark Type: Service Mark

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

Status Date: May 06, 2014

Publication Date: Jun. 11, 2013

Notice of Allowance Date: Feb. 18, 2014

Mark Information

Mark Literal Elements: AXIOM

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: Banking services; checking and savings account services; debit card and credit card services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 18, 2014

Use in Commerce: Feb. 18, 2014

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: AXIOM BANCSHARES, INC.

Owner Address: 258 SOUTHHALL LANE
SUITE 400
MAITLAND, FLORIDA 32751
UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: EDWARD W. GRAY
Attorney Primary Email Address: trademark@fitcheven.com
Docket Number: 8856-100575
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: EDWARD W. GRAY
FTICH EVEN TABIN & FLANNERY
120 South LaSalle Street
Suite 1600
CHICAGO, ILLINOIS 60603
UNITED STATES
Phone: 312-577-7000
Fax: 312-577-7007
Correspondent e-mail: trademark@fitcheven.com asimmons@fitcheven.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Feb. 15, 2017 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| May 06, 2014 | REGISTERED-PRINCIPAL REGISTER | |
| Apr. 03, 2014 | NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED | |
| Apr. 02, 2014 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 68171 |
| Apr. 01, 2014 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Mar. 27, 2014 | STATEMENT OF USE PROCESSING COMPLETE | 66530 |
| Feb. 20, 2014 | USE AMENDMENT FILED | 66530 |
| Mar. 21, 2014 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 66530 |
| Feb. 20, 2014 | TEAS STATEMENT OF USE RECEIVED | |
| Feb. 20, 2014 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Feb. 18, 2014 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Jan. 08, 2014 | CHANGES/CORRECTIONS AFTER PUB APPROVAL ENTERED | 65294 |
| Dec. 30, 2013 | ASSIGNED TO PETITION STAFF | 65294 |
| Dec. 13, 2013 | EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED | |
| Dec. 06, 2013 | TEAS POST PUBLICATION AMENDMENT RECEIVED | 1111 |
| Jun. 25, 2013 | EXTENSION OF TIME TO OPPOSE RECEIVED | |
| Jun. 11, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Jun. 11, 2013 | PUBLISHED FOR OPPOSITION | |
| May 22, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| May 06, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 68171 |
| May 03, 2013 | ASSIGNED TO LIE | 68171 |
| May 03, 2013 | ASSIGNED TO LIE | 68123 |
| Apr. 24, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Apr. 15, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Apr. 15, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Apr. 15, 2013 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Oct. 15, 2012 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Oct. 15, 2012 | FINAL REFUSAL E-MAILED | |
| Oct. 15, 2012 | FINAL REFUSAL WRITTEN | 86336 |
| Sep. 22, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |

| | | |
|---------------|--|-------|
| Sep. 21, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Sep. 21, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Mar. 21, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Mar. 21, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Mar. 21, 2012 | NON-FINAL ACTION WRITTEN | 86336 |
| Mar. 19, 2012 | ASSIGNED TO EXAMINER | 86336 |
| Dec. 15, 2011 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Dec. 12, 2011 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Apr. 02, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1 **Registrant:** Urban Trust Holding, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [5968/0630](#)

Pages: 4

Date Recorded: Jan. 18, 2017

Supporting Documents: [assignment-tm-5968-0630.pdf](#)

Assignor

Name: [URBAN TRUST HOLDINGS, INC.](#)

Execution Date: Apr. 01, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [AXIOM BANCSHARES, INC.](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: CORPORATION

Address: 258 SOUTHHALL LANE
SUITE 400
MAITLAND, FLORIDA 32751

Correspondent

Correspondent Name: ALISA C. SIMMONS

Correspondent Address: 120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO, IL 60603

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [85490865](#)

Filing Date: Dec 04, 2013

Status: Terminated

Status Date: Dec 13, 2013

Interlocutory Attorney:

Defendant

Name: Urban Trust Holding, Inc.

Correspondent: EDWARD W GRAY

Address: FTICH EVEN TABIN & FLANNERY
120 S LASALLE ST STE 160
CHICAGO IL , 60603-3403
UNITED STATES

Correspondent e-mail: trademark@fitcheven.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-------|--------------------|--------------------------|-------------------------|
| AXIOM | Registered | 85490865 | 4526188 |

Potential Opposer(s)

Name: Axiom Financial, LLC

Correspondent Address: JONATHAN W RICHARDS
WORKMAN NYDEGGER
60 E SOUTH TEMPLE #1000
SALT LAKE CITY UT , 84111
UNITED STATES

Correspondent e-mail: jrichards@wnlaw.com

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 1 | INCOMING - EXT TIME TO OPPOSE FILED | Jun 25, 2013 | |
| 2 | EXTENSION OF TIME GRANTED | Jun 25, 2013 | |
| 3 | INCOMING - EXT TIME TO OPPOSE FILED | Aug 08, 2013 | |
| 4 | EXTENSION OF TIME GRANTED | Aug 08, 2013 | |
| 5 | INCOMING - EXT TIME TO OPPOSE FILED | Oct 09, 2013 | |
| 6 | EXTENSION OF TIME GRANTED | Oct 09, 2013 | |
| 7 | INCOMING - EXT TIME TO OPPOSE FILED | Dec 04, 2013 | |
| 8 | BD COMMUNICATION | Dec 13, 2013 | |
| 9 | TERMINATED | Dec 13, 2013 | |

Exhibit B

Generated on: This page was generated by TSDR on 2019-03-08 18:44:58 EST

Mark: CREDIT AXIOM

CREDIT AXIOM

US Serial Number: 85511811

Application Filing Date: Jan. 09, 2012

US Registration Number: 4526203

Registration Date: May 06, 2014

Register: Principal

Mark Type: Service Mark

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

Status Date: May 06, 2014

Publication Date: Jun. 11, 2013

Notice of Allowance Date: Feb. 18, 2014

Mark Information

Mark Literal Elements: CREDIT AXIOM

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CREDIT"

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
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International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 18, 2014

Use in Commerce: Feb. 18, 2014

Basis Information (Case Level)

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

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

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

Current Owner(s) Information

Owner Name: AXIOM BANCSHARES, INC.

Owner Address: 258 SOUTHHALL LANE
SUITE 400
MAITLAND, FLORIDA 32751
UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Edward W. Gray

Docket Number: 8856-101219

Attorney Primary trademark@fitcheven.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent EDWARD W. GRAY
Name/Address: FITCH, EVEN, TABIN & FLANNERY LLP
120 South LaSalle Street
Suite 1600
CHICAGO, ILLINOIS 60603
UNITED STATES

Phone: 312-577-7000

Fax: 312-577-7007

Correspondent e- trademark@fitcheven.com asimmons@fitcheven.com
mail: om

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

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| Feb. 20, 2014 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Feb. 18, 2014 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Jan. 06, 2014 | CHANGES/CORRECTIONS AFTER PUB APPROVAL ENTERED | 65294 |
| Dec. 30, 2013 | ASSIGNED TO PETITION STAFF | 65294 |
| Dec. 24, 2013 | EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED | |
| Dec. 06, 2013 | TEAS POST PUBLICATION AMENDMENT RECEIVED | 1111 |
| Jun. 25, 2013 | EXTENSION OF TIME TO OPPOSE RECEIVED | |
| Jun. 11, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
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| May 06, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 68171 |
| May 03, 2013 | ASSIGNED TO LIE | 68171 |
| May 03, 2013 | ASSIGNED TO LIE | 68123 |
| Apr. 24, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Apr. 15, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Apr. 15, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Apr. 15, 2013 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Oct. 15, 2012 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Oct. 15, 2012 | FINAL REFUSAL E-MAILED | |
| Oct. 15, 2012 | FINAL REFUSAL WRITTEN | 86336 |

| | | |
|---------------|--|-------|
| Sep. 22, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Sep. 21, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Sep. 21, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Mar. 21, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Mar. 21, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Mar. 21, 2012 | NON-FINAL ACTION WRITTEN | 86336 |
| Mar. 19, 2012 | ASSIGNED TO EXAMINER | 86336 |
| Jan. 12, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Jan. 12, 2012 | 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: Apr. 02, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Urban Trust Holding, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [5968/0630](#)

Pages: 4

Date Recorded: Jan. 18, 2017

Supporting Documents: [assignment-tm-5968-0630.pdf](#)

Assignor

Name: [URBAN TRUST HOLDINGS, INC.](#)

Execution Date: Apr. 01, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [AXIOM BANCSHARES, INC.](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: CORPORATION

Address: 258 SOUTHHALL LANE
SUITE 400
MAITLAND, FLORIDA 32751

Correspondent

Correspondent Name: ALISA C. SIMMONS

Correspondent Address: 120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO, IL 60603

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [85511811](#)

Filing Date: Jun 25, 2013

Status: Terminated

Status Date: Dec 24, 2013

Interlocutory Attorney:

Defendant

Name: Urban Trust Holding, Inc.

Correspondent EDWARD W. GRAY
Address: FITCH, EVEN, TABIN & FLANNERY
120 S LASALLE ST STE 1500
CHICAGO IL , 60603-3572
UNITED STATES

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------------|--------------------|--------------------------|-------------------------|
| CREDIT AXIOM | Registered | 85511811 | 4526203 |

Potential Opposer(s)

Name: Axiom Financial, LLC

Correspondent Jonathan W. Richards
Address: Workman Nydegger
60 E South Temple #1000
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: jrichards@wnlaw.com

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 1 | INCOMING - EXT TIME TO OPPOSE FILED | Jun 25, 2013 | |
| 2 | EXTENSION OF TIME GRANTED | Jun 25, 2013 | |
| 3 | INCOMING - EXT TIME TO OPPOSE FILED | Aug 08, 2013 | |
| 4 | EXTENSION OF TIME GRANTED | Aug 08, 2013 | |
| 5 | INCOMING - EXT TIME TO OPPOSE FILED | Oct 09, 2013 | |
| 6 | EXTENSION OF TIME GRANTED | Oct 09, 2013 | |

Exhibit C

Generated on: This page was generated by TSDR on 2019-03-08 18:45:57 EST

Mark: AXIOM BANK

AXIOM BANK

US Serial Number: 87890231

Application Filing Date: Apr. 24, 2018

US Registration Number: 5673343

Registration Date: Feb. 12, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Feb. 12, 2019

Publication Date: Nov. 27, 2018

Mark Information

Mark Literal Elements: AXIOM BANK

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "BANK"

Related Properties Information

Claimed Ownership of US Registrations: 5408439

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: Banking services; checking and savings account services; debit card and credit card transaction processing services; mortgage lending, namely, correspondent and warehouse lending consisting of funding and servicing of mortgage loans originated by others; loan financing and financial loan consultation; commercial and consumer lending; providing interactive banking consultation and information via the internet; electronic processing and transmission of bill payment data; cash management; financial information in the nature of rates of exchange; automated teller machine services; all of the foregoing services specifically excluding mortgage origination services, mortgage brokerage services, home equity loans, and home equity lines of credit

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 2014

Use in Commerce: Nov. 01, 2014

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: Axiom Bancshares, Inc.
Owner Address: Suite 400
258 Southhall Lane
Maitland, FLORIDA UNITED STATES 32751
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alisa C. Simmons
Attorney Primary Email Address: trademark@fitcheven.com
Docket Number: 8856-143128
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ALISA C. SIMMONS
FITCH EVEN TABIN & FLANNERY LLP
120 SOUTH LASALLE STREET
SUITE 2100
CHICAGO, ILLINOIS UNITED STATES 60603
Phone: 312-577-7000
Fax: 312-577-7007
Correspondent e-mail: trademark@fitcheven.com asimmons@fitcheven.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Feb. 12, 2019 | REGISTERED-PRINCIPAL REGISTER | |
| Nov. 27, 2018 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Nov. 27, 2018 | PUBLISHED FOR OPPOSITION | |
| Nov. 07, 2018 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Oct. 15, 2018 | ASSIGNED TO LIE | 66121 |
| Sep. 27, 2018 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 24, 2018 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 24, 2018 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 24, 2018 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Aug. 22, 2018 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 22, 2018 | NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 22, 2018 | NON-FINAL ACTION WRITTEN | 93643 |
| Aug. 15, 2018 | ASSIGNED TO EXAMINER | 93643 |
| May 03, 2018 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Apr. 27, 2018 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 12, 2019

Exhibit D

Generated on: This page was generated by TSDR on 2019-03-08 18:48:36 EST

Mark: AXIOM BANK



US Serial Number: 87890239

Application Filing Date: Apr. 24, 2018

US Registration Number: 5673344

Registration Date: Feb. 12, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

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

Status Date: Feb. 12, 2019

Publication Date: Nov. 27, 2018

Mark Information

Mark Literal Elements: AXIOM BANK

Standard Character Claim: No

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

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

Disclaimer: "BANK"

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

Related Properties Information

Claimed Ownership of US Registrations: 5408439

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
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International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 2014

Use in Commerce: Nov. 01, 2014

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

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

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

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Axiom Bancshares, Inc.
Owner Address: Suite 400
258 Southhall Lane
Maitland, FLORIDA 32751
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alisa C. Simmons
Attorney Primary Email Address: trademark@fitcheven.com
Docket Number: 8856-143129
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ALISA C. SIMMONS
FITCH EVEN TABIN & FLANNERY LLP
120 SOUTH LASALLE STREET
SUITE 2100
CHICAGO, ILLINOIS 60603
UNITED STATES
Phone: 312-577-7000
Fax: 312-577-7007
Correspondent e-mail: trademark@fitcheven.com asimmons@fitcheven.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Feb. 12, 2019 | REGISTERED-PRINCIPAL REGISTER | |
| Nov. 27, 2018 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Nov. 27, 2018 | PUBLISHED FOR OPPOSITION | |
| Nov. 07, 2018 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Oct. 15, 2018 | ASSIGNED TO LIE | 66121 |
| Sep. 27, 2018 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 24, 2018 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 24, 2018 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 24, 2018 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Aug. 22, 2018 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 22, 2018 | NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 22, 2018 | NON-FINAL ACTION WRITTEN | 93643 |
| Aug. 15, 2018 | ASSIGNED TO EXAMINER | 93643 |
| May 04, 2018 | NOTICE OF DESIGN SEARCH CODE E-MAILED | |
| May 03, 2018 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Apr. 27, 2018 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 12, 2019