

ESTTA Tracking number: **ESTTA1078520**

Filing date: **08/30/2020**

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

Proceeding	91248764
Party	Plaintiff MobileSoft Technology, Inc.
Correspondence Address	MICHELLE KALLENBACH 2260 RIDGE DRIVE SUITE 13 MINNEAPOLIS, MN 55416 UNITED STATES Primary Email: mitzikallenbach@comcast.net 952-593-3858
Submission	Testimony For Plaintiff
Filer's Name	Michelle Kallenbach
Filer's email	mitzikallenbach@comcast.net
Signature	/Michelle Kallenbach/
Date	08/30/2020
Attachments	Sjoblad Rebuttal Decl_Ex List_MSTExs 36 37 38_MST00097-107.pdf(1067587 bytes)

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

MOBILESOFT TECHNOLOGY, INC.,)	Opposition No.: 91248764
a Delaware Corporation,)	
Opposer,)	In the matter of:
)	
v.)	Application Serial No: 87836135
)	Mark: MY MY STAR
MY MY STAR, INC.,)	
)	Filed: March 15, 2018
Applicant.)	
)	Published: February 12, 2019
)	

OPPOSER’S NOTICE OF FILING TESTIMONY

REBUTTAL DECLARATION OF STEVEN A. SJOBLAD

PLEASE TAKE NOTICE THAT, pursuant to 37 C.F.R. §§ 2.123(a)(1) and 2.012(a), Opposer MobileSoft Technology, Inc., by its undersigned counsel, hereby files with the United States Trademark Trial and Appeals Board the Testimony Rebuttal Declaration of Steven A. Sjoblad, together with Exhibit List and Exhibits identified therein.

Respectfully submitted by:

Dated: August 30, 2020

s/ Michelle M. Kallenbach
Michelle M. Kallenbach, Esq.
2260 Ridge Drive, Suite 13
Minneapolis, MN 55416
Tel: 952-593-3858
Mobile: 612-401-7997
Fax: 952-406-8881
mitzikallenbach@comcast.net
Attorney for MobileSoft Technology, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Opposer MobileSoft Technology, Inc.'s Notice of Filing Testimony Rebuttal Declaration of Steven A. Sjoblad, with Exhibit List and Exhibits, has been served on counsel for Applicant My My Star, Inc., Omni Legal Group, Omid E. Khalifeh, by forwarding said copy on August 30, 2020 via email at info@omnilegalgroup.com and omid@omnilegalgroup.com.

Dated: August 30, 2020

/s/ Michelle M. Kallenbach

Michelle M. Kallenbach

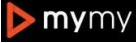

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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MOBILESOFT TECHNOLOGY, INC.,)	Opposition No.: 91248764
a Delaware Corporation,)	
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)	Mark: MY MY STAR
MY MY STAR, INC.,)	
)	Filed: March 15, 2018
Applicant.)	
)	Published: February 12, 2019
)	

REBUTTAL TESTIMONY DECLARATION OF

STEVEN A. SJOBLAD

I, Steven A. Sjoblad, declare under penalty of perjury, pursuant to 37 C.F.R. 2.20, as follows:

1. I am making this Rebuttal Declaration on behalf of Opposer, MobileSoft Technology, Inc. (“Opposer”).
2. I am currently a board member of ADX Holdings, MobileSoft Technology, Inc. and MyMy Music, technology solutions companies serving customers globally.
3. On Opposer’s board, my responsibilities include, but are not limited to, those involving discussion and decision-making relating to the creation of, product and services development, product and services management, marketing, promoting, and use of Opposer’s trademarks and the goods and services under those trademarks, including MYMY word,  design, and  design marks.

4. I submit this Rebuttal Declaration to provide relevant factual information in rebuttal of allegations set forth in Mr. Len Wilson's July 16, 2020 Testimony Declaration with Exhibits A-E ("Wilson Decl.").


5. The facts set forth herein are based on my personal knowledge and experience, and upon information contained in Opposer's business records regularly maintained by Opposer in the normal course of business and to which I have regular access in the course of fulfilling my duties. Unless otherwise noted, the exhibits to which I refer and which are attached to this declaration are true and correct copies of the original documents and other materials from Opposer's business records kept in the ordinary course of business.

6. By background and experience, I have more than forty years of corporate leadership, strategy and marketing expertise. I spent twenty years building Fallon Worldwide, one of the world's preeminent creative advertising agencies, where I guided global strategy and marketing programs for numerous corporations including FedEx, Purina, Northwest Airlines, VF Corporation, Porsche Cars NA, Jim Beam Brands and more. I have hands-on experience in virtually every consumer and b-to-b category. I am an original member of the firm and served as its president. Thereafter, I joined FICO, an analytics and software concern serving the financial, insurance and retail industries. I learned the power of big data analytics and ran Global Consumer Services, a division of the company that repurposes Fair Isaac products for the consumer marketplace. Repurposing is accomplished most notably through www.myFICO.com, a consumer empowerment web site and through multiple distribution partners. I also ran the Fair Isaac

Marketing Services business, transforming it into a “precision marketing unit.” I also was a member of the Fair Isaac Executive Committee and held the position of Chief Marketing Officer. For twenty five years, I have been the proprietor of a strategy consulting business. My consulting clients include The Carter Company (children’s fashion), Fair, Isaac & Company (big data and analytics), Charter Cable, Wilson Learning Worldwide (corporate learning), Riordan, Lewis & Haden (private equity), Companion Systems (banking industry supplier), Tattoo Media (Web consultant), Inc., PNV, Inc. (trucking industry infrastructure), Intertox (neurotoxicology), Promedicus (medical software), Health Management Associates (hospital holding company), Whish Beauty (natural body care products), Tectonic (interactive consulting firm) and more. I am the non-executive Chairman of Captira Analytical, a cloud-based software, data and analytics firm serving the criminal justice vertical market based in Albany, NY. I served in an advisory capacity to the company’s parent Intersections, Inc. and developed a consumer-directed online privacy/security/fraud offering to meet the growing concern over personal data. For 18 years, I was a Board member of Schwan’s Food Company, a multi-billion-dollar international frozen food concern and held several committee chairmanships. Additionally, I sit on numerous boards through my involvement with a New York private equity firm, Steel Pier Capital. My non-profit involvement has included the Minneapolis Heart Institute, Minnesota Medical Foundation, Vocal Essence and others. Historically, I have served on numerous other public and private boards.

7. Wilson Decl., at p. 2, para. 6, the first sentence, Mr. Wilson states:

“Goods and services under Applicant’s [My My Star, Inc.] Mark [MY MY STAR word mark] are **widely marketed**, including, for example, **to major advertising agencies and global brands.**” (emphasis added)

Contrary to Mr. Wilson’s testimony that Applicant has widely marketed goods and services under Applicant’s Mark to major advertising agencies and global brands, in my forty plus years of intense involvement in the global marketing and advertising business (as noted in paragraph 6, above), I only first became aware of Applicant [My My Star, Inc.] in 2017 when it filed TTAB Opposition No. 91236066 to the registration of MobileSoft Technology, Inc.’s MYMY word mark and  design mark USPTO trademark applications.

8. Wilson Decl. at p. 2, para. 6, second and third sentences, Mr. Wilson lists approximately 51 different companies identifying them as Applicant’s clients; and, states that Ex. A [Wilson Decl. at pp. 6-43] is “An exemplar of such use of Applicant’s Mark in connection with the aforementioned clients...”. I also reviewed Wilson Decl. at p. 2, para. 6, last sentence, together with Wilson Decl. Ex. A, [Wilson Decl. at pp. 8-43], which Mr. Wilson states is “a sampling of purchase orders and statements of work demonstrating services provided under Applicant’s Mark for these clients.” Upon review I noted the agreements identified only two companies, Toyota and Lexus. I also noticed that the agreements are entered into between an “Agency” for the benefit of Agency’s client [Toyota or Lexus] and “Vendor” [Applicant]. As I understand the agreements, Applicant’s clients are the Agencies, whose names are “blacked out” and **not** Lexus or Toyota.

Additionally, I did not see Applicant's Mark [MY MY STAR] displayed on any good or service in the agreements.

9. Wilson further testifies at Wilson Decl., at p. 2, para. 6, last sentence that Wilson Decl. Ex. A [pp. 6-7] "provides a screenshot of Applicant's website (www.mymystar.com)...". Out of curiosity, I google searched "www.mymystar.com" and to my surprise found a website page different than Wilson Ex. A [pp. 6-7]. Attached as **MSI Exhibit 36**, is a true and correct copy of the screenshot of the mymystar.com website page taken on 7/17/2020, one day after Mr. Wilson signed his Declaration; *also see*, Sjoblad [May 17, 2020] Decl. at **MSI Exhibit 10**, Applicant's webpage (mymystar.com) printed on 5/16/2020.

10. Wilson Decl. Ex. A, at p. 6, looking at the upper left-hand corner shows a URL of "https://mymystar.com/flash/". I google searched "https://mymystar.com/flash/" and found a BLANK page. Attached as **MSI Exhibit 37**, is a true and correct copy of the screenshot of www.mymystar.com/flash/ taken on 7/17/2020, one day after Mr. Wilson signed his Declaration.

11. Wilson Decl. at p. 4, para. 14, first line, Mr. Wilson states: "Opposer was aware of Applicant's common law trademark rights to Applicant's Mark...". First, as a layperson, I am cannot speak to the legal issue of common law trademark rights. I will leave that up to our respective attorneys to address. Then, Mr. Wilson goes on to state that "Applicant and Opposer were previously parties to another Opposition Proceeding (No. 91236066)...", Mr. Wilson appended the August 9, 2017 Notice of Opposition as Wilson Decl. Ex. E. The reader should be aware that Opposition No. 91236066 was dismissed and

both of MobileSoft's applications have proceeded to registration. *See*, Sjoblad [May 17, 2020] Decl. at **MSI Exhibit 7**, TTAB September 13, 2019 Opinion, *My My Star, Inc. v. MobileSoft Technology, Inc.*, Opposition #91236066; *and see*, attached **MSI Exhibit 38**, TSDR generated current status and title of MYMY standard word mark application, printed on 2020-08-26, together with USPTO June 2, 2020 issued Certificate of Registration-Principal Register for the MYMY standard word mark, assigning US Registration No. 6069693; *also see*, Sjoblad [May 17, 2020] Decl. at **MSI Exhibits 3 and 4**, TSDR generated current status and title of  design mark application, printed on 2020-05-12; and, USPTO issued Certificate of Registration-Principal Register for the  design mark, assigning US Registration No. 6053635, respectively.

Further your affiant saith not.

As pursuant to 37 C.F.R. § 2.20, the signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Dated: August 30, 2020


Steven A. Sjoblad

EXHIBIT LIST

(Rebuttal Declaration of Steven A. Sjoblad)

- MST Ex. 36** Screenshot of the mymystar.com website taken on 7/17/20.....MST00097
- MST Ex. 37** Screenshot of www.mymystar.com/flash/ taken on 7/17/20.....MST00099
- MST Ex. 38** TSDR generated current status and title of MYMY word
mark application, Serial No. 87184374, printed on 2020-08-26
and USPTO June 2, 2020 issued Certificate of Registration
Principal Registry No. 6069693MST00101

MST EXHIBIT 36

Offered by Opposer MobileSoft Technology, Inc.

In the matter of:

MobileSoft Technology, Inc. v My My Star, Inc.

Opposition No. 91248761



My My Star is a digital production studio. We make the best stickers & display ads on the planet. See our work below!

Chevron: Dancing
Client: Y&R / Chevron
Project: 150K Standard Banners
Done With: HTML5 & Magic Dust
Year: 2018



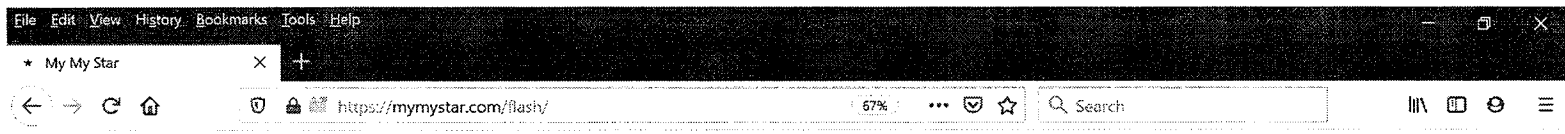
MST EXHIBIT 37

Offered by Opposer MobileSoft Technology, Inc.

In the matter of:

MobileSoft Technology, Inc. v My My Star, Inc.

Opposition No. 91248761



MST EXHIBIT 38

Offered by Opposer MobileSoft Technology, Inc.

In the matter of:

MobileSoft Technology, Inc. v My My Star, Inc.

Opposition No. 91248761

Generated on: This page was generated by TSDR on 2020-08-26 13:44:40 EDT

Mark: MYMY

MYMY

US Serial Number: 87184374

Application Filing Date: Sep. 27, 2016

US Registration Number: 6069693

Registration Date: Jun. 02, 2020

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, 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: Jun. 02, 2020

Publication Date: Apr. 11, 2017

Notice of Allowance Date: Jan. 14, 2020

Mark Information

Mark Literal Elements: MYMY

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: Computer software for enabling transmission, storage, sharing, collection, editing, organizing and modifying audio, video, messages, images and other data for personal computers and mobile devices

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 25, 2017

Use in Commerce: Mar. 25, 2017

For: Sound and video broadcasting of music and films via the Internet, telephony, or satellite broadcasting; providing on-line chat rooms and discussion forums for transmission of messages and digital pictures among users in the field of general interest; telecommunications on the Internet, namely, audio and video transmission

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 25, 2017

Use in Commerce: Mar. 25, 2017

For: Entertainment services, namely, providing online non-downloadable music, non-downloadable videos in the field of music and computer games; Entertainment services, namely, providing an online searchable database via a communication network featuring non-downloadable music, non-downloadable videos in the field of music and online computer games; Entertainment services, namely, music production; Entertainment services, namely, providing online computer games; Entertainment services, namely, providing rental

MST00102

services for musical recordings, videos, and computer games via a communication network for personal computers and mobile devices

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 25, 2017

Use in Commerce: Mar. 25, 2017

For: Providing temporary use of on-line non-downloadable computer software for use in the delivery, distribution, and transmission of digital music and entertainment-related audio, video, text, and multimedia content for personal computers and mobile devices

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 25, 2017

Use in Commerce: Mar. 25, 2017

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: MobileSoft Technology, Inc.

Owner Address: 120 South Sixth Street, Suite 900
Minneapolis, MINNESOTA UNITED STATES 55402

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle Kallenbach

Attorney Primary Email Address: mitzikallenbach@comcast.net

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle Kallenbach
2260 RIDGE DRIVE
SUITE #13
MINNEAPOLIS, MINNESOTA UNITED STATES 55416

Phone: 612-401-7997

Fax: 952-406-8881

Correspondent e-mail: mitzikallenbach@comcast.net

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 02, 2020	REGISTERED-PRINCIPAL REGISTER	
Apr. 29, 2020	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 28, 2020	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 07, 2020	STATEMENT OF USE PROCESSING COMPLETE	66230
Mar. 19, 2020	USE AMENDMENT FILED	66230
Apr. 06, 2020	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Mar. 19, 2020	TEAS STATEMENT OF USE RECEIVED	

MST00103

Jan. 14, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 03, 2019	TTAB RELEASE CASE TO TRADEMARKS	236066
Dec. 03, 2019	OPPOSITION TERMINATED NO. 999999	236066
Sep. 13, 2019	OPPOSITION DISMISSED NO. 999999	236066
Mar. 01, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 01, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 09, 2017	OPPOSITION INSTITUTED NO. 999999	236066
Apr. 11, 2017	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 11, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 11, 2017	PUBLISHED FOR OPPOSITION	
Mar. 22, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 27, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 24, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 24, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 24, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 24, 2017	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Feb. 24, 2017	PRIORITY ACTION E-MAILED	6326
Feb. 24, 2017	PRIORITY ACTION WRITTEN	83694
Feb. 21, 2017	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 07, 2017	WITHDRAWN FROM PUB - OG REVIEW QUERY	99910
Jan. 18, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 17, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 16, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 16, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 11, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 11, 2017	NON-FINAL ACTION E-MAILED	6325
Jan. 11, 2017	NON-FINAL ACTION WRITTEN	83694
Jan. 04, 2017	ASSIGNED TO EXAMINER	83694
Oct. 05, 2016	NOTICE OF PSEUDO MARK E-MAILED	
Oct. 04, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 30, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 28, 2020

Proceedings

Summary

Number of 3
Proceedings:

Type of Proceeding: Opposition

Proceeding 91248764
Number:

Filing Date: Jul 29, 2020

Status: Pending

Status Date: Jun 12, 2019

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: My My Star Inc.

Correspondent OMID E KHALIFEH
Address: OMNI LEGAL GROUP
10866 WILSHIRE BLVD SUITE 400
LOS ANGELES CA UNITED STATES , 90024

Correspondent e- info@omnilegalgroup.com

mail: _____

Associated marks

Mark	Application Status	Serial Number	Registration Number
MY MY STAR	Opposition Pending	87836135	

Name: MobileSoft Technology, Inc.

Correspondent MICHELLE KALLENBACH
Address: 2260 RIDGE DRIVE SUITE 13
MINNEAPOLIS MN UNITED STATES , 55416

Correspondent e-mail: mitzikallenbach@comcast.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MYMY	Registered	87184374	6069693
MYMY	Registered	87309628	6053635

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 12, 2019	Jul 22, 2019
3	INSTITUTED	Jun 12, 2019	
4	ANSWER	Jul 22, 2019	
5	TRIAL DATES REMAIN AS SET	Jul 26, 2019	
6	P TESTIMONY	May 17, 2020	
7	P TESTIMONY	May 17, 2020	
8	P NOTICE OF RELIANCE	May 17, 2020	
9	P NOTICE OF RELIANCE	May 17, 2020	
10	D TESTIMONY	Jul 16, 2020	
11	PAPER RECEIVED AT TTAB	Jul 21, 2020	
12	P NOTICE OF TAKING TESTIMONY	Jul 29, 2020	

Type of Proceeding: Opposition

Proceeding Number: 91236066 Filing Date: Aug 09, 2017
Status: Terminated Status Date: Dec 03, 2019

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: MobileSoft Technology, Inc.

Correspondent MICHELLE KALLENBACH
Address: 2260 RIDGE DRIVE, SUITE #13
MINNEAPOLIS MN UNITED STATES , 55416

Correspondent e-mail: mitzikallenbach@comcast.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MYMY	Registered	87184374	6069693
MYMY	Registered	87309628	6053635

Plaintiff(s)

Name: My My Star, Inc.

Correspondent OMID E KHALIFEH
Address: OMNI LEGAL GROUP PLC
10866 WILSHIRE BLVD STE 400
LOS ANGELES CA UNITED STATES , 90024

Correspondent e-mail: info@omnilegalgroup.com , James@omnilegalgroup.com , Omid@omnilegalgroup.com , Ariana@omnilegalgroup.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2017	Sep 18, 2017
3	PENDING, INSTITUTED	Aug 09, 2017	
4	ANSWER	Sep 18, 2017	
5	D MOT TO COMPEL DISCOVERY	Mar 02, 2018	
6	P OPP/RESP TO MOTION	Mar 22, 2018	
7	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 04, 2018	
8	PROCEEDINGS RESUMED	Jul 16, 2018	
9	P MAIN BRIEF: TM RULE 2.128	May 09, 2019	
10	D MAIN BRIEF: TM RULE 2.128	Jun 13, 2019	
11	P REBUTTAL BRIEF: TM RULE 2.128	Jun 27, 2019	
12	SUBMITTED FOR FINAL DECISION	Jul 11, 2019	
13	FINAL DECISION: OPP DISMISSED	Sep 13, 2019	
14	TERMINATED	Dec 03, 2019	

Type of Proceeding: Extension of Time

Proceeding Number: 87184374

Filing Date: Apr 11, 2017

Status: Terminated

Status Date: Aug 10, 2017

Interlocutory Attorney:

Defendant

Name: MobileSoft Technology, Inc.

Correspondent Address: MICHELLE KALLENBACH
2260 RIDGE DRIVE, #13
MINNEAPOLIS MN , 55416

Correspondent e-mail: mitzikallenbach@comcast.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MYMY	Registered	<u>87184374</u>	<u>6069693</u>

Potential Opposer(s)

Name: My My Star, Inc.

Correspondent Address: Omid E. Khalifeh
Omni Legal Group, PLC
10866 Wilshire Blvd. Suite 400
Los Angeles CA UNITED STATES , 90024

Correspondent e-mail: info@omnilegalgroup.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Apr 11, 2017	
2	EXTENSION OF TIME GRANTED	Apr 11, 2017	

United States of America

United States Patent and Trademark Office

MYMY

Reg. No. 6,069,693

Registered Jun. 02, 2020

Int. Cl.: 9, 38, 41, 42

Service Mark

Trademark

Principal Register

MobileSoft Technology, Inc. (DELAWARE CORPORATION)
120 South Sixth Street, Suite 900
Minneapolis, MINNESOTA 55402

CLASS 9: Computer software for enabling transmission, storage, sharing, collection, editing, organizing and modifying audio, video, messages, images and other data for personal computers and mobile devices

FIRST USE 3-25-2017; IN COMMERCE 3-25-2017

CLASS 38: Sound and video broadcasting of music and films via the Internet, telephony, or satellite broadcasting; providing on-line chat rooms and discussion forums for transmission of messages and digital pictures among users in the field of general interest; telecommunications on the Internet, namely, audio and video transmission

FIRST USE 3-25-2017; IN COMMERCE 3-25-2017

CLASS 41: Entertainment services, namely, providing online non-downloadable music, non-downloadable videos in the field of music and computer games; Entertainment services, namely, providing an online searchable database via a communication network featuring non-downloadable music, non-downloadable videos in the field of music and online computer games; Entertainment services, namely, music production; Entertainment services, namely, providing online computer games; Entertainment services, namely, providing rental services for musical recordings, videos, and computer games via a communication network for personal computers and mobile devices

FIRST USE 3-25-2017; IN COMMERCE 3-25-2017

CLASS 42: Providing temporary use of on-line non-downloadable computer software for use in the delivery, distribution, and transmission of digital music and entertainment-related audio, video, text, and multimedia content for personal computers and mobile devices

FIRST USE 3-25-2017; IN COMMERCE 3-25-2017

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

SER. NO. 87-184,374. FILED 09-27-2016



Andrew Iannone

Director of the United States
Patent and Trademark Office



MST00107