

ESTTA Tracking number: **ESTTA999568**

Filing date: **09/04/2019**

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	Ambit Holdings US, LLC
Granted to Date of previous extension	09/04/2019
Address	1801 N. LAMAR STREET SUITE 200 DALLAS, TX 75202 UNITED STATES

Attorney information	GEORGE R. SCHULTZ SCHULTZ & ASSOCIATES, P.C. 5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240 UNITED STATES rschultz@grspc.com, nmarsh@grspc.com, kneedham@grspc.com, docket@grspc.com 214-210-5940
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Applicant Information

Application No	79240587	Publication date	05/07/2019
Opposition Filing Date	09/04/2019	Opposition Period Ends	09/04/2019
International Registration No.	1422503	International Registration Date	07/04/2018
Applicant	Aztrana AG c/o Rosetrust AG Baarerstrasse 98 CH-6302 Zug SWITZERLAND		

Goods/Services Affected by Opposition


Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Commercial business management services, namely, assisting others in the use of artificial intelligence in the management and exchange of secure and private communications and electronic data collaboration; commercial administration of the licensing of the goods and services of others
Class 036. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Insurance services, namely, insurance carrier services; financial affairs, namely financial information, management and analysis services; real estate affairs, namely real estate agency services
Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Telecommunications, namely, telecommu-

nications access services
Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Education services, namely, conducting classes in the field of computer software information technology; training services in the field of information technology; entertainment services in the natureof professional athletes competing in track and field events; sporting and cultural activities, namely, providing in-person cultural and sporting forum in the field of ballet and track and field events
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Scientific and technological services and research and design relating thereto;industrial analysis and industrial research services; design and development ofartificial intelligence software for use in secure and private communications and electronic data collaboration
Class 045. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Legal services; security services for the protection of property and individuals, namely the protection of individuals'personal data

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.	3786848	Application Date	04/14/2009
Registration Date	05/11/2010	Foreign Priority Date	NONE
Word Mark	AMBIT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2006/09/00 First Use In Commerce: 2006/09/00 distribution of energy, namely, distribution of electricity and natural gas to residential and commercial users		

U.S. Registration No.	3443624	Application Date	02/15/2007
Registration Date	06/10/2008	Foreign Priority Date	NONE
Word Mark	AMBIT ENERGY		

Design Mark	<h1>AMBIT ENERGY</h1>		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2006/09/00 First Use In Commerce: 2006/09/00 DISTRIBUTION OF ENERGY, NAMELY, PROVIDING ELECTRICAL ENERGY AND NATURAL GAS TO RESIDENTIAL AND COMMERCIAL USERS		

U.S. Registration No.	4364518	Application Date	11/15/2012
Registration Date	07/09/2013	Foreign Priority Date	NONE

Word Mark	AMBITION		
Design Mark	<h1>AMBITION</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Arranging and conducting special eventsfor business purposes		

U.S. Registration No.	4851941	Application Date	03/06/2014
Registration Date	11/10/2015	Foreign Priority Date	NONE
Word Mark	AMBIT		

Design Mark	<h1>AMBIT</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/09/00 First Use In Commerce: 2006/09/00 Multilevel marketing business services,namely, providing marketing and income opportunities to others through the saleof energy distribution services		

U.S. Registration No.	5180760	Application Date	08/24/2016
Registration Date	04/11/2017	Foreign Priority Date	NONE
Word Mark	AMBIT ENERGY		
Design Mark	<h1>AMBIT ENERGY</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/09/00 First Use In Commerce: 2006/09/00 Multilevel marketing business services,namely, providing marketing and income opportunities to others through the saleof energy distribution services		

Attachments	77713731#TMSN.png(bytes) 77108474#TMSN.png(bytes) 85780344#TMSN.png(bytes) 86213467#TMSN.png(bytes) 87149655#TMSN.png(bytes) Notice of Opposition 090419.pdf(1850610 bytes)
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Signature	/george r. schultz/
Name	GEORGE R. SCHULTZ
Date	09/04/2019

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

**In the matter of Trademark
Application Serial No.: 79/240,587**

For the mark: AMBIT

Published in the Official Gazette on: May 7, 2019

AMBIT HOLDINGS US, LLC

Opposer,

v.

OPPOSITION NO. _____

AZTRANA AG

Applicant.

NOTICE OF OPPOSITION

Ambit Holdings US, LLC (“Opposer”) believes that it has been and will be damaged by registration of the mark shown in U.S. Serial No. 79/240,587 (the “Application”), and therefore files this Notice of Opposition pursuant to 15 U.S.C. §§ 1063 and 1141h(a)(2), and would respectfully show the Board the following:

I. Parties

1. Opposer is a Texas limited liability company having a principal place of business at 1801 N. Lamar Street, Suite 200, Dallas, Texas 75202.
2. Aztrana AG (“Applicant”) is a Swiss corporation having an address of Baarerstrasse 98 CH-6302 Zug, Switzerland. The attorney of record is Theodore R. Remaklus at Wood, Heron & Evans, L.L.P., 441 Vine Street, 2700 Carew Tower, Cincinnati, Ohio 45202.

II. Standing

3. Opposer owns incontestable U.S. Registration No. 3,786,848 for the standard character mark “AMBIT” for use in association with “distribution of energy, namely, distribution of electricity and natural gas to residential and commercial users” in international class 39. The mark was registered on May 11, 2010. The Registration is valid and subsisting. The date of first use cited in the Registration is September 2006. A copy of Registration No. 3,786,848 is attached as Exhibit A. A printout from the USPTO’s TSDR database for Registration No. 3,786,848 is attached as Exhibit B.

4. Opposer owns incontestable U.S. Registration No. 3,443,624 for the standard character mark “AMBIT ENERGY” for use in association with “distribution of energy, namely, providing electrical energy and natural gas to residential and commercial users” in international class 39. The mark was registered on June 10, 2008. The Registration is valid and subsisting. The date of first use cited in the Registration is September 2006. A copy of Registration No. 3,443,624 is attached as Exhibit C. A printout from the USPTO’s TSDR database for Registration No. 3,443,624 is attached as Exhibit D.

5. Opposer owns incontestable U.S. Registration No. 4,364,518 for the standard character mark “AMBITION” for use in association with “arranging and conducting special events for business purposes” in international class 35. The mark was registered on July 9, 2013. The Registration is valid and subsisting. The date of first use cited in the Registration is September 2007. A copy of Registration No. 4,364,518 is attached as Exhibit E. A printout from the USPTO’s TSDR database for Registration No. 4,364,518 is attached as Exhibit F.

6. Opposer owns U.S. Registration No. 4,851,941 for the standard character mark “AMBIT” for use in association with “multilevel marketing business services, namely, providing

marketing and income opportunities to others through the sale of energy distribution services” in international class 35. The mark was registered on November 10, 2015. The Registration is valid and subsisting. The date of first use cited in the Registration is September 2006. A copy of Registration No. 4,851,941 is attached as Exhibit G. A printout from the USPTO's TSDR database for Registration No. 4,851,941 is attached as Exhibit H.

7. Opposer owns U.S. Registration No. 5,180,760 for the standard character mark “AMBIT ENERGY” for use in association with “multilevel marketing business services, namely, providing marketing and income opportunities to others through the sale of energy distribution services” in international class 35. The mark was registered on April 11, 2017. The Registration is valid and subsisting. The date of first use cited in the Registration is September 2006. A copy of Registration No. 5,180,760 is attached as Exhibit I. A printout from the USPTO's TSDR database for Registration No. 5,180,760 is attached as Exhibit J.

8. The marks shown in Registration Nos. 3,786,848; 3,443,624; 4,364,518; 4,851,941; and 5,180,760 are hereinafter collectively referred to as “Opposer’s Marks.” The services with which Opposer’s Marks have been used are hereinafter collectively referred to as “Opposer’s Services.”

9. Opposer’s Marks either originated with Opposer or were assigned to Opposer along with all the goodwill generated by the assignor or any of its predecessors-in-interest. Opposer and its predecessors-in-interest are collectively referred to as “Opposer.”

10. Since long before the date of filing of the Application, Opposer adopted and used Opposer’s Marks in association with the Opposer’s Services. Opposer has continuously sold its services under each of Opposer’s Marks since they each were adopted.

11. Opposer has expended substantial amounts of money, time, and effort in advertising and promoting Opposer's Marks across the United States. The trade and purchasing public have come to know and recognize Opposer's Marks and the associated services as being those of Opposer. Opposer's Marks identify Opposer as the source of Opposer's Services and distinguishes them from the services of many others.

12. Opposer's Marks are inherently distinctive or have acquired secondary meaning. Opposer's Marks have been used in a way that creates in the minds of the relevant purchasing public an association between Opposer's Marks and Opposer's Services and to such an extent that Opposer's Marks serve as indicators of a source of origin for Opposer's Services.

13. By virtue of the excellent quality of the services offered under Opposer's Marks, and its general reputation, Opposer has become well known and has acquired an excellent and widespread reputation. Opposer's Marks are symbolic of the extensive goodwill and consumer recognition established by Opposer and indicative of Opposer's widely recognized reputation for excellence in the industry.

14. On information and belief, Applicant has applied for extension of protection for the mark "AMBIT" ("Applicant's Mark") under 15 U.S.C. § 1141f for use in association with "commercial business management services, namely, assisting others in the use of artificial intelligence in the management and exchange of secure and private communications and electronic data collaboration; commercial administration of the licensing of the goods and services of others" in international class 35; "insurance services, namely, insurance carrier services; financial affairs, namely financial information, management and analysis services; real estate affairs, namely real estate agency services" in international class 36; "telecommunications, namely, telecommunications access services" in international class 38; "education services,

namely, conducting classes in the field of computer software information technology; training services in the field of information technology; entertainment services in the nature of professional athletes competing in track and field events; sporting and cultural activities, namely, providing in-person cultural and sporting forum in the field of ballet and track and field events” in international class 41; “scientific and technological services and research and design relating thereto; industrial analysis and industrial research services; design and development of artificial intelligence software for use in secure and private communications and electronic data collaboration” in international class 42; and “legal services; security services for the protection of property and individuals, namely the protection of individuals' personal data” in international class 45 (“Applicant’s Services”). The Application was filed on July 4, 2018. The Application was published on May 7, 2019.

15. On June 5, 2019, Opposer requested a ninety (90) day extension of time, or until September 4, 2019, to oppose registration of Applicant’s Mark. Opposer’s request was granted on June 5, 2019.

16. Opposer’s Services are highly related to Applicant’s Services. On information and belief, Applicant’s Services are intended to be provided in the same industry, to similar consumers, under similar or identical advertising, and move in the same or similar channels of trade as Opposer’s Services.

17. Opposer’s Marks and Applicant’s Mark are identical or substantially similar, both visually and phonetically, and create the same commercial impression.

III. Grounds

Likelihood of Confusion 15 U.S.C. § 1052(d)

18. Under § 2(d) of the Act, 15 U.S.C. § 1052(d), Applicant's Mark so resembles Opposer's Marks, previously used in the United States and registered with the USPTO by Opposer and not abandoned, as to be likely, when used on or in connection with Applicant's Services, to cause confusion, to cause mistake or to deceive.

19. Applicant's Mark is confusingly similar to Opposer's Marks because the marks are all identical or highly similar in sight, sound, and appearance. The similarity in sight, sound, and appearance creates an identical or highly similar commercial impression to the relevant purchasing public.

20. Applicant's Services are similar to Opposer's Services at least to the extent that both are related to conducting educational services, conducting special events and classes, commercial business management, management and analysis services, and access to public utilities such as telephones and electricity and as a result, are likely to be confused by consumers as emanating from the same source.

IV. Damage

21. Opposer has superior rights in Opposer's Marks as compared to Applicant since Opposer's Marks have been registered and continually used in commerce prior to any date claimed by or available to Applicant. Consequently, confusion, mistake, or deception in the trade and in the minds of the consuming public between Opposer and Applicant as to the origin of Applicant's Services is likely to occur with resulting damage to Opposer if Applicant's Mark is allowed to register.

V. Fees

22. Pursuant to 37 C.F.R. 2.6(a)(17), the required fee of Two Thousand Four Hundred Dollars (\$2,400.00) has been electronically paid in conjunction with the electronic filing of this Notice.

23. The Board is authorized to charge additional required amounts or issue any credit for overpayment to Deposit Account No. 50-2225.

WHEREFORE, Opposer prays that registration of the mark as shown in Application No. 79/240,587 be denied.

Dated: September 4, 2019.

Respectfully submitted,



George R. Schultz
Texas Bar No. 17837500
rschultz@grspc.com
Nicole R. Marsh
Texas Bar No. 24044653
nmarsh@grspc.com

SCHULTZ & ASSOCIATES, P.C.
5400 LBJ Freeway
Suite 1200
Dallas, Texas 75240
214-210-5940 telephone
214-210-5941 facsimile

ATTORNEYS FOR OPPOSER
AMBIT HOLDINGS US, LLC

Exhibit A

United States of America

United States Patent and Trademark Office

AMBIT

Reg. No. 3,786,848

Registered May 11, 2010

Int. Cl.: 39

SERVICE MARK

PRINCIPAL REGISTER

AMBIT ENERGY, LP (TEXAS LIMITED PARTNERSHIP)
SUITE 200
1801 N. LAMAR STREET
DALLAS, TX 75202

FOR: DISTRIBUTION OF ENERGY, NAMELY, DISTRIBUTION OF ELECTRICITY AND NATURAL GAS TO RESIDENTIAL AND COMMERCIAL USERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2006; IN COMMERCE 9-0-2006.

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

OWNER OF U.S. REG. NOS. 3,389,005 AND 3,443,624.

SER. NO. 77-713,731, FILED 4-14-2009.

CYNTHIA TRIPI, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

Exhibit B



BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.


INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Trademark Status & Document Retrieval (TSDR)

SEARCH MULTI-SEARCH

US Serial, Registration, or Reference No. 3786848 Status Documents

Status results found

STATUS	DOCUMENTS	MAINTENANCE	Download	Print Preview
Generated on: This page was generated by TSDR on 2019-09-03 14:45:17 EDT				
Mark: AMBIT				
			<h1>AMBIT</h1>	
US Serial Number:	77713731	Application Filing Date:	Apr. 14, 2009	
US Registration Number:	3786848	Registration Date:	May 11, 2010	
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:	A Sections 8 and 15 combined declaration has been accepted and acknowledged.			
Status Date:	Jul. 18, 2016			
Publication Date:	Feb. 23, 2010			
Mark Information Expand All				
Mark Literal Elements:	AMBIT			
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			
Related Properties Information				
Claimed Ownership of US Registrations:	3389005, 3443624			
Goods and Services				
Note:	The following symbols indicate that the registrant/owner has amended the goods/services:			
	<ul style="list-style-type: none"> • 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:	distribution of energy, namely, distribution of electricity and natural gas to residential and commercial users			
International Class(es):	039 - Primary Class	U.S Class(es):	100, 105	
Class Status:	ACTIVE			

Basis:	1(a)	Use in Commerce:	Sep. 2006
First Use:	Sep. 2006		
▼ Basis Information (Case Level)			
Filed Use:	Yes	Currently Use:	Yes
Filed ITU:	No	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:	AMBIT HOLDINGS US, LLC		
Owner Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS UNITED STATES 75202		
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
▼ Attorney/Correspondence Information			
Attorney of Record			
Attorney Name:	George R. Schultz	Docket Number:	12057.0108
Correspondent			
Correspondent Name/Address:	GEORGE R. SCHULTZ Schultz & Associates, P.C. 5400 LBJ Freeway Suite 1200 DALLAS, TEXAS UNITED STATES 75240-1067		
Phone:	214-210-5940	Fax:	214-210-5941
Domestic Representative - Not Found			
▲ Prosecution History			
▲ TM Staff and Location Information			
▼ Assignment Abstract Of Title Information			
Summary			▼ Conveyance Filter
Total Assignments:	2	Registrant:	AMBIT ENERGY, LP
▼ Assignment 1 of 2 ▼ Expand All			
Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	4539/0211	Pages:	6
Date Recorded:	May 11, 2011		
Supporting Documents:	assignment-tm-4539-0211.pdf		
Assignor			
Name:	AMBIT ENERGY, L.P.	Execution Date:	May 05, 2011
Legal Entity Type:	LIMITED PARTNERSHIP	State or Country Where Organized:	TEXAS
Assignee			
Name:	AMBIT HOLDINGS, L.L.C.		
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202		
Correspondent			
Correspondent Name:	GEORGE R. SCHULTZ		
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240		
Domestic Representative - Not Found			
▼ Assignment 2 of 2			

Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	6650/0492	Pages:	6
Date Recorded:	May 21, 2019		
Supporting Documents:	assignment-tm-6650-0492.pdf		
Assignor			
Name:	AMBIT HOLDINGS, L.L.C.	Execution Date:	May 17, 2019
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
Assignee			
Name:	AMBIT HOLDINGS US, LLC		
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202		
Correspondent			
Correspondent Name:	SCHULTZ & ASSOCIATES, P.C.		
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240		
Domestic Representative - Not Found			
^ Proceedings - Click to Load			

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If you are the applicant or the applicant's attorney and have questions about this file, please contact the [Trademark Assistance Center](#)

Exhibit C

Int. Cl.: 39

Prior U.S. Cls.: 100 and 105

United States Patent and Trademark Office

Reg. No. 3,443,624

Registered June 10, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

AMBIT ENERGY

AMBIT ENERGY, L.P. (TEXAS LIMITED PART-
NERSHIP)
STE. 200
1801 N. LAMAR STREET
DALLAS, TX 75202

FOR: DISTRIBUTION OF ENERGY, NAMELY,
PROVIDING ELECTRICAL ENERGY AND NATURAL
GAS TO RESIDENTIAL AND COMMERCIAL
USERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 9-0-2006; IN COMMERCE 9-0-2006.

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

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ENERGY", APART FROM THE
MARK AS SHOWN.

SER. NO. 77-108,474, FILED 2-15-2007.

SUSAN RICHARDS, EXAMINING ATTORNEY

Exhibit D



BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.


INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Trademark Status & Document Retrieval (TSDR) ?

SEARCH MULTI-SEARCH ?

US Serial, Registration, or Reference No.

Status results found

STATUS	DOCUMENTS	MAINTENANCE	?	Download	Print Preview
Generated on: This page was generated by TSDR on 2019-09-03 14:50:54 EDT					
Mark: AMBIT ENERGY					
			AMBIT ENERGY		
US Serial Number:	77108474	Application Filing Date:	Feb. 15, 2007		
US Registration Number:	3443624	Registration Date:	Jun. 10, 2008		
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:	The registration has been renewed.				
Status Date:	Jun. 19, 2018				
Publication Date:	Mar. 25, 2008				
▼ Mark Information Expand All					
Mark Literal Elements:	AMBIT ENERGY				
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:	"ENERGY"				
▼ Goods and Services					
Note:	The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> • 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:	DISTRIBUTION OF ENERGY, NAMELY, PROVIDING ELECTRICAL ENERGY AND NATURAL GAS TO RESIDENTIAL AND COMMERCIAL USERS				
International Class(es):	039 - Primary Class	U.S. Class(es):	100, 105		
Class Status:	ACTIVE				
Basis:	1(a)				

First Use: Sep. 2006	Use in Commerce: Sep. 2006
▼ Basis Information (Case Level)	
Filed Use: Yes	Currently Use: Yes
Filed ITU: No	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: AMBIT HOLDINGS US, LLC	
Owner Address: 1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS UNITED STATES 75202	
Legal Entity Type: LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
▼ Attorney/Correspondence Information	
Attorney of Record	
Attorney Name: George R. Schultz	Docket Number: 12057.0104
Attorney Primary Email Address: trademarks@grspc.com	Attorney Email Authorized: Yes
Correspondent	
Correspondent Name/Address: George R. Schultz SCHULTZ & ASSOCIATES, P.C. 5400 LBJ Freeway Suite 1200 DALLAS, TEXAS UNITED STATES 75240-1067	
Phone: 214-210-5940	Fax: 214-210-5941
Correspondent e-mail: trademarks@grspc.com kneedham@grspc.com	Correspondent e-mail Authorized: Yes
Domestic Representative - Not Found	
▲ Prosecution History	
▲ TM Staff and Location Information	
▼ Assignment Abstract Of Title Information	
Summary ▼ Conveyance Filter	
Total Assignments: 2	Registrant: Ambit Energy, L.P.
▼ Assignment 1 of 2 ▼ Expand All	
Conveyance: ASSIGNS THE ENTIRE INTEREST	
Reel/Frame: 4539/0211	Pages: 6
Date Recorded: May 11, 2011	
Supporting Documents: assignment-tm-4539-0211.pdf	
Assignor	
Name: AMBIT ENERGY, L.P.	Execution Date: May 05, 2011
Legal Entity Type: LIMITED PARTNERSHIP	State or Country Where Organized: TEXAS
Assignee	
Name: AMBIT HOLDINGS, L.L.C.	
Legal Entity Type: LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Address: 1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202	
Correspondent	
Correspondent Name: GEORGE R. SCHULTZ	
Correspondent Address: 5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240	

Domestic Representative - Not Found

▼ Assignment 2 of 2

Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	6650/0492	Pages:	6
Date Recorded:	May 21, 2019		
Supporting Documents:	assignment-tm-6650-0492.pdf		
Assignor			
Name:	AMBIT HOLDINGS, L.L.C.	Execution Date:	May 17, 2019
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
Assignee			
Name:	AMBIT HOLDINGS US, LLC		
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized:	TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202		
Correspondent			
Correspondent Name:	SCHULTZ & ASSOCIATES, P.C.		
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240		
Domestic Representative - Not Found			
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Exhibit E

United States of America
United States Patent and Trademark Office

AMBITION

Reg. No. 4,364,518

Registered July 9, 2013

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

AMBIT ENERGY HOLDINGS, L.L.C. (TEXAS LIMITED LIABILITY COMPANY)
SUITE 200
1801 N. LAMAR STREET
DALLAS, TX 75202

FOR: ARRANGING AND CONDUCTING SPECIAL EVENTS FOR BUSINESS PURPOSES,
IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-0-2007; IN COMMERCE 9-0-2007.

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

SER. NO. 85-780,344, FILED 11-15-2012.

MARK SHINER, EXAMINING ATTORNEY



Leea Street Lee

Acting Director of the United States Patent and Trademark Office

Exhibit F



BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.


INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Trademark Status & Document Retrieval (TSDR)

SEARCH MULTI-SEARCH

US Serial, Registration, or Reference No. 4364518 Status Documents

Status results found

STATUS	DOCUMENTS	MAINTENANCE	Download	Print Preview
Generated on: This page was generated by TSDR on 2019-09-03 14:53:48 EDT				
Mark: AMBITION				
			AMBITION	
US Serial Number:	85780344	Application Filing Date:	Nov. 15, 2012	
US Registration Number:	4364518	Registration Date:	Jul. 09, 2013	
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:	A Sections 8 and 15 combined declaration has been accepted and acknowledged.			
Status Date:	Aug. 19, 2019			
Publication Date:	Apr. 23, 2013			
Mark Information Expand All				
Mark Literal Elements:	AMBITION			
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:				
<ul style="list-style-type: none"> • 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:	Arranging and conducting special events for business purposes			
International Class(es):	035 - Primary Class	U.S Class(es):	100, 101, 102	
Class Status:	ACTIVE			
Basis:	1(a)			
First Use:	Sep. 2007	Use in Commerce:	Sep. 2007	
Basis Information (Case Level)				

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	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: AMBIT HOLDINGS US, LLC	
Owner Address: 1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS UNITED STATES 75202	
Legal Entity Type: LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
▼ Attorney/Correspondence Information	
Attorney of Record	
Attorney Name: George R. Schultz	Docket Number: 12057.0137
Attorney Primary Email Address: trademarks@grspc.com	Attorney Email Authorized: Yes
Correspondent	
Correspondent Name/Address: GEORGE R. SCHULTZ SCHULTZ & ASSOCIATES, P.C. 5400 LBJ Freeway Suite 1200 DALLAS, TEXAS UNITED STATES 75240-1067	
Phone: 214-210-5940	Fax: 214-210-5941
Correspondent e-mail: trademarks@grspc.com kneedham@grspc.com	Correspondent e-mail Authorized: Yes
Domestic Representative - Not Found	
▲ Prosecution History	
▲ TM Staff and Location Information	
▼ Assignment Abstract Of Title Information	
Summary	Conveyance Filter
Total Assignments: 2	Registrant: Ambit Energy Holdings, L.L.C.
▼ Assignment 1 of 2 Expand All	
Conveyance: ASSIGNS THE ENTIRE INTEREST	
Reel/Frame: 5156/0491	Pages: 5
Date Recorded: Nov. 18, 2013	
Supporting Documents: assignment-tm-5156-0491.pdf	
Assignor	
Name: AMBIT ENERGY HOLDINGS, L.L.C.	Execution Date: Nov. 18, 2013
Legal Entity Type: LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Assignee	
Name: AMBIT HOLDINGS, L.L.C.	
Legal Entity Type: LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Address: 1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202	
Correspondent	
Correspondent Name: SCHULTZ & ASSOCIATES, P.C.	
Correspondent Address: 5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240	
Domestic Representative - Not Found	
▼ Assignment 2 of 2	

Conveyance:	ASSIGNS THE ENTIRE INTEREST	
Reel/Frame:	6650/0492	Pages: 6
Date Recorded:	May 21, 2019	
Supporting Documents:	assignment-tm-6650-0492.pdf	
Assignor		
Name:	AMBIT HOLDINGS, L.L.C.	Execution Date: May 17, 2019
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Assignee		
Name:	AMBIT HOLDINGS US, LLC	
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202	
Correspondent		
Correspondent Name:	SCHULTZ & ASSOCIATES, P.C.	
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240	
Domestic Representative - Not Found		
^ Proceedings - Click to Load		

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If you are the applicant or the applicant's attorney and have questions about this file, please contact the [Trademark Assistance Center](#)

Exhibit G

United States of America
United States Patent and Trademark Office

AMBIT

Reg. No. 4,851,941

Registered Nov. 10, 2015

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

AMBIT HOLDINGS, L.L.C. (TEXAS LIMITED LIABILITY COMPANY)
SUITE 200
1801 N. LAMAR STREET
DALLAS, TX 75202

FOR: MULTILEVEL MARKETING BUSINESS SERVICES, NAMELY, PROVIDING MARKET-
ING AND INCOME OPPORTUNITIES TO OTHERS THROUGH THE SALE OF ENERGY
DISTRIBUTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-0-2006; IN COMMERCE 9-0-2006.

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

OWNER OF U.S. REG. NOS. 3,389,005, 3,786,848, AND OTHERS.

SN 86-213,467, FILED 3-6-2014.

KEVON CHISOLM, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Exhibit H



BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.


INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Trademark Status & Document Retrieval (TSDR)

SEARCH MULTI-SEARCH

US Serial, Registration, or Reference No. 4851941 Status Documents

Status results found

STATUS	DOCUMENTS	MAINTENANCE	Download	Print Preview
Generated on: This page was generated by TSDR on 2019-09-03 14:56:52 EDT				
Mark: AMBIT				
			<h1>AMBIT</h1>	
US Serial Number:	86213467	Application Filing Date:	Mar. 06, 2014	
US Registration Number:	4851941	Registration Date:	Nov. 10, 2015	
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:	Nov. 10, 2015			
Publication Date:	Jul. 15, 2014	Notice of Allowance Date:	Sep. 09, 2014	
Mark Information Expand All				
Mark Literal Elements:	AMBIT			
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			
Related Properties Information				
Claimed Ownership of US Registrations:	3389005, 3443624, 3786848 and others			
Goods and Services				
Note:	The following symbols indicate that the registrant/owner has amended the goods/services: <ul style="list-style-type: none"> • 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:	Multilevel marketing business services, namely, providing marketing and income opportunities to others through the sale of energy distribution services			
International Class(es):	035 - Primary Class	U.S Class(es):	100, 101, 102	
Class Status:	ACTIVE			

Basis:	1(a)	
First Use:	Sep. 2006	Use in Commerce: Sep. 2006
▼ 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:	AMBIT HOLDINGS US, LLC	
Owner Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS UNITED STATES 75202	
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
▼ Attorney/Correspondence Information		
Attorney of Record		
Attorney Name:	George R. Schultz	Docket Number: 12057.0151
Correspondent		
Correspondent Name/Address:	GEORGE R. SCHULTZ SCHULTZ & ASSOCIATES, P.C. 5400 LBJ FWY STE 1200 DALLAS, TEXAS UNITED STATES 75240-1067	
Phone:	214-210-5940	Fax: 214-210-5941
Domestic Representative - Not Found		
▲ Prosecution History		
▲ TM Staff and Location Information		
▼ Assignment Abstract Of Title Information		
Summary		▼ Conveyance Filter
Total Assignments:	1	Registrant: Ambit Holdings, L.L.C.
▼ Assignment 1 of 1 ▼ Expand All		
Conveyance:	ASSIGNS THE ENTIRE INTEREST	
Reel/Frame:	6650/0492	Pages: 6
Date Recorded:	May 21, 2019	
Supporting Documents:	assignment-tm-6650-0492.pdf	
Assignor		
Name:	AMBIT HOLDINGS, L.L.C.	Execution Date: May 17, 2019
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Assignee		
Name:	AMBIT HOLDINGS US, LLC	
Legal Entity Type:	LIMITED LIABILITY COMPANY	State or Country Where Organized: TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202	
Correspondent		
Correspondent Name:	SCHULTZ & ASSOCIATES, P.C.	
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240	
Domestic Representative - Not Found		
▲ Proceedings - Click to Load		

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Exhibit I

United States of America

United States Patent and Trademark Office

AMBIT ENERGY

Reg. No. 5,180,760

Registered Apr. 11, 2017

Int. Cl.: 35

Service Mark

Principal Register

Ambit Holdings, L.L.C. (TEXAS LIMITED LIABILITY COMPANY)
Suite 200
1801 N. Lamar Street
Dallas, TX 75202

CLASS 35: Multilevel marketing business services, namely, providing marketing and income opportunities to others through the sale of energy distribution services

FIRST USE 9-00-2006; IN COMMERCE 9-00-2006

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

OWNER OF U.S. REG. NO. 3786848, 4851941, 3443624

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

SER. NO. 87-149,655, FILED 08-24-2016
LOUIS FRANCI KOLODNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Exhibit J



BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Trademark Status & Document Retrieval (TSDR)

SEARCH MULTI-SEARCH

US Serial, Registration, or Reference No. 5180760 Status Documents

Status results found

STATUS DOCUMENTS MAINTENANCE

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Generated on: This page was generated by TSDR on 2019-09-03 14:59:59 EDT

Mark: AMBIT ENERGY

AMBIT ENERGY

US Serial Number:	87149655	Application Filing Date:	Aug. 24, 2016
US Registration Number:	5180760	Registration Date:	Apr. 11, 2017
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:	Apr. 11, 2017		
Publication Date:	Jan. 24, 2017		

Mark Information Expand All

Mark Literal Elements:	AMBIT ENERGY
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:	"ENERGY"

Related Properties Information

Claimed Ownership of US Registrations:	3443624, 3786848, 4851941
--	---------------------------

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:	Multilevel marketing business services, namely, providing marketing and income opportunities to others through the sale of energy distribution services		
International Class(es):	035 - Primary Class	U.S Class(es):	100, 101, 102

Class Status:	ACTIVE
Basis:	1(a)
First Use:	Sep. 2006
Use in Commerce:	Sep. 2006
▼ Basis Information (Case Level)	
Filed Use:	Yes
Currently Use:	Yes
Filed ITU:	No
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:	AMBIT HOLDINGS US, LLC
Owner Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS UNITED STATES 75202
Legal Entity Type:	LIMITED LIABILITY COMPANY
State or Country Where Organized:	TEXAS
▼ Attorney/Correspondence Information	
Attorney of Record	
Attorney Name:	George R. Schultz
Docket Number:	12057.0192
Correspondent	
Correspondent Name/Address:	GEORGE R. SCHULTZ SCHULTZ & ASSOCIATES, P.C. 5400 LBJ FREEWAY SUITE 1200 DALLAS, TEXAS UNITED STATES 75240
Phone:	214-210-5940
Fax:	214-210-5941
Domestic Representative - Not Found	
▲ Prosecution History	
▲ TM Staff and Location Information	
▼ Assignment Abstract Of Title Information	
Summary ▼ Conveyance Filter	
Total Assignments:	1
Registrant:	Ambit Holdings, L.L.C.
▼ Assignment 1 of 1 ▼ Expand All	
Conveyance:	ASSIGNS THE ENTIRE INTEREST
Reel/Frame:	6650/0492
Pages:	6
Date Recorded:	May 21, 2019
Supporting Documents:	assignment-tm-6650-0492.pdf
Assignor	
Name:	AMBIT HOLDINGS, L.L.C.
Execution Date:	May 17, 2019
Legal Entity Type:	LIMITED LIABILITY COMPANY
State or Country Where Organized:	TEXAS
Assignee	
Name:	AMBIT HOLDINGS US, LLC
Legal Entity Type:	LIMITED LIABILITY COMPANY
State or Country Where Organized:	TEXAS
Address:	1801 N. LAMAR STREET SUITE 200 DALLAS, TEXAS 75202
Correspondent	
Correspondent Name:	SCHULTZ & ASSOCIATES, P.C.
Correspondent Address:	5400 LBJ FREEWAY SUITE 1200 DALLAS, TX 75240
Domestic Representative - Not Found	