

ESTTA Tracking number: **ESTTA1014851**

Filing date: **11/11/2019**

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	The University of Montana
Granted to Date of previous extension	11/10/2019
Address	109 UNIVERSITY HALL MISSOULA, MT 59812 UNITED STATES

Attorney information	ALICIA GRAHN JONES KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET, SUITE 2800 ATLANTA, GA 30309 UNITED STATES aljones@kilpatricktownsend.com, caitlin.smith@kilpatricktownsend.com, kteilhaber@kilpatricktownsend.com, tadmin@kilpatricktownsend.com 4048156500
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Applicant Information

Application No	88005628	Publication date	05/14/2019
Opposition Filing Date	11/11/2019	Opposition Period Ends	11/10/2019
Applicant	Anchor Hocking, LLC Suite 700 200 South Civic Center Drive Columbus, OH 43215 UNITED STATES		


Goods/Services Affected by Opposition


Class 021. First Use: 2006/01/01 First Use In Commerce: 2006/01/01 All goods and services in the class are opposed, namely: Storgeware, namely, household storage containers for food storage, kitchen canisters, and jars in the nature of glass storage jars


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3773980	Application Date	08/07/2008
Registration Date	04/13/2010	Foreign Priority Date	NONE
Word Mark	THE UNIVERSITY OF MONTANA Â· LUX ET VERITAS Â· 1893 Â·		
Design Mark			
Description of Mark	The mark consists of the stylized wording and number "THE UNIVERSITY OF MONTANA LUX ET VERITAS 1893" and a design of a hand holding a torch, within a circle.		
Goods/Services	<p>Class 021. First use: First Use: 1989/00/00 First Use In Commerce: 1989/00/00 Glassware, namely, beverage glasses, mugs, shot glasses, wine glasses, glass decanters, and glass boxes</p> <p>Class 025. First use: First Use: 1989/00/00 First Use In Commerce: 1989/00/00 [Clothing, namely, ties, caps, polo shirts, T-shirts, sweatshirts, jackets, pullovers, fleece jackets, infant snapsuits, infant and toddler t-shirts, and scarves]</p> <p>Class 041. First use: First Use: 1989/00/00 First Use In Commerce: 1989/00/00 Educational and entertainment services, namely, providing courses of instruction at the university level; educational research; arranging and conducting athletic competitions, events, tournaments, and exhibitions</p>		
U.S. Registration No.	3192375	Application Date	10/27/2005
Registration Date	01/02/2007	Foreign Priority Date	NONE
Word Mark	MONTANA GRIZZLIES		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 025. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 clothing, namely t-shirts, sweatshirts and ties</p> <p>Class 041. First use: First Use: 1996/08/00 First Use In Commerce: 1996/08/00 Education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals</p>

U.S. Registration No.	3190599	Application Date	06/30/2005
Registration Date	01/02/2007	Foreign Priority Date	NONE
Word Mark	MONTANA GRIZZLIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 1912/00/00 First Use In Commerce: 1912/00/00 clothing, namely, t-shirts, sweatshirts, shorts, sweatpants, jackets, socks, ties, and scarves</p> <p>Class 041. First use: First Use: 1912/00/00 First Use In Commerce: 1912/00/00 Education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals</p>		

U.S. Registration No.	3113521	Application Date	02/07/2005
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Registration Date	07/11/2006	Foreign Priority Date	NONE
Word Mark	THE UNIVERSITY OF MONTANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 clothing, namely t-shirts, sweatshirts,shorts, sweatpants, jackets, socks, ties, and scarves</p> <p>Class 041. First use: First Use: 1893/00/00 First Use In Commerce: 1893/00/00 education and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances and festivals</p>		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	MONTANA		
Goods/Services	<p>Glassware, namely, beverage glasses, mugs, shot glasses, wine glasses, glass decanters, and glass boxes; Clothing, namely, ties, caps, polo shirts, T-shirts, sweatshirts, sweatpants, socks, jackets, pullovers, fleece jackets, shorts, infant snapsuits, infant and toddler t-shirts, and scarves; education and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances and festivals</p>		

Attachments	<p>77541417#TMSN.png(bytes) 78741967#TMSN.png(bytes) 76642028#TMSN.png(bytes) 76630503#TMSN.png(bytes) 2019.11.11 Notice of Opposition (Univ of Montana)_Exhibit A (final).pdf(532247 bytes)</p>
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Signature	/Alicia Grahn Jones/
Name	Alicia Grahn Jones
Date	11/11/2019

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

THE UNIVERSITY OF MONTANA,

Opposer,

v.

ANCHOR HOCKING, LLC,

Applicant.

Opposition No. _____

Mark: MONTANA (App. Serial
No. 88/005,628)

NOTICE OF OPPOSITION

Opposer The University of Montana (“the University”), a Montana educational institution located at 109 University Hall (Main), Missoula, MT 59812, believes that it will be damaged by registration of the mark MONTANA, as identified in Application Serial No. 88/005,628 (the “Application”), owned by Anchor Hocking, LLC (“Applicant”), and therefore opposes the Application. As grounds for its opposition, the University alleges as follows:

THE UNIVERSITY AND ITS MONTANA MARKS

1. The University is the owner of the trademark MONTANA (the “MONTANA Mark”), which the University has used continuously for decades in connection with a variety of educational and entertainment goods and services.

2. Founded in 1893, the University is the flagship institution of the Montana University System and offers undergraduate, graduate, and doctoral programs in a variety of disciplines. The University is nationally competitive, ranking among the top 15 percent of four-year colleges and universities in the nation by *Princeton Review* in 2017-2019. The University also is a leading research institution and was ranked among the top 100 universities in the world in environment/ecology research by NTU Ranking in 2017. Today, more than 10,500 students



are enrolled at the University.

3. The University is a member of the Big Sky Conference, which participates in National Collegiate Athletic Association (“NCAA”) Division I athletic competitions. The University’s athletic teams have enjoyed tremendous success over the years. Specifically, the University’s women’s basketball team has won 17 conference titles in the past 25 years and has appeared in 20 NCAA tournaments. The men’s basketball team has won 11 conference championships and attended the NCAA tournament in 2005, 2006, 2018, and 2019. The University’s football team was a founding member of the Big Sky Conference and won the Division I-FCS subdivision national championship in 1995 and 2001.

4. Since at least as early as the 1930s, the University has used the designation of “MONTANA” to refer to itself and its various educational and athletic programs. Since adopting its nickname, the University has widely used MONTANA as a trademark to promote the University and its goods and services. For example, the University has featured its MONTANA Mark in recruiting materials and alumni magazines, as well as on its sports teams’ uniforms, apparel, programs, and promotional merchandise. The University has also licensed use of the MONTANA Mark for a wide variety of products for decades. As a result of the University’s longstanding use of the MONTANA Mark, the University has developed strong common law rights in the mark in connection with a wide variety of goods and services.

5. The University owns several federal registrations of marks incorporating the term MONTANA (the “MONTANA Registrations”), many of which are incontestable under 15 U.S.C. § 1065. Details of the University’s MONTANA Registrations are provided below:

Mark Details	Goods and Services	Status
THE UNIVERSITY OF MONTANA LUX ET VERITAS · 1893	INT. CL. 21 glassware, namely, beverage glasses, mugs, shot glasses, wine glasses, glass decanters, and glass boxes INT. CL. 41 educational and entertainment services, namely, providing courses of instruction at the	Registered Partial Section 2(F) Disclaims: “1893”

Mark Details	Goods and Services	Status
 <p>Reg. No. 3773980 App. No. 77541417 Priority Date: 1989</p>	<p>university level; educational research; arranging and conducting athletic competitions, events, tournaments, and exhibitions</p>	
<p>MONTANA GRIZZLIES</p>  <p>Reg 3192375 App 78741967 Priority Date: August 1996</p>	<p>INT. CL. 25 clothing, namely t-shirts, sweatshirts and ties INT. CL. 41 education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals</p>	<p>Renewed (Registered) Partial Section 2(F)</p>
<p>MONTANA GRIZZLIES</p> <p>Reg. No. 3190599 App. No. 76642028 Priority Date: 1912</p>	<p>INT. CL. 25 clothing, namely, t-shirts, sweatshirts, shorts, sweatpants, jackets, socks, ties, and scarves INT. CL. 41 education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals</p>	<p>Renewed (Registered) Partial Section 2(F)</p>
<p>THE UNIVERSITY OF MONTANA</p> <p>Reg. No. 3113521 App. No. 76630503 Priority Dates: 1950 (Class 25); 1893 (Class 41)</p>	<p>INT. CL. 25 clothing, namely t-shirts, sweatshirts, shorts, sweatpants, jackets, socks, ties, and scarves INT. CL. 41 education and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances and festivals</p>	<p>Renewed (Registered) Section 2(F)</p>

See Exhibit A (printouts from the United States Patent and Trademark Office’s electronic TSDR database, showing the current status and title for each of the MONTANA Registrations).

6. The University’s trademarks referenced in paragraphs 1, 4, and 5 are referred to collectively as the “MONTANA Marks.”

7. For decades (and well before Applicant adopted its MONTANA Mark), the

University has used its MONTANA Marks in commerce with educational and entertainment services, and has licensed for sale a variety of products featuring its MONTANA Marks, including without limitation, glassware, cups, mugs, shot glasses, glass decanters, and glass boxes. Representative examples of the University's licensed products bearing the MONTANA Marks are shown below.



8. The University sells its licensed products to consumers across the world through online and retail stores operated by the University and its licensees.

9. Due to the success of the University's athletic teams, the MONTANA Marks have been featured on television broadcasts and in print and online media nationwide for decades, exposing millions of viewers to the MONTANA Marks. As a result of this unsolicited media attention, as well as the University's extensive promotion and sales of its goods and services

under the MONTANA Marks, the MONTANA Marks have become well-known. Indeed, consumers have come to recognize the MONTANA Marks as belonging to the University, and associate and identify the various goods and services offered under the MONTANA Marks exclusively with the University. The University, therefore, has established significant goodwill and value in the MONTANA Marks as the marks serve to immediately identify the University as the single source of its goods and services.

APPLICANT AND APPLICANT'S MARK

10. Notwithstanding the University's prior rights in its MONTANA Marks, Applicant filed its Application to register the mark MONTANA ("Applicant's Mark") for "storageware, namely, household storage containers for food storage, kitchen canisters, and jars in the nature of glass storage jars" in International Class 21, citing January 1, 2006 as its date of first use in commerce.

11. The Application published for opposition in the *Official Gazette* dated May 14, 2019. The University timely filed extensions of time to oppose the Application, and thus is permitted to file this Notice of Opposition until November 11, 2019.

GROUND FOR OPPOSITION

12. The University will be damaged by the registration of Applicant's Mark because the mark incorporates the University's MONTANA Mark in its entirety, without any additional wording, and is highly similar to the University's MONTANA Marks so as to be likely to cause confusion, mistake, and deception. Moreover, the storage containers, canisters, and glass jars offered under Applicant's Mark are identical, highly related, and/or complementary to the goods the University has long offered under its MONTANA Marks.

13. Therefore, consumers are likely to believe, erroneously, that Applicant's storage ware goods sold under Applicant's Mark are offered by the University or are licensed, endorsed,

or otherwise associated with the University. Thus, registration of Applicant's Mark on the Principal Register would be inconsistent with the University's preexisting rights in its MONTANA Marks under 15 U.S.C. §§ 1052(d) and 1063.

14. Registration of Applicant's Mark will also damage the University because Applicant's Mark falsely suggests a connection with or endorsement by the University, in violation of 15 U.S.C. § 1052(a).

15. **WHEREFORE**, the University requests that the Board sustain this proceeding in the University's favor by refusing registration of Application Serial No. 88/005,628.

The opposition fee in the amount of \$400.00 for an opposition in one class is submitted herewith. If for any reason this amount is insufficient, the Board is authorized to charge any deficiency to Kilpatrick Townsend & Stockton LLP's Deposit Account No. 20-1430. This paper is filed electronically.

This 11th day of November, 2019.

Respectfully submitted,

/Alicia Grahn Jones/

Alicia Grahn Jones
Caitlin H. Smith
KILPATRICK TOWNSEND & STOCKTON LLP
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*Attorneys for Opposer The University of
Montana*

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true and correct copy of the foregoing **NOTICE OF OPPOSITION** is being filed electronically with the TTAB via ESTTA on this 11th day of November, 2019.

/Kris Teilhaber/

Kris Teilhaber

EXHIBIT A

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Mark: THE UNIVERSITY OF MONTANA · LUXET VERITAS ·1893 ·



US Serial Number: 77541417

Application Filing Date: Aug. 07, 2008

US Registration Number: 3773980

Registration Date: Apr. 13, 2010

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: A partial Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Oct. 26, 2016

Publication Date: Jan. 26, 2010

Mark Information

Mark Literal Elements: THE UNIVERSITY OF MONTANA · LUXET VERITAS ·1893 ·

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized wording and number "THE UNIVERSITY OF MONTANA LUX ET VERITAS 1893" and a design of a hand holding a torch, within a circle.

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

Disclaimer: "1893"

Translation: The English translation of the Latin wording "LUX ET VERITAS" is light and truth.

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: as to "THE UNIVERSITY OF MONTANA"

Design Search Code(s): 01.15.15 - Fire (flames), emanating from objects, words or numbers
02.11.07 - Arms; Fingers; Hands; Human hands, fingers, arms
13.01.02 - Welding torch; Torches; Blow torch; Propane torches
26.01.08 - Circles having letters or numerals as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle; Circles having punctuation as a border
26.01.11 - Circles comprised of animals; Circles comprised of geometric figures; Circles comprised of humans; Letters, numerals, punctuation, geometric figures, objects, humans, plants or animals comprising a circle; Circles comprised of plants; Circles comprised of letters or numerals; Circles comprised of punctuation
26.01.17 - Two concentric circles; Concentric circles, two; Circles, two concentric

Related Properties Information

Claimed Ownership of US Registrations: 3113521

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: Glassware, namely, beverage glasses, mugs, shot glasses, wine glasses, glass decanters, and glass boxes

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1989

Use in Commerce: 1989

For: [Clothing, namely, ties, caps, polo shirts, T-shirts, sweatshirts, jackets, pullovers, fleece jackets, infant snapsuits, infant and toddler t-shirts, and scarves]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: 1989

Use in Commerce: 1989

For: Educational and entertainment services, namely, providing courses of instruction at the university level; educational research; arranging and conducting athletic competitions, events, tournaments, and exhibitions

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1989

Use in Commerce: 1989

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: The University of Montana

Owner Address: 109 University Hall
Office of the President
Missoula, MONTANA UNITED STATES 59812

Legal Entity Type: CORPORATION

State or Country Where Organized: MONTANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William H. Brewster

Docket Number: C1233/367658

Correspondent

Correspondent Name/Address: The University of Montana
Office of the President
109 University Hall
Missoula, MONTANA UNITED STATES 59812

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 26, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	

Oct. 26, 2016	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76873
Oct. 26, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Aug. 22, 2016	TEAS SECTION 8 & 15 RECEIVED	
Aug. 22, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 13, 2010	REGISTERED-PRINCIPAL REGISTER	
Jan. 26, 2010	PUBLISHED FOR OPPOSITION	
Jan. 06, 2010	NOTICE OF PUBLICATION	
Dec. 19, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Dec. 17, 2009	EXAMINERS AMENDMENT MAILED	
Dec. 16, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 16, 2009	EXAMINERS AMENDMENT -WRITTEN	60740
Dec. 16, 2009	NON-FINAL ACTION MAILED	
Dec. 16, 2009	NON-FINAL ACTION WRITTEN	60740
Dec. 16, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Nov. 09, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Oct. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Oct. 28, 2009	EXAMINERS AMENDMENT MAILED	
Oct. 27, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 27, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 27, 2009	EXAMINERS AMENDMENT -WRITTEN	60740
Oct. 27, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 23, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Oct. 15, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Sep. 30, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2009	AMENDMENT FROM APPLICANT ENTERED	88888
Sep. 28, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
Sep. 28, 2009	PAPER RECEIVED	
May 26, 2009	NON-FINAL ACTION MAILED	
May 22, 2009	NON-FINAL ACTION WRITTEN	60740
May 22, 2009	AMENDMENT FROM APPLICANT ENTERED	69350
May 22, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	69350
May 22, 2009	ASSIGNED TO LIE	69350
May 21, 2009	PAPER RECEIVED	
Nov. 18, 2008	NON-FINAL ACTION MAILED	
Nov. 17, 2008	NON-FINAL ACTION WRITTEN	60740
Nov. 17, 2008	ASSIGNED TO EXAMINER	60740
Aug. 12, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 11, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Oct. 26, 2016

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Mark: MONTANA GRIZZLIES



US Serial Number: 78741967

Application Filing Date: Oct. 27, 2005

US Registration Number: 3192375

Registration Date: Jan. 02, 2007

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: The registration has been renewed.

Status Date: Jul. 05, 2017

Publication Date: Oct. 17, 2006

Mark Information

Mark Literal Elements: MONTANA GRIZZLIES

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.

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: as to "MONTANA"

Design Search Code(s): 03.01.14 - Bears other than Panda bears; Bears, koala; Bears, polar; Black bears; Grizzly bears; Koala bears; Polar bears
03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers

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: clothing, namely t-shirts, sweatshirts and ties

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1996

Use in Commerce: Aug. 1996

For: Education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 1996

Use in Commerce: Aug. 1996

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: THE UNIVERSITY OF MONTANA

Owner Address: Office of the President
109 University Hall
Missoula, MONTANA UNITED STATES 59812

Legal Entity Type: CORPORATION

State or Country Where Organized: MONTANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alicia Grahn Jones

Docket Number: 0321843

Attorney Primary Email Address: tmadmin@kilpatricktownsend.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alicia Grahn Jones
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, Suite 2800
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ATLANTA, GEORGIA UNITED STATES 30309

Phone: 404-815-6500

Fax: 404-815-6555

Correspondent e-mail: tmadmin@kilpatricktownsend.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 05, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 05, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jul. 05, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Jul. 05, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
May 25, 2017	TEAS SECTION 8 & 9 RECEIVED	
Oct. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Oct. 24, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Oct. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Oct. 08, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 02, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2006	PUBLISHED FOR OPPOSITION	
Sep. 27, 2006	NOTICE OF PUBLICATION	
Aug. 31, 2006	ASSIGNED TO LIE	68658
Aug. 31, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Aug. 18, 2006	ASSIGNED TO LIE	78145
Aug. 17, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	

Aug. 16, 2006	AMENDMENT FROM APPLICANT ENTERED	68171
Jul. 27, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jul. 27, 2006	PAPER RECEIVED	
Jan. 31, 2006	EXAMINER'S AMENDMENT/PRIORITY ACTION MAILED	
Jan. 31, 2006	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	81850
Jan. 23, 2006	ASSIGNED TO EXAMINER	81850
Nov. 02, 2005	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 01, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 05, 2017

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Mark: MONTANA GRIZZLIES

MONTANA GRIZZLIES

US Serial Number: 76642028

Application Filing Date: Jun. 30, 2005

US Registration Number: 3190599

Registration Date: Jan. 02, 2007

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: The registration has been renewed.

Status Date: Aug. 10, 2017

Publication Date: Oct. 17, 2006

Mark Information

Mark Literal Elements: MONTANA GRIZZLIES

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

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: as to "MONTANA"

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: clothing, namely, t-shirts, sweatshirts, shorts, sweatpants, jackets, socks, ties, and scarves

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1912

Use in Commerce: 1912

For: Education and entertainment services, namely, providing courses of instruction at the university level; educational research; and arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances, and festivals

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1912

Use in Commerce: 1912

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: The University of Montana

Owner Address: Office of the President
109 University Hall (Main)
Missoula, MONTANA UNITED STATES 598123324

Legal Entity Type: CORPORATION **State or Country Where Organized:** MONTANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alicia Grahn Jones **Docket Number:** 0301097

Attorney Primary Email Address: tmadmin@kilpatricktownsend.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Alicia Grahn Jones
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, Suite 2800
Mailstop: IP Docketing - 22
ATLANTA, GEORGIA UNITED STATES 30309

Phone: 404-815-6500 **Fax:** 404-815-6555

Correspondent e-mail: tmadmin@kilpatricktownsend.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 10, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 10, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74704
Aug. 10, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74704
Aug. 10, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Jul. 03, 2017	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Oct. 23, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Oct. 23, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Oct. 08, 2012	TEAS SECTION 8 & 15 RECEIVED	
Oct. 08, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 02, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2006	PUBLISHED FOR OPPOSITION	
Sep. 27, 2006	NOTICE OF PUBLICATION	
Aug. 31, 2006	ASSIGNED TO LIE	68658
Aug. 31, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Aug. 18, 2006	ASSIGNED TO LIE	78145
Aug. 17, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 2006	AMENDMENT FROM APPLICANT ENTERED	68171
Jul. 27, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jul. 27, 2006	PAPER RECEIVED	

Jan. 31, 2006	EXAMINER'S AMENDMENT/PRIORITY ACTION MAILED	
Jan. 31, 2006	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	81850
Jan. 23, 2006	ASSIGNED TO EXAMINER	81850
Jan. 23, 2006	ASSIGNED TO EXAMINER	69798
Jul. 12, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 10, 2017

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Mark: THE UNIVERSITY OF MONTANA

THE UNIVERSITY OF MONTANA

US Serial Number: 76630503

Application Filing Date: Feb. 07, 2005

US Registration Number: 3113521

Registration Date: Jul. 11, 2006

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: The registration has been renewed.

Status Date: Sep. 20, 2016

Publication Date: Apr. 18, 2006

Mark Information

Mark Literal Elements: THE UNIVERSITY OF MONTANA

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

Acquired Distinctiveness Claim: In whole

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: clothing, namely t-shirts, sweatshirts, shorts, sweatpants, jackets, socks, ties, and scarves

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1950

Use in Commerce: 1950

For: education and entertainment services, namely, providing course of instruction at the university level; educational research; arranging and conducting athletic events and tournaments, exhibitions, conferences, live performances and festivals

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1893

Use in Commerce: 1893

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: THE UNIVERSITY OF MONTANA

Owner Address: Office of the President
109 University Hall (Main)
Missoula, MONTANA UNITED STATES 598123324

Legal Entity Type: CORPORATION

State or Country Where Organized: MONTANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William H. Brewster

Docket Number: C1233/200234

Correspondent

Correspondent Name/Address: THE UNIVERSITY OF MONTANA
109 University Hall (Main)
Office of the President
Missoula, MONTANA UNITED STATES 59812-3324

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 20, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Sep. 20, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76985
Sep. 20, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
Sep. 20, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Jun. 29, 2016	TEAS SECTION 8 & 9 RECEIVED	
Jun. 29, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 15, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Jun. 15, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Jun. 15, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jun. 07, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jun. 07, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 11, 2006	REGISTERED-PRINCIPAL REGISTER	
Apr. 18, 2006	PUBLISHED FOR OPPOSITION	
Mar. 29, 2006	NOTICE OF PUBLICATION	
Feb. 27, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76538
Feb. 24, 2006	ASSIGNED TO LIE	76538
Feb. 14, 2006	EXAMINERS AMENDMENT MAILED	
Feb. 14, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 14, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 14, 2006	EXAMINERS AMENDMENT -WRITTEN	65720
Feb. 07, 2006	AMENDMENT FROM APPLICANT ENTERED	66121
Jan. 24, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Jan. 24, 2006	PAPER RECEIVED	
Sep. 12, 2005	NON-FINAL ACTION MAILED	
Sep. 11, 2005	NON-FINAL ACTION WRITTEN	65720
Sep. 06, 2005	ASSIGNED TO EXAMINER	65720
Feb. 23, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 20, 2016