

ESTTA Tracking number: **ESTTA1019489**

Filing date: **12/02/2019**

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	Dwell Media, LLC
Granted to Date of previous extension	12/01/2019
Address	901 BATTERY STREETSUITE 401 SAN FRANCISCO, CA 94111 UNITED STATES

Attorney information	Raffi Zerounian Hanson Bridgett LLP 425 Market Street Floor 26 San Francisco, CA 94105 UNITED STATES ttabfilings@hansonbridgett.com, rzerounian@hansonbridgett.com 4159955044
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Applicant Information

Application No	88302222	Publication date	06/04/2019
Opposition Filing Date	12/02/2019	Opposition Period Ends	12/01/2019
Applicant	WellTap Inc. 2303 Titania St Austin, TX 78741 UNITED STATES		

Goods/Services Affected by Opposition

Class 005. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Dietary supplements in the form of liquid; Dietary and nutritional supplements; Herbal tinctures for medical purposes; Herbal supplements; Liquid herbal supplements; Liquid nutritional supplement; Medicinal oils
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2452089	Application Date	10/08/1999
Registration Date	05/15/2001	Foreign Priority	NONE


		Date	
Word Mark	DWELL		
Design Mark	DWELL		
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1999/06/00 First Use In Commerce: 1999/06/00 Magazines in the field of modern home design Class 042. First use: First Use: 2000/01/00 First Use In Commerce: 2000/01/00 Providing On-line magazine in the field of modern home design		

U.S. Registration No.	3255952	Application Date	08/07/2006
Registration Date	06/26/2007	Foreign Priority Date	NONE
Word Mark	DWELL ON DESIGN		
Design Mark	Dwell on Design		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2006/06/21 First Use In Commerce: 2006/06/21 Arranging of exhibitions, seminars, and conferences in the field of modern design and architecture		

U.S. Registration No.	3486397	Application Date	04/12/2006
Registration Date	08/12/2008	Foreign Priority Date	NONE
Word Mark	DWELL		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Financial sponsorship of exhibitions, seminars, and conferences in the field of modern design Class 041. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Arranging of exhibitions, seminars and conferences in the field of modern design

U.S. Registration No.	3638812	Application Date	11/12/2008
Registration Date	06/16/2009	Foreign Priority Date	NONE

Word Mark	DWELL
Design Mark	
Description of Mark	The mark consists of the word "dwell" in all lower case, sans serif font, with the lower left corners of the letters "l" cut at an angle from upper left to lower right.
Goods/Services	Class 016. First use: First Use: 2000/09/01 First Use In Commerce: 2000/09/01 Magazines in the field of modern interior and architectural design

U.S. Registration No.	3639000	Application Date	11/14/2008
Registration Date	06/16/2009	Foreign Priority Date	NONE
Word Mark	DWELL		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2003/01/00 First Use In Commerce: 2003/01/00 Arranging contests and competitions in the field of modern architectural, interior and furniture design		

U.S. Registration No.	3660406	Application Date	11/12/2008
Registration Date	07/28/2009	Foreign Priority Date	NONE
Word Mark	DWELL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2006/06/15 First Use In Commerce: 2007/02/01 Providing a website featuring videos, slideshows, podcasts, and online journals in the field of modern interior and architectural design and sustainable design		


U.S. Registration No.	3671030	Application Date	01/31/2006
Registration Date	08/18/2009	Foreign Priority Date	NONE
Word Mark	DWELL		

Design Mark	DWELL
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2003/07/01 First Use In Commerce: 2003/07/01 Endorsement services, namely, promoting the architectural designs of others, namely, promoting modern home architectural designs of others; endorsement services, namely, promoting the architectural designs of others, namely, promoting sustainable modern architectural designs of others

U.S. Registration No.	4020163	Application Date	02/05/2010
Registration Date	08/30/2011	Foreign Priority Date	NONE

Word Mark	DWELL MEDIA
Design Mark	DWELL MEDIA
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 2010/07/01 First Use In Commerce: 2010/09/01 Magazines in the field of modern interior and architectural design and sustainable design Class 041. First use: First Use: 2010/07/01 First Use In Commerce: 2011/01/01 [Providing a website featuring podcasts in the field of modern interior and architectural design and sustainable design; providing a website featuring online journals, namely, blogs in the field of modern interior and architectural design and sustainable design] Class 042. First use: First Use: 2010/07/01 First Use In Commerce: 2011/01/01 Providing a website featuring non-downloadable videos, photographs, slideshows, and articles in the field of modern interior and architectural design and sustainable design

U.S. Registration No.	4509770	Application Date	07/08/2013
Registration Date	04/08/2014	Foreign Priority Date	NONE

Word Mark	DWELL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2007/07/01 First Use In Commerce: 2007/07/01 Arranging and conducting special events in the nature of tours featuring homes of exemplary modern interior and architectural design for social entertainment and educational purposes

U.S. Registration No.	5041772	Application Date	10/08/2014
Registration Date	09/13/2016	Foreign Priority Date	NONE

Word Mark	DWELL HOMES
Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2005/06/01 First Use In Commerce: 2014/11/01 Providing an Internet website portal featuring promotion and advertising for real estate agents and real estate brokers; providing an Internet website portal featuring endorsements of homes for sale; providing marketing services for real estate buyers, sellers, lessees, lessors, and developers; real estate marketing services, namely, online promotion of modern homes

U.S. Registration No.	5041773	Application Date	10/08/2014
Registration Date	09/13/2016	Foreign Priority Date	NONE
Word Mark	DWELL HOMES		

Design Mark	DWELL HOMES
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2005/06/01 First Use In Commerce: 2014/11/01 Providing real estate listings and realestate information via the Internet; real estate services, namely, providing anonline database featuring information regarding real estate; providing an Internet website portal offering information in the field of real estate concerning the purchase and sale of new and resale homes

U.S. Registration No.	5060064	Application Date	10/08/2014
Registration Date	10/11/2016	Foreign Priority Date	NONE

Word Mark	DWELL HOMES
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Design Mark	DWELL HOMES
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Description of Mark	NONE
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Goods/Services	Class 041. First use: First Use: 2015/06/01 First Use In Commerce: 2014/11/01 Providing an Internet website portal inthe field of real estate for cultural or entertainment purposes; providing an online database featuring information regarding residential housing for cultural or entertainment purposes; providing an Internet website portal in the field of residential housing for cultural or entertainment purposes
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U.S. Registration No.	5149195	Application Date	01/11/2016
Registration Date	02/28/2017	Foreign Priority Date	NONE

Word Mark	DWELL
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Design Mark	<h1>DWELL</h1>
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2007/12/01 First Use In Commerce: 2007/12/01 Providing a website featuring downloadable videos in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction in the nature of a continuing series of interview broadcasted over the Internet</p> <p>Class 041. First use: First Use: 2007/12/01 First Use In Commerce: 2007/12/01 Entertainment services, namely, provision, production and distribution of a series of programs in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction; entertainment services, namely, providing an ongoing series of television programs and multimedia programs in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction via a global computer network; providing a website featuring on-line non-downloadable videos in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction in the nature of a continuing-series of interviews broadcasted over the Internet</p>

Attachments	<p>75800343#TMSN.png(bytes) 78946724#TMSN.png(bytes) 78860261#TMSN.png(bytes) 77612729#TMSN.png(bytes) 77614741#TMSN.png(bytes) 77612779#TMSN.png(bytes) 78803485#TMSN.png(bytes) 77929353#TMSN.png(bytes) 86004635#TMSN.png(bytes) 86418325#TMSN.png(bytes) 86418345#TMSN.png(bytes) 86418453#TMSN.png(bytes) 86872043#TMSN.png(bytes) 2019.12.02 Notice of Opposition DWELL (Welltap).pdf(31312 bytes) Dwell - Exhibit to Ntc of Opp.pdf(372971 bytes)</p>
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Signature	/rvz/
Name	Raffi Zerounian
Date	12/02/2019

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

DWELL MEDIA, LLC,

 Opposer,

 v.

WELLTAP INC.,

 Applicant.

Opposition No.:

Serial No.: 88/302,222
Filed: February 14, 2019
Published: June 4, 2019
Mark: DWELL

NOTICE OF OPPOSITION

DWELL MEDIA, LLC, a United States company based in San Francisco, California, ("Dwell" or "Opposer"), believes it will be damaged by the application of the above-identified mark DWELL, subject of Application Serial No. 88/302,222 (the "Application"), covering, "Dietary supplements in the form of liquid; Dietary and nutritional supplements; Herbal tinctures for medical purposes; Herbal supplements; Liquid herbal supplements; Liquid nutritional supplement; Medicinal oils" in Class 5 ("Applicant's Mark"), owned by WellTap Inc. ("Applicant"), whose address of record is 2303 Titania St, Austin, Texas 78741, and hereby opposes registration of this mark. As grounds for its opposition, Opposer alleges upon personal knowledge with respect to itself and its own acts, and upon information and belief as to all other matters, as follows:

1. Opposer is a well-known leader in the field of modern design, including home design, as well as construction and related services. Its products and services offered under DWELL and DWELL-formative trademarks include print and online magazines, competitions, exhibitions, conferences, seminars, furniture, and television programming. Dwell's website features a blog and articles featuring information and photography regarding modern home, design, furniture, beauty and wellness, travel and lifestyle and related goods and services. Dwell's influential and highly regarded print magazine is distributed nationwide to hundreds of

thousands of subscribers and newsstands. Additionally, Dwell has licensed its DWELL marks to be used in connection with the sale of products nationwide, including furniture.

2. Dwell is also the owner of the domain name www.dwell.com, and the popular website located at that domain name. Dwell's website features articles, videos, slideshows, podcasts, newsletters, an events calendar, a blog, and many other features concerned with home and building design, construction and renovation, modern lifestyle, beauty and wellness, and real estate. Dwell's offerings discuss beauty and wellness, including herbal and nutritional supplements, among other things. Dwell's website has also featured pages dedicated to architectural design and construction, as well as information on architects and construction companies across the United States that specialize in mid-century modern design and construction. Dwell's website also features different blogs on different topics, including beauty, modern art, fashion, and design. The website offers RSS feeds, and Dwell is available on popular social networking sites such as Twitter, Facebook, and YouTube.

3. Opposer uses the name and mark DWELL and other DWELL-based marks (collectively "Opposer's Mark") on a nationwide basis, and it has registered such marks in connection with a variety of goods and services including the following:

- Magazines and on-line magazines in the field of modern home design, and modern interior and architectural design;
- Financial sponsorship of exhibitions, seminars and conferences in the field of modern design;
- Arranging of exhibitions, seminars and conferences in the field of modern design;
- Selling real estate, including publishing information about houses and apartments available for rent or sale;
- Sharing information about the real estate industry, as well as featuring real estate agents and real estate brokers;

- Licensing of architectural drawings of modern home designs to others; promoting the architectural designs of others, namely, promoting modern home architectural and interior designs of others;
- Providing a website featuring articles, videos, photographs, slideshows, podcasts, online journals, polls and advertisements in the field of modern interior and architectural design and sustainable design;
- Endorsement services, namely, promoting the architectural designs of others;
- Arranging and financial sponsorship of contests and competitions in the field of modern architectural, interior and furniture design.

4. Dwell's nationwide trademark rights are reflected by its numerous United States trademark Applications for DWELL and DWELL-formative marks. Opposer is the owner of Reg. Nos. 2452089, 3255952, 3486397, 3638812, 3639000, 3660406, 3671030, 4020163, 4509770, 5041772, 5041773, 5060064, and 5149195 for Opposer's Mark. Copies of TESS printouts of these Applications are attached as Exhibit 1. Opposer has used Opposer's Mark since at least 1999. Over many years, and at substantial cost, Dwell has built up invaluable goodwill in its family of DWELL trademarks. Opposer's Mark is distinctive within the meaning of 15 U.S.C. Sec. 1125(c).

5. Long since prior to the filing date of the Application or Applicant's first use of the DWELL trademark in the United States, Dwell has used the DWELL mark (or licensed the mark) in connection with a wide variety of goods and services, including but not limited to beauty, wellness, and modern lifestyle.

6. According to the records of the United States Patent and Trademark Office, Applicant's application therefor was filed on February 14, 2019. The Application for Applicant's Mark was published on June 4, 2019, and the Application covers, "Dietary supplements in the form of liquid; Dietary and nutritional supplements; Herbal tinctures for medical purposes;

Herbal supplements; Liquid herbal supplements; Liquid nutritional supplement; Medicinal oils" in Class 5. The filing date for Applicant's Application is well after the dates of Opposer's first use and applications for Opposer's Mark.

7. Applicant's Mark is identical to Opposer's DWELL mark.

8. For the foregoing reasons, Application of Applicant's Mark is injurious and damaging to Opposer within the meaning of 15 USC §§1052 and 1125 and will result in injury and damage to Opposer and its business.

WHEREFORE, Opposer prays that this Notice of Opposition be sustained, that the Application be rejected, and that no registration thereon be issued to Applicant.

It is requested that all future communications in connection with this proceeding be addressed to the undersigned.

Respectfully submitted,

DWELL MEDIA, LLC.

By /s/ Raffi V. Zerounian

Raffi V. Zerounian
Holly R. Hanks
Attorneys for Opposer
Dwell Media, LLC

Hanson Bridgett LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
Tel.: (415) 777-3200
E-mail: rzerounian@hansonbridgett.com
E-mail: hhanks@hansonbridgett.com

Date: December 2, 2019

EXHIBIT 1



Trademarks > Trademark Electronic Search System (TESS)

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DWELL

Word Mark DWELL

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines in the field of modern home design. FIRST USE: 19990600. FIRST USE IN COMMERCE: 19990600

IC 042. US 100 101. G & S: Providing On-line magazine in the field of modern home design. FIRST USE: 20000100. FIRST USE IN COMMERCE: 20000100

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75800343

Filing Date October 8, 1999

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 11, 2000

Registration Number 2452089

International Registration Number 0869926

Registration Date May 15, 2001

Owner (REGISTRANT) Hedberg, Lara INDIVIDUAL UNITED STATES 162 Throckmorton Mill Valley CALIFORNIA 94941

(LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Raffi Zerounian

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100605.

Renewal 1ST RENEWAL 20100605

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Dwell on Design

Word Mark	DWELL ON DESIGN
Goods and Services	IC 041. US 100 101 107. G & S: Arranging of exhibitions, seminars, and conferences in the field of modern design and architecture. FIRST USE: 20060621. FIRST USE IN COMMERCE: 20060621
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78946724
Filing Date	August 7, 2006
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 10, 2007
Registration Number	3255952
Registration Date	June 26, 2007
Owner	(REGISTRANT) Dwell, LLC. LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133 (LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 901 Battery Street, Suite 401 SAN FRANCISCO CALIFORNIA 94111
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Raffi Zerounian
Prior Registrations	2452089;3016045
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "design" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20170727.
Renewal 1ST RENEWAL 20170727
Live/Dead Indicator LIVE

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dwell

Word Mark	DWELL
Goods and Services	IC 036. US 100 101 102. G & S: Financial sponsorship of exhibitions, seminars, and conferences in the field of modern design. FIRST USE: 20070201. FIRST USE IN COMMERCE: 20070201 IC 041. US 100 101 107. G & S: Arranging of exhibitions, seminars and conferences in the field of modern design. FIRST USE: 20070201. FIRST USE IN COMMERCE: 20070201
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78860261
Filing Date	April 12, 2006
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	May 22, 2007
Registration Number	3486397
International Registration Number	1077657
Registration Date	August 12, 2008
Owner	(REGISTRANT) Dwell LLC LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133 (LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108
Assignment Recorded	ASSIGNMENT RECORDED

Attorney of Record Raffi Zerounian
Prior Registrations 2452089;3016045
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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dwell

Word Mark DWELL

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines in the field of modern interior and architectural design. FIRST USE: 20000901. FIRST USE IN COMMERCE: 20000901

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 77612729

Filing Date November 12, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition March 31, 2009

Registration Number 3638812

Registration Date June 16, 2009

Owner (REGISTRANT) Dwell LLC LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133

(LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Raffi Zerounian

Prior Registrations 2452089;3016045;3486397;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "dwell" in all lower case, sans serif font, with the lower left corners of the letters "l" cut at an angle from upper left to lower right.

Type of Mark TRADEMARK

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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dwell

Word Mark	DWELL
Goods and Services	IC 041. US 100 101 107. G & S: Arranging contests and competitions in the field of modern architectural, interior and furniture design. FIRST USE: 20030100. FIRST USE IN COMMERCE: 20030100
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77614741
Filing Date	November 14, 2008
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 31, 2009
Registration Number	3639000
International Registration Number	1077657
Registration Date	June 16, 2009
Owner	(REGISTRANT) Dwell LLC LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133 (LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Raffi Zerounian
Prior	2452089;3016045;3486397;AND OTHERS

Registrations

Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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dwell

Word Mark DWELL

Goods and Services IC 041. US 100 101 107. G & S: Providing a website featuring videos, slideshows, podcasts, and online journals in the field of modern interior and architectural design and sustainable design. FIRST USE: 20060615. FIRST USE IN COMMERCE: 20070201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77612779

Filing Date November 12, 2008

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 12, 2009

Registration Number **3660406**

International Registration Number 1077657

Registration Date July 28, 2009

Owner (REGISTRANT) Dwell LLC LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133

(LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Raffi Zerounian

Record

Prior Registrations 2452089;3016045;3486397;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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DWELL

Word Mark DWELL

Goods and Services IC 035. US 100 101 102. G & S: Endorsement services, namely, promoting the architectural designs of others, namely, promoting modern home architectural designs of others; endorsement services, namely, promoting the architectural designs of others, namely, promoting sustainable modern architectural designs of others. FIRST USE: 20030701. FIRST USE IN COMMERCE: 20030701

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 78803485

Filing Date January 31, 2006

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 3, 2007

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3671030

Registration Date August 18, 2009

Owner (REGISTRANT) Dwell, LLC. LIMITED LIABILITY COMPANY DELAWARE 40 Gold Street San Francisco CALIFORNIA 94133

(LAST LISTED OWNER) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 550 KEARNY ST. SUITE 710 SAN FRANCISCO CALIFORNIA 94108

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Raffi Zerounian
Prior Registrations 2452089;3016045
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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DWELL MEDIA

Word Mark DWELL MEDIA
Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines in the field of modern interior and architectural design and sustainable design. FIRST USE: 20100701. FIRST USE IN COMMERCE: 20100901

(CANCELLED) IC 041. US 100 101 107. G & S: [Providing a website featuring podcasts in the field of modern interior and architectural design and sustainable design; providing a website featuring online journals, namely, blogs in the field of modern interior and architectural design and sustainable design]. FIRST USE: 20100701. FIRST USE IN COMMERCE: 20110101

IC 042. US 100 101. G & S: Providing a website featuring non-downloadable videos, photographs, slideshows, and articles in the field of modern interior and architectural design and sustainable design. FIRST USE: 20100701. FIRST USE IN COMMERCE: 20110101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77929353

Filing Date February 5, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 22, 2010

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 4020163

Registration August 30, 2011

Date
Owner (REGISTRANT) DWELL MEDIA LLC LIMITED LIABILITY COMPANY DELAWARE 901 Battery Street, Suite 401
San Francisco CALIFORNIA 94111
**Assignment
Recorded** ASSIGNMENT RECORDED
**Attorney of
Record** Raffi Zerounian
**Prior
Registrations** 2452089;3486397;3660406;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MEDIA" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR).
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Indicator** LIVE

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dwell

Word Mark DWELL

Goods and Services IC 041. US 100 101 107. G & S: Arranging and conducting special events in the nature of tours featuring homes of exemplary modern interior and architectural design for social entertainment and educational purposes. FIRST USE: 20070701. FIRST USE IN COMMERCE: 20070701

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86004635

Filing Date July 8, 2013

Current Basis 1A

Original Filing Basis 1A

Published for Opposition January 21, 2014

Registration Number 4509770

Registration Date April 8, 2014

Owner (REGISTRANT) Dwell Media, LLC LIMITED LIABILITY COMPANY DELAWARE 550 Kearny Street, Suite 710 San Francisco CALIFORNIA 94108

Attorney of Record Raffi Zerounian

Prior Registrations 2452089;3639000;3660406;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

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DWELL HOMES

Word Mark DWELL HOMES

Goods and Services IC 035. US 100 101 102. G & S: Providing an Internet website portal featuring promotion and advertising for real estate agents and real estate brokers; providing an Internet website portal featuring endorsements of homes for sale; providing marketing services for real estate buyers, sellers, lessees, lessors, and developers; real estate marketing services, namely, online promotion of modern homes. FIRST USE: 20050601. FIRST USE IN COMMERCE: 20141101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86418325

Filing Date October 8, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 10, 2016

Registration Number 5041772

Registration Date September 13, 2016

Owner (REGISTRANT) Dwell Media, LLC LIMITED LIABILITY COMPANY DELAWARE 901 Battery Street, Suite 401 San Francisco CALIFORNIA 94111

Attorney of Record Raffi Zerounian

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Type of Mark SERVICE MARK
Register PRINCIPAL
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DWELL HOMES

Word Mark DWELL HOMES

Goods and Services IC 036. US 100 101 102. G & S: Providing real estate listings and real estate information via the Internet; real estate services, namely, providing an online database featuring information regarding real estate; providing an Internet website portal offering information in the field of real estate concerning the purchase and sale of new and resale homes. FIRST USE: 20050601. FIRST USE IN COMMERCE: 20141101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86418345

Filing Date October 8, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 10, 2016

Registration Number 5041773

Registration Date September 13, 2016

Owner (REGISTRANT) Dwell Media, LLC LIMITED LIABILITY COMPANY DELAWARE 901 Battery Street, Suite 401 San Francisco CALIFORNIA 94111

Attorney of Record Raffi Zerounian

Disclaimer Type of NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HOMES" APART FROM THE MARK AS SHOWN SERVICE MARK

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DWELL HOMES

Word Mark DWELL HOMES

Goods and Services IC 041. US 100 101 107. G & S: Providing an Internet website portal in the field of real estate for cultural or entertainment purposes; providing an online database featuring information regarding residential housing for cultural or entertainment purposes; providing an Internet website portal in the field of residential housing for cultural or entertainment purposes. FIRST USE: 20150601. FIRST USE IN COMMERCE: 20141101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86418453

Filing Date October 8, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 10, 2016

Registration Number 5060064

Registration Date October 11, 2016

Owner (REGISTRANT) Dwell Media, LLC LIMITED LIABILITY COMPANY DELAWARE 901 Battery Street, Suite 401 San Francisco CALIFORNIA 94111

Attorney of Record Raffi Zerounian

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HOMES" APART FROM THE MARK AS SHOWN

Type of SERVICE MARK

Mark

Register PRINCIPAL

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DWELL

Word Mark DWELL

Goods and Services IC 009. US 021 023 026 036 038. G & S: Providing a website featuring downloadable videos in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction in the nature of a continuing series of interview broadcasted over the Internet. FIRST USE: 20071201. FIRST USE IN COMMERCE: 20071201

IC 041. US 100 101 107. G & S: Entertainment services, namely, provision, production and distribution of a series of programs in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction; entertainment services, namely, providing an ongoing series of television programs and multimedia programs in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction via a global computer network; providing a website featuring online non-downloadable videos in the fields of interior design, home improvement, architecture, furniture, real estate, modern living, technology, culture, automotive, travel, consumer electronics, and construction in the nature of a continuing series of interviews broadcasted over the Internet. FIRST USE: 20071201. FIRST USE IN COMMERCE: 20071201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86872043

Filing Date January 11, 2016

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 13, 2016

Registration 5149195

Number

Registration Date February 28, 2017

Owner (REGISTRANT) Dwell Life, Inc. CORPORATION DELAWARE 111 Sutter Street, Suite 600 San Francisco CALIFORNIA 94104

Attorney of Record Raffi Zerounian

Prior Registrations 3016045;3660406

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

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