

ESTTA Tracking number: **ESTTA1043132**

Filing date: **03/18/2020**

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	Zendesk, Inc.
Granted to Date of previous extension	03/18/2020
Address	1019 MARKET ST. SAN FRANCISCO, CA 94103 UNITED STATES

Attorney information	KATHERINE M. BASILE REED SMITH LLP P.O. BOX 488 PITTSBURGH, PA 15230 UNITED STATES ptoipinbox@reedsmith.com, kbasile@reedsmith.com, gruz@reedsmith.com, kkershner@reedsmith.com 6503520507
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Applicant Information

Application No	88175534	Publication date	11/19/2019
Opposition Filing Date	03/18/2020	Opposition Period Ends	03/18/2020
International Registration No.	NONE	International Registration Date	NONE
Applicant	KENZAI INTELLIGENT SYSTEMS INC. 9505 SE 43rd St. MERCER ISLAND, WA 980403812 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Software for documents management; software for contract development; software for contract relationship management; software for contract enforcement management
Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Commercial or industrial management assistance; gathering, processing, compilation, systematization of data and information into computer databases in particular for documentary purposes; business management and organization consultancy; web site traffic optimization for sales promotion for others; compilation of statistics
Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing access to databases; providing

online forums on document management, contract development, contract relationship management, contract enforcement management; transmission of digital files via computer network; transmission of data via computer network

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Computer software design; data encryption services; computer software consultancy; computer security consultancy; conversion of data or documents from physical to electronic media; creating and designing website-based indexes of information for others; software as a service (SaaS) featuring software for document management, contract development, contract relationship management, contract enforcement management, commercial or industrial management, search, gathering, processing, compilation, systematization of data and information into computer databases, compilation of statistics; platform as a service (PaaS) featuring software for document management, contract development, contract relationship management, contract enforcement management, commercial or industrial management, search, gathering, processing, compilation, systematization of data and information into computer databases, compilation of statistics; electronic data storage

Class 045. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Legal services; legal administration offices; legal document preparation services; legal services in relation to the negotiation of contracts for others

Grounds for Opposition

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

U.S. Registration No.	3818497	Application Date	01/16/2009
Registration Date	07/13/2010	Foreign Priority Date	07/17/2008
Word Mark	ZENDESK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 [Recorded and downloadable computer software, namely, computer software for business management, database management, customer service management and management of customer relations; software for electronic communications] * Recorded and downloadable computer software, namely, computer software for business information and communications management, business database management, customer service management and management of customer relations all of the foregoing directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; software for electronic communications within businesses and between businesses and their customers, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality *</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Assistance in business management and business administration; compilation and systematization of information into computer databases; business information provided through local and global computer networks; rental of advertising space on the internet; [retail store and] on-line retail store services featuring computer software</p>		

	<p>Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunications, namely, transmission of communications, information and data through local and global computer networks; communication services, namely, transmission of voice, audio, visual images and data by local and global computer networks; rental of access time to global computer networks, namely, providing telecommunications access to databases relating to management of customer relationships</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 [Computer programming; design, development and customization of computer software; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing customer relationships] * Computer programming in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; design, development and customization of computer software in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing customer relationships, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality *</p>
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Attachments	79068289#TMSN.png(bytes) Zendoc Notice of Opposition with Exhibits.pdf(1699769 bytes)
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Signature	/Katherine M. Basile/
Name	KATHERINE M. BASILE
Date	03/18/2020

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

In the Matter of Application No. 88175534
Published: November 19, 2019
Mark: ZENDOC

Zendesk, Inc.

Opposer

v.

Kenzai Intelligent
Systems, Inc.

Applicant

Opposition No. _____

NOTICE OF OPPOSITION

Zendesk, Inc. (hereinafter “Opposer” or “Zendesk”), a Delaware corporation, having a principal place of business at 1019 Market Street, San Francisco, California 94103, believes that it will be damaged by the registration of the above-identified mark, and having been granted appropriate extensions of time to oppose the above-referenced application, hereby opposes same. The statutory opposition filing fee is included herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 141437.

As grounds for this opposition it is alleged that:

Introduction

1. Opposer brings this Opposition due to the likelihood of confusion between its distinctive ZENDESK marks and Applicant’s applied-for mark, ZENDOC.
2. Since 2008, Opposer’s ZENDESK branded web-based software and corresponding mobile software applications have allowed business users to engage with people

and businesses in new ways that foster long-term customer loyalty and satisfaction by allowing organizations to better answer customers’ questions and to solve their problems through the channels that people use every day when seeking help. Over time, those channels have come to include email, chat, voice, social media, and websites. The ZENDESK platform also helps people find answers on their own through knowledge bases and communities, capitalizing on the increasing customer preference for self-service. The ZENDESK platform consolidates the data from customer interactions and provides organizations with powerful analytics and performance benchmarking. ZENDESK software and related services also provide solutions to improve relationships between customers and employees by offering internal solutions for corporate departments such as Human Resources (HR) and Tech Support (IT), and other internal employee communications within companies.

3. Applicant’s applied-for mark ZENDOC (hereinafter, the “ZENDOC Mark”) incorporates the distinctive ZEN feature. Moreover, in both marks, the ZEN element is followed by a single syllable word beginning with “D” and ending with a hard “K” sound, DESK versus DOC. Additionally, both DESK and DOC are words associated with workplaces. ZENDESK and ZENDOC are therefore highly similar in sight, sound, and meaning. Like Opposer’s ZENDESK marks, ZENDOC is allegedly used in conjunction with software as a service, including software utilized by employees handling a variety of business management functions, data and information management, and data and information compilation. Such use is likely to cause confusion for the reasons alleged herein.

Applicant’s Application

4. The opposed application (hereinafter the “ZENDOC Application”) is as follows:

Mark	App. No.	Goods or Services
ZENDOC	88/175,534 Filing Date: October 30, 2018	Class 9: Software for documents management; software for contract development; software for contract relationship management; software for contract

	<p>Pub. Date: November 19, 2019</p>	<p>enforcement management</p> <p><u>Class 35</u>: Commercial or industrial management assistance; gathering, processing, compilation, systematization of data and information into computer databases in particular for documentary purposes; business management and organization consultancy; web site traffic optimization for sales promotion for others; compilation of statistics</p> <p><u>Class 38</u>: Providing access to databases; providing online forums on document management, contract development, contract relationship management, contract enforcement management; transmission of digital files via computer network; transmission of data via computer network</p> <p><u>Class 42</u>: Computer software design; data encryption services; computer software consultancy; computer security consultancy; conversion of data or documents from physical to electronic media; creating and designing website-based indexes of information for others; software as a service (SaaS) featuring software for document management, contract development, contract relationship management, contract enforcement management, commercial or industrial management, search, gathering, processing, compilation, systematization of data and information into computer databases, compilation of statistics; platform as a service (PaaS) featuring software for document management, contract development, contract relationship management, contract enforcement management, commercial or industrial management, search, gathering, processing, compilation, systematization of data and information into computer databases, compilation of statistics; electronic data storage</p> <p><u>Class 45</u>: Legal services; legal administration of licenses; legal document preparation services; legal services in relation to the negotiation of contracts for others</p>
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5. The ZENDOC Application was filed by Kenzai Intelligent Systems, Inc. on a Section 44(e) foreign-registration basis.

6. This Notice of Opposition is timely filed. Extensions of time to oppose the ZENDOC Application were obtained, and the Trademark Trial & Appeal Board of the United

States Patent and Trademark Office extended the time to oppose the application to March 18, 2020.

Zendesk and its Flagship ZENDESK Brand

7. Zendesk, founded in 2007 in a loft in Copenhagen, Denmark, moved to San Francisco, California in 2009, and went public in May 2014 trading on the New York Stock Exchange under the moniker ZEN. With over 150,000 customer accounts around the world and over 500,000 unique U.S. website visitors every month, the company had revenues of over \$800 million in 2019.

8. Zendesk is the owner of the U.S. Federal Trademark Registration shown in the table below, and in the attached **Exhibit A**, which is a printout from the United States Patent and Trademark Office database for the mark shown in the table below.

Mark	Reg. No.	Goods or Services
ZENDESK	3,818,497 Filing Date: Jan. 16, 2009 Reg. Date: July 13, 2010	<p>Class 9: [Recorded and downloadable computer software, namely, computer software for business management, database management, customer service management and management of customer relations; software for electronic communications] * Recorded and downloadable computer software, namely, computer software for business information and communications management, business database management, customer service management and management of customer relations all of the foregoing directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; software for electronic communications within businesses and between businesses and their customers, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality</p> <p>Class 35: Assistance in business management and business administration; compilation and systematization of information into computer databases; business information provided through local and global computer networks; rental of</p>

		<p>advertising space on the internet; [retail store and] on-line retail store services featuring computer software</p>
		<p>Class 38: Telecommunications, namely, transmission of communications, information and data through local and global computer networks; communication services, namely, transmission of voice, audio, visual images and data by local and global computer networks; rental of access time to global computer networks, namely, providing telecommunications access to databases relating to management of customer relationships</p>
		<p>Class 42: [Computer programming; design, development and customization of computer software; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing customer relationships] * Computer programming in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; design, development and customization of computer software in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing customer relationships, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality</p>

9. U.S. Federal Trademark Registration No. 3,818,497 for the ZENDESK Word Mark (hereinafter the “ZENDESK Registration”) is in full force and effect, and was declared

incontestable on January 15, 2016, prior to Applicant's October 30, 2018 trademark filing herein, as evidenced by the attached printout of the notice of acceptance under Section 71 and notice of acknowledgment under Section 15 from the United States Patent and Trademark Office database records, contained in **Exhibit B**.

10. Zendesk owns all registered and common law trademark and trade name rights, including all goodwill associated therewith, as well as all other intellectual property rights, including but not limited to all rights in the above-referenced ZENDESK Word Mark.

11. Zendesk uses and has continued the use of the ZENDESK Word Mark, and Zendesk is and has been engaged continuously in the development, distribution and provision of business management services, enabled by a computer software platform and a range of software applications (web based and mobile applications) for startups, small businesses, Fortune 500 and other companies, and related services including multichannel customer support, help center, live chat, integrated call center software, social messaging applications, analytics and reporting, segmentation and targeting, shared communication tools, educational and blog services, as well as solutions to improve relationships between businesses and their employees and internal solutions for corporate, HR, and IT departments and others, all in association with the ZENDESK Word Mark. Zendesk has continued to expand its business in association with the ZENDESK Word Mark through the Zendesk Marketplace, a forum where partners of Zendesk can submit their custom-designed apps that integrate with Zendesk's products. The custom-designed apps expand capabilities into areas such as IT, project management, e-commerce and customer relationship management, productivity and time tracking, surveys and feedback, email, social media and knowledge and content. A search for "contract management" in the Marketplace results in over 80 hits, including the applications shown in **Exhibits C and D** hereto. Zendesk has also continued to expand its business in association with the ZENDESK Word Mark in the

course of its normal business activities including, for example, by allowing thousands of customers (such as Airbnb, Zipcar and Venmo, among others) to use more than a hundred publicly available application program interfaces (“API”) in order to expand the customer’s capabilities. Zendesk also uses its mark in connection with charitable and community giving. These goods and services, in addition to all of the goods and services in the ZENDESK Registration, are referred to herein as the “ZENDESK Goods and Services.”

12. Zendesk also uses and has used multiple trademarks comprising the term ZENDESK plus a single word or two words, and currently is using the marks ZENDESK NEIGHBOR FOUNDATION, RELATE BY ZENDESK and ZENDESK MESSAGE. The ZENDESK NEIGHBOR FOUNDATION mark has been in continuous use for community and charitable giving since at least as early as May 13, 2015. The RELATE BY ZENDESK mark has been in continuous use for conferences and blogging on the nature of relationships since at least as early as October 7, 2015. The ZENDESK MESSAGE mark has been in continuous use for customer message software that helps companies engage customers on their favorite message apps since at least as early as April 12, 2016.

13. ZENDESK recently expanded its use of its ZENDESK formative marks to include the marks ZENDESK SUPPORT, ZENDESK CHAT, ZENDESK TALK, ZENDESK EXPLORE and ZENDESK CONNECT. The ZENDESK SUPPORT mark is in use for tracking, prioritizing and solving customer tickets submitted via email and other media; the ZENDESK CHAT mark is in use for live chat to connect with customers in real time; the ZENDESK TALK mark is in use for a call center solution built into a ticketing system; the ZENDESK EXPLORE mark is in use for analytics to measure and understand the entire customer experience; and the ZENDESK CONNECT mark is in use for customer intelligence software built for targeted campaigns and proactive engagement. Collectively, the ZENDESK NEIGHBOR

FOUNDATION, RELATE BY ZENDESK, ZENDESK MESSAGE, ZENDESK SUPPORT, ZENDESK CHAT, ZENDESK TALK, ZENDESK EXPLORE and ZENDESK CONNECT trademarks are referred to herein as the “ZENDESK Formative Marks.”

14. Zendesk promotes and advertises, and has expended considerable resources and sums to promote and advertise, the ZENDESK Word Mark and the ZENDESK Formative Marks in association with the ZENDESK Goods and Services and the goods and services for each mark as alleged herein. For example, Zendesk promotes and advertises its ZENDESK Word Mark and ZENDESK Formative Marks by attending and hosting trade shows and participating in email campaigns, targeted advertising and search advertising campaigns. Zendesk invests heavily in sales and marketing of the ZENDESK marks and the ZENDESK Goods and Services, having expended over \$396 Million in 2019.

15. Zendesk provides the ZENDESK Goods and Services to registered users, including through its ZENDESK website and through ZENDESK branded mobile software applications including, for example, Apple “iOS” and Google “Android” operating systems, the first such software application having launched as early as 2008.

16. In addition to its federal trademark rights based upon the ZENDESK Registration, Zendesk also owns common law trademark rights separately in the ZENDESK Word Mark, and separately in each of the ZENDESK Formative Marks.

17. As a result of Zendesk’s trademark use as alleged herein, and in view of Zendesk’s advertising, promotion and sale of the ZENDESK Goods and Services in association with the trademarks alleged herein, the ZENDESK Word Mark is distinctive and well known to the relevant trade and public as identifying and distinguishing Zendesk’s goods and services as alleged herein.

18. As a result of Zendesk’s trademark uses as alleged herein, and in view of

Zendesk's advertising, promotion and sale of the goods and services in association with the trademarks alleged herein, the ZENDESK Formative Marks and each of them are distinctive and well known to the relevant trade and public as identifying and distinguishing Zendesk's goods and services as alleged herein.

19. Zendesk filed the trademark application which matured into Registration No. 3,818,497 on January 16, 2009, which is well before the October 30, 2018 filing date of the ZENDOC Application.

20. On information and belief, Applicant acquired no rights in the United States in the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before January 16, 2009, the filing date of Zendesk's Application Serial No. 79/068,289, which matured into the ZENDESK Registration, Federal Trademark Registration No. 3,818,497.

21. On information and belief, Applicant acquired no rights in the United States in the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before July 13, 2010, the registration date of Zendesk's Application Serial No. 79/068,289, which matured into the ZENDESK Registration, Federal Trademark Registration No. 3,818,497.

22. On information and belief, Applicant acquired no rights in the United States in the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before at least as early as 2008, when Zendesk began to develop in its common law rights in the ZENDESK Word Mark as alleged above.

23. On information and belief, Applicant acquired no rights in the United States in the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before at least as early as May 13, 2015, when Zendesk began to develop in its common law rights in the ZENDESK NEIGHBOR FOUNDATION trademark as alleged above.

24. On information and belief, Applicant acquired no rights in the United States in

the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before at least as early as October 7, 2015, when Zendesk began to develop in its common law rights in the RELATE BY ZENDESK trademark as alleged above.

25. On information and belief, Applicant acquired no rights in the United States in the ZENDOC Mark, which is the subject of Application Serial No. 88/175,534, before at least as early as April 12, 2016, when Zendesk began to develop in its common law rights in the ZENDESK MESSAGE trademark as alleged above.

26. Given the facts asserted in paragraphs 19-25 above, there is no issue as to priority.

Applicant and the Subject Applications

27. On information and belief, Applicant is providing and/or intends to provide its products and services in connection with the ZENDOC Mark at least in part, through a global computer network and/or through mobile software applications and/or mobile devices.

28. On information and belief, Applicant's goods and services will be offered to at least some of the same classes of consumers and through at least some of the channels of trade as the ZENDESK Goods and Services are offered under Zendesk's ZENDESK Word Mark. As applied to Applicant's goods and services, the ZENDOC Mark so resembles Zendesk's ZENDESK Word Mark as alleged herein as to be likely to cause confusion, or to cause mistake, or to deceive as to the source of the goods or services.

29. On information and belief, Applicant's goods and services will be offered to at least some of the same classes of consumers and through at least some of the channels of trade as the Opposer's goods and services offered in connection with ZENDESK Formative Marks and each of them as alleged herein. As applied to Applicant's goods and services, the ZENDOC Mark so resembles the ZENDESK Formative Marks and each of them as to be likely to cause confusion,

or to cause mistake, or to deceive as to the source of the goods or services.

30. Opposer will be damaged by Applicant's registration of the ZENDOC Mark for the services identified in Application Serial No. 88/175,534 as a result of the aforementioned likelihood, confusion, mistake or deception.

WHEREFORE, Opposer prays that this Opposition be sustained, and the registration sought by Applicant be refused.

Dated: March 18, 2020

Respectfully submitted,

/Katherine M. Basile/

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Attorneys for Opposer,
Zendesk, Inc.

Certificate of Service

This is to certify that on March 18, 2020, the foregoing Notice of Opposition was filed via the ESTTA system, which will provide notice to the following attorney correspondent of record:

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EXHIBIT A



United States Patent and Trademark Office

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ZENDESK

Word Mark ZENDESK

Goods and Services IC 009. US 021 023 026 036 038. G & S: [Recorded and downloadable computer software, namely, computer software for business management, database management, customer service management and management of customer relations; software for electronic communications] * Recorded and downloadable computer software, namely, computer software for business information and communications management, business database management, customer service management and management of customer relations all of the foregoing directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; software for electronic communications within businesses and between businesses and their customers, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality *

IC 035. US 100 101 102. G & S: Assistance in business management and business administration; compilation and systematization of information into computer databases; business information provided through local and global computer networks; rental of advertising space on the internet; [retail store and] on-line retail store services featuring computer software

IC 038. US 100 101 104. G & S: Telecommunications, namely, transmission of communications, information and data through local and global computer networks; communication services, namely, transmission of voice, audio, visual images and data by local and global computer networks; rental of access time to global computer networks, namely, providing telecommunications access to databases relating to management of customer relationships

IC 042. US 100 101. G & S: [Computer programming; design, development and customization of computer software; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing customer relationships] * Computer programming in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; design, development and customization of computer software in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; rental of computer programs or applications software which enables the compilation and processing of data for central database through local and global networks directed to the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality; providing temporary use of on-line non-downloadable software, namely, graphical user interface software for use in managing

customer relationships, all of the foregoing in the fields of customer support, customer relationship management, customer service, customer engagement, and helpdesk functionality *

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79068289

Filing Date January 16, 2009

Current Basis 66A

Original Filing Basis 66A

Published for Opposition March 23, 2010

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 3818497

International Registration Number 1001362

Registration Date July 13, 2010

Owner (REGISTRANT) **Zendesk**, Inc. CORPORATION DELAWARE 1019 Market Street San Francisco CA 94103 UNITED STATES

Attorney of Record Miguel Danielson

Priority Date July 17, 2008

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECTION 71

Live/Dead Indicator LIVE

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)
[NEXT LIST](#)

[FIRST DOC](#)
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EXHIBIT B

From: TMOOfficialNotices@USPTO.GOV
Sent: Friday, January 15, 2016 11:00 PM
To: tmadmin@danielsonlegal.com
Subject: Official USPTO Notice of Acceptance/Acknowledgement Sections 71 and 15: U.S. Trademark RN 3818497: ZENDESK: Docket/Reference No. ZEN-601 US

U.S. Registration Number: 3818497
U.S. Registration Date: Jul 13, 2010
Mark: ZENDESK
U.S. Registration Holder/Owner: Zendesk, Inc.

U.S. Serial Number: 79068289
International Reg. No.: 1001362

Jan 15, 2016

NOTICE OF ACCEPTANCE UNDER SECTION 71

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 71 of the Trademark Act, 15 U.S.C. §1141k. **The Section 71 declaration is accepted.**

NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

The U.S. registration will remain in force for the term of the international registration upon which it is based for the following class(es).

Class(es):
009, 035, 038, 042

BENJAMIN, SARA NICOLE
TRADEMARK SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

ADDITIONAL REQUIREMENTS FOR MAINTAINING A U.S. TRADEMARK REGISTRATION EXTENDING PROTECTION OF AN INTERNATIONAL REGISTRATION

WARNING: In addition to filing renewals of your international registration with the International Bureau of the World Intellectual Property Organization (WIPO) as required under the Madrid Protocol, your registered extension of protection will be canceled if you do not file the documents below during the specified time periods.

I) SECTION 71 DECLARATION OF USE

Requirements in the First Ten Years

What and When to File: You must file a declaration of use (or excusable nonuse) between the 9th and 10th years after the date of issuance of the U.S. registration extending protection. 15 U.S.C. §1141k(a)(2).

Requirements in Successive Ten-Year Periods

What and When to File: You must file a declaration of use (or excusable nonuse) between every 9th and 10th-year period, calculated from the date of issuance of the U.S. registration extending protection. 15 U.S.C. §1141k(a)(2).

Grace Period Filings

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee. 15 U.S.C. §1141k(a)(3).

Failure to file the Section 71 declaration will result in the cancellation of the U.S. registration and invalidation of the protection of the international registration in the United States.

II) RENEWAL OF INTERNATIONAL REGISTRATION

The international registration remains in force for 10 years, with the possibility of renewal. Madrid Protocol, Article 6(1). **Failure to renew the international registration with the International Bureau of WIPO will result in the expiration of the U.S. registration even if the Section 71 declaration of use has been accepted.**

Any international registration may be renewed for a period of ten years from the expiry of the preceding period, by the mere payment of the required fee to the International Bureau. Madrid Protocol, Article 7(1). The deadlines for renewing the international registration are calculated from the international registration date. If the international registration is not renewed, the corresponding U.S. registration will cease to be valid as of the date of the expiration of the international registration. 15 U.S.C. §1141j(b). Renewal applications must be filed with the International Bureau in accordance with Article 7 of the Madrid Protocol, 37 C.F.R. §7.41(a). The USPTO will not process or forward any requests to renew an international registration or extension of protection to the United States if mistakenly submitted to the USPTO. 37 C.F.R. §7.41(b).

***** THE USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE HOLDER/OWNER SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.*****

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=79068289>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

EXHIBIT C

- [Marketplace](#)
- [App Directory](#)
- [Partner Directory](#)
- [Guide Themes](#)



Meta SaaS

Meta SaaS is the best SaaS management tool for medium & large businesses.

[Get set up](#)



Description

How to set up

App Details

Author: Meta SaaS Dev Team

Price: Free

Support: [Email / Website](#)

Meta SaaS enables you to discover Shadow IT, view usage reporting, and manage contract renewals for all of the SaaS vendors in your organization, in one place. View utilization by product, category, employee, region, or department. Instantly understand and justify the spend on the tools your organization pays for. Manage more than 6,000 different SaaS applications and identify more than 32,000 unsanctioned vendors. Use of this application requires an existing enterprise agreement with Meta SaaS.

Reviews

[Sign in to review](#)

There are currently no reviews. Be the first to share your experience.

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Find out what it takes to get your app on the digital shelves.

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EXHIBIT D



babelConnect

Connect to babelforce - build any integrated call center process

★★★★★ (37)

Install



Description

How to install

Available only to agents with "Talk - Partner Edition" seats (see zendesk.com/talk/pricing).

Check out the video: [Learn how to build any integrated call center process into your Zendesk](#)

The babelConnect app gives you access to the babelforce global enterprise-grade call center and integration platform within your Zendesk.

On the babelforce platform, you can integrate everything with your Zendesk: complex IVR, call flow, 2-way SMS and call conversation management, compliant call recording, workforce management, performance management, call analytics, business intelligence and real-time dashboards.

babelforce is the leading no-code automation platform for call centers: you can build any CX and business process across all your integrated systems.

Here's how the babelConnect app helps your business:

- Connect agents to an enterprise-grade call handling platform: complex integrated IVR, skills-based routing, outbound calls, automated outbound dialing, inbound telephone numbers
- Deep data integrations to Zendesk and other common web tools
- Connect any existing phone device or application to our platform, vendor agnostic SIP trunking infrastructure
- Allows integration of your own business applications: CRM, ERP, WFM, inventory, etc. to enable complex processes
- Optimize the customer experience with multichannel customer communications

App Details

Author: babelforce GmbH
 Price: Free
 Support: [Email / Website](#)
 Version: 2.0.0-rc-2

This is an app. It will install right into your Zendesk Support account.

everyone's phone

- Reduce compliance costs with call recording management
- **Create contract closure and other complex audit trail processes**

Integrate multichannel call center deployments with Zendesk. Managers configure custom availability statuses, routing and queueing, and organize call recordings with custom tags. Agents get inbound and outbound calls and SMS, and have all contacts in one place to offer outstanding customer experiences.

babelConnect synchronizes agents with our cloud communications platform to offer outstanding customer contact functionality:

- Global telephony infrastructure packed into one app: use worldwide numbers for premium quality inbound and outbound VoIP
- Multi-territory deployment available for EMEA, Americas, APAC - reduce costs of telecommunications by keeping calls on same network while maximizing call quality
- Agents are synchronized with any inbound call experience you like: create your desired journey, then route to your agents
- Customize and manage agent presence statuses in line with call center processes
- Agents can start, stop, tag and flag call recordings in the app
- Managers can filter, play, review and delete recordings on the babelforce platform for compliance regulations
- 2-way SMS conversations: get inbound SMS messages straight into tickets.

Reviews

[Sign in to review](#)

There are currently no reviews. Be the first to share your experience.

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