

ESTTA Tracking number: **ESTTA1078733**

Filing date: **08/31/2020**

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	Valve Corporation
Granted to Date of previous extension	08/30/2020
Address	10400 NE 4TH STREET, SUITE 1400 BELLEVUE, WA 98004 UNITED STATES
Attorney information	DAVID J. BYER K&L GATES LLP ONE LINCOLN STREET BOSTON, MA 02111 UNITED STATES Primary Email: botrademarks@klgates.com Secondary Email(s): david.byer@klgates.com, alice.schermer@klgates.com, eric.lee@klgates.com 617-261-3115
Docket Number	

Applicant Information

Application No.	88620619	Publication date	03/03/2020
Opposition Filing Date	08/31/2020	Opposition Period Ends	08/30/2020
Applicant	ARISTOCRAT TECHNOLOGIES AUSTRALIA PTY LTD BUILDING A, PINNACLE OFFICE PARK 85 EPPING ROAD NORTH RYDE, NSW, 2113 AUSTRALIA		

Goods/Services Affected by Opposition

Class 041. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Entertainment services in the nature of providing a web-based system, on-line portal and social networking platform, namely, a social casino environment, for customers to participate in online electronic gaming; providing on-line virtual environment for users to engage in online electronic gaming; providing temporary use of non-downloadable game software featuring games played on computers, hand held devices, mobile and wireless communication devices, and internet enabled devices; providing temporary use of non-downloadable game software featuring games played via global computer network and online social networks

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4196590	Application Date	08/06/2010
Registration Date	08/28/2012	Foreign Priority Date	NONE
Word Mark	PORTAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2007/10/31 First Use In Commerce: 2007/10/31 Computer game software; Electronic gamesoftware; Video game software		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PORTAL		
Goods/Services	Computer game software; electronic game software; video game software; entertainment services in the nature of providing a website, online portal, and social networking platform, namely, a platform where customers can participate in online electronic gaming		

Attachments	Opposition to PORTAL FORTUNES with exhibits.pdf(160823 bytes)
-------------	--

Signature	/David J. Byer/
Name	DAVID J. BYER
Date	08/31/2020

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

In the matter of Application Serial No.: 88/620,619
For the mark: PORTAL FORTUNES
International Class 41
Published in the Official Gazette on March 3, 2020

VALVE CORPORATION,)	
)	
Opposer,)	
)	Opposition No.
v.)	
)	
ARISTOCRAT TECHNOLOGIES)	
AUSTRALIA PTY LTD.,)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Valve Corporation (“Valve”), a Washington corporation, having its principal place of business at 10400 NE 4th Street, Suite 1400, Bellevue, WA 98004 (“Opposer”), believes it will be damaged by the registration of the proposed mark PORTAL FORTUNES as shown in the above-identified Trademark Application Serial No. 88/620,619 (“Opposed PORTAL FORTUNES Application”), filed September 17, 2019, by Aristocrat Technologies Australia Pty Ltd (“Applicant”), and hereby opposes the registration of the same.

As grounds for the opposition, Opposer alleges that:

1. Valve Corporation is a Washington corporation, having its principal place of business at 10400 NE 4th Street, Suite 1400, Bellevue, WA 98004.
2. Opposer’s *Portal* game, developed and first published in 2007, has received numerous accolades. In 2012, *TIME* magazine identified *Portal* as one of the 100 greatest

video games of all time. In 2014, *GamesRadar*, an industry website, called *Portal* the best video game of all time. *Portal* essentially created a genre of games in which spatial brainteasers force players to solve physical puzzles and challenges by maneuvering objects and navigating themselves through interior spaces.

3. *Portal* is compatible with Microsoft Windows, Macintosh, Xbox 360, Linux, PlayStation 3, and Android. *Portal* is available for download through Opposer's game and entertainment platform, Steam, and sold as a standalone retail product. Aside from downloads of the game through Opposer's Steam content delivery system, millions of copies of the game have been sold. Opposer additionally sells official merchandise relating to *Portal*-themed merchandise, including posters, drinking glasses and t-shirts, and supports a community of *Portal* users and fans with blogs, bulletin boards, reviews, and other online and social media functions.

4. In 2011, Opposer released *Portal 2*, a sequel to *Portal*. *Portal 2* is also compatible with Microsoft Windows, Macintosh, Xbox 360, Linux, PlayStation 3, and Android, available for download through Opposer's Steam content delivery system, and sold as a standalone retail product. To launch *Portal 2*, Opposer invested in and ran television commercials and online promotional videos. *Portal 2* was named the top video game of 2011 by numerous sources, including Eurogamer and the Associated Press. It won Best Game, Best Story and Best Design at the BAFTA Video Game Awards in 2012 and was named the Ultimate Game of the Year at the 2011 Golden Joystick Awards. It was second in *TIME*'s Top Ten Video Games of 2011. In 2015, *GamesRadar* included *Portal 2* on the list of the 100 Best Games Ever. Opposer offers *Portal 2*-themed merchandise, including posters, drinking glasses and t-shirts, and supports a community of

Portal 2 users and fans with blogs, bulletin boards, reviews, and other online and social media functions.

5. Opposer has sold many millions of units of *Portal* and *Portal 2* combined. Opposer operates social *Portal* and *Portal 2* community hubs where fans of *Portal* and *Portal 2* discuss the games, and share messages, custom artwork, screenshots and videos, news, and strategy tips. Users have contributed more than 750,000 items to the online *Portal/Portal 2* workshops as part of the community hubs. More than 200,000 users have created and contributed reviews of the *Portal* and *Portal 2* games to Opposer's supported community hub sites.

6. On August 6, 2010, Opposer Valve filed an application in the United States Patent and Trademark Office ("USPTO") to register the mark PORTAL. On August 28, 2012, Valve received a registration for the word mark PORTAL for use with: "Computer game software; Electronic game software; Video game software" in International Class 9. (Registration No. 4,196,590) (the "PORTAL mark"). A true and correct copy of the USPTO's record from the USPTO website showing that the PORTAL mark is registered is attached as **Exhibit A**.

7. Since at least as early as October 31, 2007, Opposer has continuously and pervasively used the distinctive PORTAL mark in the United States and around the world to identify its *Portal* and *Portal 2* games and has accrued common law rights in and to the PORTAL mark.

8. Opposer also holds registered trademarks in other countries. It has registered PORTAL word marks in China, the European Union, Japan, and Russia. It has also registered PORTAL and design marks in Brazil, China, and Russia.

9. Opposer Valve has widely advertised, promoted, and sold its *Portal* and *Portal 2* products under its PORTAL mark in interstate commerce in the United States.

10. Opposer's PORTAL mark, through long use and extensive marketing and advertising, has become widely recognized, and widely and favorably known, and is therefore of significant value to Valve.

11. On information and belief, Applicant is an Australia proprietary limited company located at Building A, Pinnacle Office Part, 85 Epping Road, North Ryde, NSW, Australia, 2113.

12. On information and belief, on September 17, 2019, Applicant filed an application for the mark PORTAL FORTUNES for "Entertainment services in the nature of providing a web-based system, on-line portal and social networking platform, namely, a social casino environment, for customers to participate in online electronic gaming; providing on-line virtual environment for users to engage in online electronic gaming; providing temporary use of non-downloadable game software featuring games played on computers, hand held devices, mobile and wireless communication devices, and internet enabled devices; providing temporary use of non-downloadable game software featuring games played via global computer network and online social networks" in International Class 41 (the "Opposed Services"). See the true and correct USPTO records reflecting Applicant's application and notice of publication, attached here as **Exhibit B**.

13. The filing date of Opposer's PORTAL mark (August 6, 2010) pre-dates Applicant's filing date of September 17, 2019. Further, Opposer's registered PORTAL mark was first used in commerce by Opposer in 2007, over nine years before the

Applicant's filing date of September 17, 2019. See Exhibits A and B. Finally, Opposer's common law rights in the PORTAL mark predate Applicant's filing date.

14. The Opposed PORTAL FORTUNES Application was published in the Official Gazette on March 3, 2020. See True and correct copies of TESS printouts showing the publication date of March 3, 2020, at **Exhibit B.**

15. Opposer's PORTAL mark is inherently distinctive and distinctive and therefore should be afforded the strongest protection.

16. The PORTAL FORTUNES mark shown in the Opposed Application so resembles Opposer's PORTAL trademarks — including the registered PORTAL mark — that it is confusingly similar in sight, sound, connotation, and commercial impression. Applicant's PORTAL FORTUNES mark is similar to and incorporates in its entirety Opposer's PORTAL mark. As a result of this, confusion as to the source of the companies' respective products and as to affiliation is likely to occur.

17. Upon information and belief, Applicant intends to use the proposed mark PORTAL FORTUNES in connection with the Opposed Services specified in the Opposed PORTAL FORTUNES Application.

18. The Opposed Services identified in Applicant's PORTAL FORTUNES application and Opposer's PORTAL mark are identical, similar, or commercially related and travel in the same trade channels.

19. In addition, the channels of trade of the respective goods and services directly cross. Opposer's goods and services are provided via, among other channels, an online web-based system, through a global computer network, and through social networks. Applicant's "web-based, on-line portal and social networking platform" will be,

on information and belief, also provided via an “online ... web-based system ... via global computer network and online social networks.” See Applicant’s goods and services listed at **Exhibit B**. Given this direct cross of trade channels, there is likely to be confusion.

20. On information and belief, the same or overlapping classes of purchasers are likely to purchase both Opposer’s goods and services and Applicant’s services.

21. Where, as here, Applicant’s mark completely integrates Opposer’s Mark, the goods and services are similar or related, and the target market is identical, likelihood of confusion exists.

22. Accordingly, consumers are likely to be confused, mistaken, or deceived within the meaning of § 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), as to whether the Opposed Services sold under the proposed PORTAL FORTUNES mark emanate from or are affiliated with, sponsored by, or approved by the Opposer, resulting in injury to the Opposer, the consuming public, and the trade.

23. Opposer will be damaged by registration of the proposed mark shown in the Opposed Application because such registration will facilitate Applicant’s continued confusing and misleading use of the mark sought to be registered, and will give color of exclusive statutory right to Applicant in violation and derogation of the prior and superior rights of Opposer.

WHEREFORE, Opposer believes that it will be damaged by the registration of Applicant’s proposed mark and requests that this opposition be sustained and that registration of Applicant’s proposed PORTAL FORTUNES mark as to the Opposed Services, as shown in Application Serial No. 88/620,619, be refused.

Date: August 30, 2020

Respectfully submitted,

/s/ David J. Byer

David J. Byer (BBO# 544411)

Eric W. Lee (BBO# 688980)

Attorneys for Opposer

K&L Gates LLP

State Street Financial Center

One Lincoln Street

Boston, MA 02111-2950

Tel.: 617.261.3100

Fax: 617.261.3175

David.Byer@klgates.com

Eric.Lee@klgates.com

EXHIBIT A

Generated on: This page was generated by TSDR on 2020-08-31 16:07:04 EDT

Mark: PORTAL

PORTAL

US Serial Number: 85102271

Application Filing Date: Aug. 06, 2010

US Registration Number: 4196590

Registration Date: Aug. 28, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Oct. 14, 2017

Publication Date: Jun. 12, 2012

Mark Information

Mark Literal Elements: PORTAL

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Computer game software; Electronic game software; Video game software

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 31, 2007

Use in Commerce: Oct. 31, 2007

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Valve Corporation

Owner Address: 10400 NE 4th Street, Suite 1400
Bellevue, WASHINGTON UNITED STATES 98004

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David J. Byer

Docket Number: 2036063.0004

Attorney Primary Email Address: botrademarks@klgates.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: David J. Byer
K&L Gates LLP
925 4th Ave. Ste. 2900
Seattle, WASHINGTON UNITED STATES 98104-1158

Phone: 617-261-3115

Correspondent e-mail: botrademarks@klgates.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 08, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 15, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 14, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Oct. 14, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Sep. 20, 2017	TEAS SECTION 8 & 15 RECEIVED	
Aug. 28, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 13, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 13, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 28, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 12, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 12, 2012	PUBLISHED FOR OPPOSITION	
May 23, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 04, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
May 04, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 03, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 03, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 03, 2012	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 16, 2011	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 16, 2011	LETTER OF SUSPENSION E-MAILED	6332
Dec. 16, 2011	SUSPENSION LETTER WRITTEN	76596
Dec. 16, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 15, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 15, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 16, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 16, 2011	NON-FINAL ACTION E-MAILED	6325
Jun. 16, 2011	NON-FINAL ACTION WRITTEN	76596
May 27, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	70468
May 27, 2011	ASSIGNED TO LIE	70468
Mar. 11, 2011	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Mar. 11, 2011	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 23, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332

Nov. 23, 2010	LETTER OF SUSPENSION E-MAILED	6332
Nov. 23, 2010	SUSPENSION LETTER WRITTEN	76596
Nov. 22, 2010	ASSIGNED TO EXAMINER	76596
Aug. 11, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 10, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Oct. 14, 2017

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91238796](#)

Filing Date: Jan 08, 2018

Status: Terminated

Status Date: Nov 30, 2018

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: PerBlue Entertainment, Inc.

Correspondent Address: SHEILA FOX MORRISON
DAVIS WRIGHT TREMAINE LLP
1300 SW FIFTH AVENUE, SUITE 2400
PORTLAND OR UNITED STATES , 97201

Correspondent e-mail: pdxtrademarks@dwt.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL QUEST	Registered	87383610	5646195

Plaintiff(s)

Name: Valve Corporation

Correspondent Address: DAVID J BYER
K&L GATES LLP
ONE LINCOLN STREET
BOSTON MA UNITED STATES , 02111-2950

Correspondent e-mail: tblitigationdocket@klgates.com , David.Byer@klgates.com , Alice.Schermer@klgates.com , Eric.Lee@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL	Section 8 and 15 - Accepted and Acknowledged	85102271	4196590

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 08, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 08, 2018	Feb 17, 2018
3	PENDING, INSTITUTED	Jan 08, 2018	
4	STIP FOR EXT	Feb 16, 2018	
5	EXTENSION OF TIME GRANTED	Feb 16, 2018	
6	STIP FOR EXT	Mar 16, 2018	
7	EXTENSION OF TIME GRANTED	Mar 16, 2018	
8	STIP FOR EXT	Apr 17, 2018	
9	EXTENSION OF TIME GRANTED	Apr 17, 2018	

10	STIP FOR EXT	May 17, 2018	
11	EXTENSION OF TIME GRANTED	May 17, 2018	
12	STIP FOR EXT	Jun 14, 2018	
13	EXTENSION OF TIME GRANTED	Jun 14, 2018	
14	STIP FOR EXT	Jul 14, 2018	
15	EXTENSION OF TIME GRANTED	Jul 14, 2018	
16	D MOT FOR EXT W/ CONSENT	Aug 15, 2018	
17	EXTENSION OF TIME GRANTED	Aug 15, 2018	
18	D MOT FOR EXT W/ CONSENT	Sep 10, 2018	
19	EXTENSION OF TIME GRANTED	Sep 10, 2018	
20	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 12, 2018	
21	SUSPENDED	Oct 12, 2018	
22	MOT TO AMEND APPLICATION	Oct 12, 2018	
23	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 31, 2018	Nov 30, 2018
24	W/DRAW OF OPPOSITION	Nov 19, 2018	
25	BD DECISION: OPP DISMISSED W/O PREJ	Nov 30, 2018	
26	TERMINATED	Nov 30, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91225161](#) **Filing Date:** Nov 30, 2015
Status: Terminated **Status Date:** Jul 15, 2016
Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: The Craving Portal Pte Ltd

Correspondent Address: DANIEL M CISLO
CISLO & THOMAS LLP
12100 WILSHIRE BLVD STE 1700
LOS ANGELES CA UNITED STATES , 90025

Correspondent e-mail: ksylvester@cislo.com , kristin@cislo.com , ttab@cislo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CRAVING PORTAL	Registered	79123403	5024369

Plaintiff(s)

Name: Valve Corporation

Correspondent Address: DAVID J BYER
K&L GATES LLP
1 LINCOLN ST
BOSTON MA UNITED STATES , 02111-2950

Correspondent e-mail: David.Byer@klgates.com , Kathleen.Burch@klgates.com , [tablitigationdocket@klgates.com](mailto:ttablitigationdocket@klgates.com) , alice.schermer@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL	Section 8 and 15 - Accepted and Acknowledged	85102271	4196590

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 30, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 02, 2015	Jan 11, 2016
3	PENDING, INSTITUTED	Dec 02, 2015	
4	D MOT FOR EXT W/ CONSENT	Jan 07, 2016	
5	EXTENSION OF TIME GRANTED	Jan 07, 2016	
6	D MOT FOR EXT W/ CONSENT	Mar 07, 2016	
7	EXTENSION OF TIME GRANTED	Mar 07, 2016	

8	MOT TO AMEND APPLICATION	Apr 06, 2016
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 07, 2016
10	SUSPENDED	Apr 07, 2016
11	BD ORDER ON AMENDMENT	Jun 15, 2016
12	MOT TO AMEND APPLICATION	Jun 29, 2016
13	AMDT ENTERED; PROCS SUSPENDED	Jul 12, 2016
14	W/DRAW OF OPPOSITION	Jul 12, 2016
15	BD DECISION: DISMISSED W/O PREJ	Jul 15, 2016
16	TERMINATED	Jul 15, 2016

Type of Proceeding: Opposition

Proceeding Number: [91219042](#)

Filing Date: Oct 27, 2014

Status: Terminated

Status Date: May 15, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Appetizer Mobile LLC

Correspondent Address: JOHN A DEMARO
RUSKIN MOSCOU FALTISCHEK PC
1425 RXR PLAZA, E TOWER 15TH FLOOR
UNIONDALE NY UNITED STATES , 11556-1425

Correspondent e-mail: jdemaro@rmfpc.com , ipteam@rmfpc.com , kmalerba@rmfpc.com , dphilbin@rmfpc.com , sbruck@rmfpc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL BALL	Registered	85967455	4932793

Plaintiff(s)

Name: Valve Corporation

Correspondent Address: DAVID J BYER
K&L GATES LLP
ONE LINCOLN STREET, STATE STREET FINANCIAL CENTER
BOSTON MA UNITED STATES , 02111-2950

Correspondent e-mail: David.Byer@klgates.com , ttablitigationdocket@klgates.com , Kelly.McLaughlin@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL	Section 8 and 15 - Accepted and Acknowledged	85102271	4196590

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 27, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 27, 2014	Dec 06, 2014
3	PENDING, INSTITUTED	Oct 27, 2014	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 03, 2014	
5	SUSPENDED	Dec 03, 2014	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 28, 2015	
7	SUSPENDED	Jan 28, 2015	
8	MOT TO AMEND APPLICATION	Feb 17, 2015	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 20, 2015	
10	SUSPENDED	Feb 20, 2015	
11	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 10, 2015	May 10, 2015
12	W/DRAW OF OPPOSITION	May 08, 2015	
13	BD DECISION: DISMISSED W/O PREJ	May 15, 2015	
14	TERMINATED	May 15, 2015	

Type of Proceeding: Cancellation

Proceeding Number: [92054935](#)

Filing Date: Dec 15, 2011

Status: Terminated

Status Date: May 09, 2012

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Gravity Interactive, Inc.

Correspondent Address: HEEDONG CHAE
PARK LAW FIRM PC
3255 WILSHIRE BLVD, STE 1110
LOS ANGELES CA UNITED STATES , 90010

Correspondent e-mail: hdchae@parklaw.com , trademark@parklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WARPPORTAL	REGISTERED AND RENEWED	85023577	3913390

Plaintiff(s)

Name: Valve Corporation

Correspondent Address: DAVID J BYER
K&L GATES LLP
STATE STREET FINANCIAL CENTER, ONE LINCOLN STREET
BOSTON MA UNITED STATES , 02111-2950

Correspondent e-mail: David.Byer@klgates.com , Ian.Cohen@klgates.com , setrademarks@klgates.com , David.Byer@klgates.com , tmboston@klgates.com , pitrademarks@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL	Section 8 and 15 - Accepted and Acknowledged	85102271	4196590

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 15, 2011	Jan 24, 2012
3	PENDING, INSTITUTED	Dec 15, 2011	
4	ANSWER	Jan 24, 2012	
5	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 26, 2012	
6	EXTENSION OF TIME GRANTED	Apr 04, 2012	
7	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 20, 2012	
8	EXTENSION OF TIME GRANTED	Apr 24, 2012	
9	WITHDRAWAL OF PETITION FOR CANCELLATION	May 03, 2012	
10	BOARD'S DECISION: DISMISSED W/O PREJ	May 09, 2012	
11	TERMINATED	May 09, 2012	

United States of America
United States Patent and Trademark Office

PORTAL

Reg. No. 4,196,590

VALVE CORPORATION (WASHINGTON CORPORATION)
10500 NE 8TH ST STE 1000
BELLEVUE, WA 980044359

Registered Aug. 28, 2012

Int. Cl.: 9

FOR: COMPUTER GAME SOFTWARE; ELECTRONIC GAME SOFTWARE; VIDEO GAME SOFTWARE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

FIRST USE 10-31-2007; IN COMMERCE 10-31-2007.

PRINCIPAL REGISTER

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

SER. NO. 85-102,271, FILED 8-6-2010.

MICHAEL SOUDERS, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT B

Generated on: This page was generated by TSDR on 2020-08-31 16:09:00 EDT

Mark: PORTAL FORTUNES

PORTAL FORTUNES

US Serial Number: 88620619

Application Filing Date: Sep. 17, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Mar. 23, 2020

Publication Date: Mar. 03, 2020

Mark Information

Mark Literal Elements: PORTAL FORTUNES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "PORTAL"

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: Entertainment services in the nature of providing a web-based system, on-line portal and social networking platform, namely, a social casino environment, for customers to participate in online electronic gaming; providing on-line virtual environment for users to engage in online electronic gaming; providing temporary use of non-downloadable game software featuring games played on computers, hand held devices, mobile and wireless communication devices, and internet enabled devices; providing temporary use of non-downloadable game software featuring games played via global computer network and online social networks

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

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: ARISTOCRAT TECHNOLOGIES AUSTRALIA PTY LTD

Owner Address: BUILDING A, PINNACLE OFFICE PARK
85 EPPING ROAD
NORTH RYDE, NSW AUSTRALIA 2113

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JEANINE M. MITCHELL

Docket Number: PORTFOR41NMG

Attorney Primary atus.uspto.mail@aristocrat.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent JEANINE M. MITCHELL
Name/Address: ARISTOCRAT TECHNOLOGIES, INC.
10220 ARISTOCRAT WAY
LAS VEGAS, NEVADA UNITED STATES 89135

Phone: 702-270-1521

Fax: 702 270 1299

Correspondent e- atus.uspto.mail@aristocrat.com [kindra.perrigo-](mailto:kindra.perrigo-sorrow@aristocrat.com)
mail: sorrow@aristocrat.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 23, 2020	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 03, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 03, 2020	PUBLISHED FOR OPPOSITION	
Feb. 12, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 21, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 06, 2020	WITHDRAWN FROM PUB - OG REVIEW QUERY	62699
Jan. 01, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 16, 2019	ASSIGNED TO LIE	70138
Dec. 12, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 2019	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 12, 2019	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 12, 2019	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 12, 2019	EXAMINERS AMENDMENT -WRITTEN	91238
Dec. 11, 2019	ASSIGNED TO EXAMINER	91238
Sep. 24, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 20, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: CRENNAN, KEVIN GERARD

Law Office LAW OFFICE 113
Assigned:

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 29, 2020

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Extension of Time

Proceeding Number: [88620619](#)

Filing Date: Mar 23, 2020

Status: Extension of Time to Oppose Filed

Status Date: Mar 23, 2020

Interlocutory Attorney:

Defendant

Name: ARISTOCRAT TECHNOLOGIES AUSTRALIA PTY LT

Correspondent Address: JEANINE M. MITCHELL
ARISTOCRAT TECHNOLOGIES, INC.
10220 ARISTOCRAT WAY
LAS VEGAS NV UNITED STATES , 89135

Correspondent e-mail: atus.uspto.mail@aristocrat.com , kindra.perrigo-sorrow@aristocrat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PORTAL FORTUNES	Request For Extension of Time to File Opposition	88620619	

Potential Opposer(s)

Name: Valve Corporation

Correspondent Address: DAVID J. BYER
K&L GATES LLP
ONE LINCOLN STREET
BOSTON MA UNITED STATES , 02111

Correspondent e-mail: botrademarks@klgates.com , david.byer@klgates.com , alice.schermer@klgates.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Mar 23, 2020	
2	EXT GRANTED	Mar 23, 2020	
3	FINAL 60-DAY REQUEST TO EXT TIME TO OPPOSE	Jun 23, 2020	
4	EXT GRANTED	Jun 23, 2020	