

ESTTA Tracking number: **ESTTA1084176**

Filing date: **09/24/2020**

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	ACT, Inc.
Granted to Date of previous extension	09/26/2020
Address	500 ACT DRIVE IOWA CITY, IA 52243-0168 UNITED STATES
Attorney information	MICHELLE D. KAHN SHEPPARD MULLIN RICHTER & HAMPTON LLP FOUR EMBARCADERO CENTER, 17TH FLOOR SAN FRANCISCO, CA 94111 UNITED STATES Primary Email: mkahn@sheppardmullin.com Secondary Email(s): rlozoya@sheppardmullin.com, sftmdocket@sheppardmullin.com No phone number provided.
Docket Number	52PK-321389

Applicant Information

Application No.	88854508	Publication date	07/28/2020
Opposition Filing Date	09/24/2020	Opposition Period Ends	09/26/2020
Applicant	ACT House, Inc. SUITE 19 914 RAILROAD AVE. TALLAHASSEE, FL 32301 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2016/01/01 First Use In Commerce: 2016/01/15
All goods and services in the class are opposed, namely: Business development services, namely, providing start-up support for businesses of others

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
False suggestion of a connection with persons,	Trademark Act Section 2(a)

living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	
--	--

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2888069	Application Date	04/27/1999
Registration Date	09/28/2004	Foreign Priority Date	NONE
Word Mark	ACT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1966/00/00 First Use In Commerce: 1966/00/00 Pre-recorded compact discs, video and audio cassettes, and educational and administrative software featuring instruction, information, tests, proficiency and professional assessments, and administrative assistance, all for one or more of the following purposes, namely, education and career planning, post secondary admissions, academic advising, course placement, educational research, test development, educational and occupational testing, test scoring and reporting, test administration, student aptitude and achievement testing, student evaluation, instructional assessment and training, curriculum development, language proficiency assessment, need analysis, certification and professional licensing, professional assessment, and career guidance, all for use in the field of education from primary through postgraduate levels and instructional manuals therefore sold as a unit</p> <p>Class 016. First use: First Use: 1959/09/08 First Use In Commerce: 1959/09/08 Publications, namely, printed test booklets, educational books, booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, statistical reports, and research reports, all in the fields of education planning, career planning and preparation, workforce development, college admissions, and standardized testing</p> <p>Class 041. First use: First Use: 1959/09/08 First Use In Commerce: 1959/09/08 Educational services, namely, providing a web site on a global computer network featuring information in the fields of education planning, career counseling and guidance, namely, career planning and preparation, workforce development and college admissions; instructional offerings, namely conducting workshops and seminars in the fields of educational planning, career counseling and guidance, namely career planning and preparation, workforce development and the uses of standardized tests for educational institutions, professional organizations, government, business, and industry; preparing, administering, and scoring of standardized tests for schools, colleges, professional organizations, government, business, and industry</p> <p>Class 042. First use: First Use: 1959/09/08 First Use In Commerce: 1959/09/08 Conducting research to advance theory and practice in areas of educational testing, measurement, research, and program support</p>		

U.S. Registration No.	4517656	Application Date	09/06/2013
Registration Date	04/22/2014	Foreign Priority Date	NONE
Word Mark	ACT		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1994/12/31 First Use In Commerce: 1994/12/31 Preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of employment, educational testing and consulting services related thereto in the field of job placement and job-related skills; providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing for employment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; developing, maintaining and utilizing a computer database designed to serve as a central repository of companies, jobs, and the functional skills and skill levels necessary for each individual job in all types of business and industry sectors

U.S. Registration No.	5676749	Application Date	05/01/2017
Registration Date	02/12/2019	Foreign Priority Date	NONE
Word Mark	ACTNEXT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 2017/06/05 First Use In Commerce: 2017/06/05 Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports and policy reports relating to research in the fields of education, educational research, learning and assessment, occupational profiling and workforce development</p> <p>Class 035. First use: First Use: 2017/06/05 First Use In Commerce: 2017/06/05 Business research in the fields of learning and assessment methodologies for use in the field of career and workplace success; providing a website featuring business information in the fields of learning and assessment methodologies for use in the fields of career success and workforce development</p> <p>Class 041. First use: First Use: 2017/06/05 First Use In Commerce: 2017/06/05 Providing online non-downloadable digital publications, namely, manuals, newsletters, brochures, booklets, research reports and policy reports in the fields of integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the fields of education and career and workforce development</p> <p>Class 042. First use: First Use: 2017/06/05 First Use In Commerce: 2017/06/05 Providing online non-downloadable software featuring technology that allows the user to conduct and report findings in integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences in the fields of education and career and workforce development; scientific research services, namely, integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences; providing a website featuring scientific research findings and information in the fields of</p>		

	computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the field of education
--	--

U.S. Registration No.	5581754	Application Date	06/22/2017
Registration Date	10/09/2018	Foreign Priority Date	NONE
Word Mark	ACT TESSERA		
Design Mark			
Description of Mark	The mark consists of the word "ACT" in blue followed by the word "Tessera" in red. The "A" in "ACT" consists of a stylized capital letter "A" in blue with a red line across it.		
Goods/Services	<p>Class 009. First use: First Use: 2018/07/09 First Use In Commerce: 2018/07/09 Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, and teaching playbooks and teaching materials in the fields of education, social and emotional learning factors, skills assessments and standardized testing</p> <p>Class 041. First use: First Use: 2018/07/03 First Use In Commerce: 2018/07/03 Providing educational and educational skills assessment services; providing on-line educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, statistical reports and teaching playbooks and teaching materials, all in the fields of education, social and emotional learning factors, skills assessments and standardized testing; educational and educational skills testing services featuring the use of standardized tests and surveys; providing online computer manuals for web-based administration of tests; providing online educational services, namely, providing summative and formative educational assessments in the fields of social and emotional learning factors; educational and educational skills testing services; preparing, administering, and scoring academic standardized tests; educational services, namely, providing online reports containing scores and score interpretation for educational and educational skills-based tests</p> <p>Class 042. First use: First Use: 2018/06/26 First Use In Commerce: 2018/06/26 Providing temporary use of online non-downloadable computer software, namely, testing and assessment software in the fields of education, social and emotional learning factors, skills assessments and standardized testing; providing a web site featuring technology that enables students, parents, educators and administrators to analyze and interpret student formative and summative assessment testing data reflecting social and emotional learning factors in the field of education at the middle school and high school levels</p>		

U.S. Registration No.	5581670	Application Date	05/11/2017
Registration Date	10/09/2018	Foreign Priority Date	NONE
Word Mark	ACT HOLISTIC FRAMEWORK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2016/06/30 First Use In Commerce: 2016/06/30 Downloadable electronic publications, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Downloadable training and teaching materials, namely, software for organizing classroom instruction in the fields of core and general academic skills, namely, language</p>		

	<p>arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task related skills necessary to educational and workplace settings, education and career path navigational skills</p> <p>Class 016. First use: First Use: 2016/06/30 First Use In Commerce: 2016/06/30 Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Printed training and teaching materials in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation</p> <p>Class 035. First use: First Use: 2016/06/30 First Use In Commerce: 2016/06/30 Business advisory and consultancy services in the field of employment vocational testing to determine professional competency and employment skills; Business research in the field of employment vocational testing to determine professional competency and employment skills; Providing a website featuring information in the fields of business management, namely, workplace readiness and success</p> <p>Class 041. First use: First Use: 2016/06/30 First Use In Commerce: 2016/06/30 Advisory and consultancy services in the field of vocational guidance; Educational research in the field of vocational guidance; Providing a website featuring educational information in the fields of vocational guidance; Providing educational information in the field of vocational guidance; Educational services, namely, providing on-line training courses in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Educational services, namely, providing classroom instruction in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation</p> <p>Class 042. First use: First Use: 2016/06/30 First Use In Commerce: 2016/06/30 Providing online non-downloadable software that provides the technology for training in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Providing on-line non-downloadable interactive software that provides the technology to format and creates resumes</p>
--	--

U.S. Registration No.	2346807	Application Date	12/31/1998
Registration Date	05/02/2000	Foreign Priority Date	NONE
Word Mark	ACT ASSESSMENT		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 016. First use: First Use: 1959/11/07 First Use In Commerce: 1959/11/07 Printed booklets featuring college admissions tests and printed support materials in the form of reports and study aids relating thereto Class 042. First use: First Use: 1959/11/07 First Use In Commerce: 1959/11/07 Preparing, administering, and scoring of college admissions tests, provided in both printed booklets and in a database for administration as a computer adaptive test
----------------	---

U.S. Registration No.	2829305	Application Date	09/10/2002
Registration Date	04/06/2004	Foreign Priority Date	NONE
Word Mark	AIM ACT INFORMATION MANAGER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2002/04/15 First Use In Commerce: 2002/04/15 Database software that organizes the information in student records compiled through the college admissions testing process and that enables colleges to use such information for student recruitment and retention		

U.S. Registration No.	2731932	Application Date	09/10/2002
Registration Date	07/01/2003	Foreign Priority Date	NONE
Word Mark	ACT NATIONAL CURRICULUM SURVEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2002/09/01 First Use In Commerce: 2002/09/01 printed answer sheets bearing a survey administered every three years to high school teachers and college faculty to identify content being taught in high school courses and entry-level college courses nationwide		

U.S. Registration No.	5215150	Application Date	03/16/2016
Registration Date	05/30/2017	Foreign Priority Date	NONE
Word Mark	PRACT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2016/03/22 First Use In Commerce: 2016/03/22 Publications, namely, printed standardized test booklets, answer sheets, educational booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, summative reports, statistical reports, and research reports, all in the fields of education, educational planning, college admissions, and standardized testing Class 041. First use: First Use: 2016/03/22 First Use In Commerce: 2016/03/22 Educational services, namely, providing a website featuring information in the fields of education, educational planning, and college admissions; instruction-		

	<p>allofferings, namely, conducting workshops and seminars in the fields of education, educational planning, and the uses of standardized tests for educational institutions, Providing educational assessment services, namely, preparing, administering, scoring, and interpretation of standardized tests; providing online computer manuals for web-based administration of tests; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, and statistical reports, all in the fields of education, college admissions, and standardized testing</p>
--	--

U.S. Registration No.	5795328	Application Date	01/18/2018
Registration Date	07/02/2019	Foreign Priority Date	NONE
Word Mark	ACT ACADEMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing</p> <p>Class 016. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing</p> <p>Class 041. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through on-line non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing</p> <p>Class 042. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing</p>		

U.S. Registration No.	5795327	Application Date	01/18/2018
Registration Date	07/02/2019	Foreign Priority Date	NONE
Word Mark	ACT ACADEMY		
Design Mark			

Description of Mark	The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the word "ACADEMY" in red.
Goods/Services	<p>Class 009. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing</p> <p>Class 016. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing</p> <p>Class 041. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through on-line non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing</p> <p>Class 042. First use: First Use: 2018/03/22 First Use In Commerce: 2018/03/22 Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing</p>

U.S. Registration No.	5984872	Application Date	09/14/2017
Registration Date	02/11/2020	Foreign Priority Date	NONE
Word Mark	ACT COLLEGEREADY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 2017/10/18 First Use In Commerce: 2017/10/18 Educational testing, namely, computer-based testing and assessment system in the fields of English and mathematics; Educational testing, namely, computer-based testing and assessment system available via the Internet in the fields of English and mathematics</p> <p>Class 042. First use: First Use: 2017/10/18 First Use In Commerce: 2017/10/18 Providing temporary use of on-line non-downloadable computer software, namely, educational testing and assessment software in the fields of English and mathematics, which provides information to students and post-secondary institutions to assist in appropriate course placement</p>		

U.S. Registration No.	6014613	Application Date	12/07/2018
-----------------------	---------	------------------	------------

Registration Date	03/17/2020	Foreign Priority Date	NONE
Word Mark	ACT WORKKEYS NCRC		
Design Mark			
Description of Mark	The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the words "WorkKeys" in red above the word "NCRC" in red.		
Goods/Services	Class 035. First use: First Use: 2017/08/01 First Use In Commerce: 2017/08/01 Providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing foremployment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of employment, educational testing and consulting services related thereto in the field of job placement and job-related skills		

U.S. Application No.	88669669	Application Date	10/25/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ACT NOW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges; downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges Class 042. First use: First Use: 0 First Use In Commerce: 0 Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges		

U.S. Application No.	88669705	Application Date	10/25/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ACT NOW		
Design Mark			
Description of Mark	The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the word "NOW" in red.		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges;		

	<p>downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges</p>
--	--

Attachments	<p>ACT_ACT HOUSE_CI35_52PK-321389 Notice of Opposition.pdf(49362 bytes)</p> <p>Exhibit A_ACT.pdf(1721347 bytes)</p> <p>Exhibit B_Second ACT.pdf(215168 bytes)</p> <p>Exhibit C_ACTNEXT.PDF(153094 bytes)</p> <p>Exhibit D_ACT Tessera.pdf(219799 bytes)</p> <p>Exhibit E_ACT Holistic Framework.pdf(151185 bytes)</p> <p>Exhibit F_ACT Assessment.pdf(128120 bytes)</p> <p>Exhibit G_AIM ACT.pdf(117028 bytes)</p> <p>Exhibit H_ACT National Curriculum Survey.pdf(143206 bytes)</p> <p>Exhibit I_PREACT.pdf(150643 bytes)</p> <p>Exhibit J_ACT Academy.pdf(151103 bytes)</p> <p>Exhibit K_Second ACT Academy.pdf(209460 bytes)</p> <p>Exhibit L_ACT COLLEGEREADY.pdf(112162 bytes)</p> <p>Exhibit M_ACT WORKKEYS NCRC.pdf(106846 bytes)</p> <p>Exhibit N_ACT NOW.pdf(130728 bytes)</p> <p>Exhibit O_Second ACT NOW.pdf(200864 bytes)</p>
-------------	---

Signature	/MDK/
Name	MICHELLE D. KAHN
Date	09/24/2020

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

ACT, INC.,)	
)	Opposition No. _____
Opposer,)	
)	Serial No.: 88/854,508
v.)	
)	Filed: March 31, 2020
ACT House, Inc.,)	
)	Published: July 28, 2020
Applicant.)	
)	Trademark: ACT HOUSE

TO: Commissioner For Trademarks
ATTN: Trademark Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Opposer, ACT, Inc. (“Opposer” or “ACT”) believes that it will be damaged by the registration of the designation ACT HOUSE that is the subject of U.S. Application Serial No. 88/854,508 (“Application”), and hereby opposes its registration under Lanham Act Section 13, 15 U.S.C. § 1063, and Trademark Rule 2.101, 37 C.F.R. § 2.101 on the following grounds:

FACTUAL BACKGROUND REGARDING OPPOSER AND ITS MARKS

1. Opposer ACT is an Iowa corporation, having its principal place of business at 500 ACT Drive, P.O. Box 168, Iowa City, Iowa 52243-0168.

2. Opposer owns the registered marks ACT (standard character mark), ACT (typed drawing), ACTNEXT, ACT TESSERA, ACT HOLISTIC FRAMEWORK, ACT ASSESSMENT, AIM ACT INFORMATION MANAGER, ACT NATIONAL CURRICULUM SURVEY, PRACT, ACT ACADEMY (standard character mark), ACT ACADEMY (stylized), ACT COLLEGEREADY, ACT WORKKEYS NCRC & Design, and related Marks for use in

connection with educational, testing, career, workplace skills and workforce development services, and associated services (collectively, the “ACT Family of Marks”). Additionally, Opposer has pending applications for the marks ACT NOW (standard character mark), and ACT NOW (stylized).

3. Opposer’s Family of Marks are used across a broad range of goods and services employed to provide innovative educational, testing, career and workplace skills development, workforce training, assessment and counseling programs and materials, as well as research related thereto. Opposer also uses the ACT Family of Marks in the promotion and marketing of its educational, testing, career and workplace and workforce development systems.

4. Opposer has continuously used marks within its ACT Family of Marks since at least as early as 1959, long before the filing date of the Application.

5. Opposer is the owner of record of the incontestable registered trademark/service mark ACT (typed drawing), U.S. Registration No. 2,888,069, U.S. Application Serial No. 75/692,325, filed on April 27, 1999, for (1) “pre-recorded compact discs, video and audio cassettes, and educational and administrative software featuring instruction, information, tests, proficiency and professional assessments, and administrative assistance, all for one or more of the following purposes, namely, education and career planning, post-secondary admissions, academic advising, course placement, educational research, test development, educational and occupational testing, test scoring and reporting, test administration, student aptitude and achievement testing, student evaluation, instructional assessment and training, curriculum development, language proficiency assessment, need analysis, certification and professional licensing, professional assessment, and career guidance, all for use in the field of education from primary through postgraduate levels and instructional manuals therefore sold as a unit” in International Class 9; (2) “publications, namely, printed test booklets, educational books,

booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, statistical reports, and research reports, all in the fields of education planning, career planning and preparation, workforce development, college admissions, and standardized testing” in International Class 16; (3) “educational services, namely, providing a web site on a global computer network featuring information in the fields of education planning, career counseling and guidance, namely, career planning and preparation, workforce development and college admissions; instructional offerings, namely conducting workshops and seminars in the fields of educational planning, career counseling and guidance, namely career planning and preparation, workforce development and the uses of standardized tests for educational institutions, professional organizations, government, business, and industry; preparing, administering, and scoring of standardized tests for schools, colleges, professional organizations, government, business, and industry” in International Class 41; and (4) “conducting research to advance theory and practice in areas of educational testing, measurement, research, and program support” in International Class 42 (the “ACT Mark”). Attached hereto as **Exhibit A** is a true and correct copy of the registration for Opposer’s ACT Mark, U.S. Registration No. 2,888,069. The foregoing registration is currently valid and subsisting and is incontestable. ACT has continuously offered and sold educational and career development services and related products under the ACT Mark since at least as early as September 8, 1959.

6. Opposer is also the owner of record of the registered service mark ACT (standard character mark), U.S. Registration No. 4,517,656, U.S. Application Serial No. 86/058,191 filed on September 6, 2013, for “preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of

employment, educational testing and consulting services related thereto in the field of job placement and job-related skills; providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing for employment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; developing, maintaining and utilizing a computer database designed to serve as a central repository of companies, jobs, and the functional skills and skill levels necessary for each individual job in all types of business and industry sectors” in International Class 35 (the “Second ACT Mark”). Attached hereto as **Exhibit B** is a true and correct copy of the registration for Opposer’s Second ACT Mark, U.S. Registration No. 4,517,656. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and workforce development system, and related services under the Second ACT Mark since at least as early as December 31, 1994.

7. Opposer is also the owner of record of the registered trademark/service mark ACTNEXT, U.S. Registration No. 5,676,749, U.S. Application Serial No. 87/979,562 filed on May 1, 2017, for (1) “publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports and policy reports relating to research in the fields of education, educational research, learning and assessment, occupational profiling and workforce development in International Class 16; (2) “business research in the fields of learning and assessment methodologies for use in the field of career and workplace success; providing a website featuring business information in the fields of learning and assessment methodologies

for use in the fields of career success and workforce development” in International Class 35; (3) “providing online non-downloadable digital publications, namely, manuals, newsletters, brochures, booklets, research reports and policy reports in the fields of integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the fields of education and career and workforce development” in International Class 41; and (4) “providing online non-downloadable software featuring technology that allows the user to conduct and report findings in integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences in the fields of education and career and workforce development; scientific research services, namely, integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences; providing a website featuring scientific research findings and information in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the field of education” in International Class 42 (the “ACTNEXT Mark”). Attached hereto as **Exhibit C** is a true and correct copy of the registration for Opposer’s ACTNEXT Mark, U.S. Registration No. 5,676,749. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and workforce development research, and related services and services, under the ACTNEXT Mark since at least as early as June 5, 2017.

8. Opposer is also the owner of record of the registered trademark/service mark ACT TESSERA, U.S. Registration No. 5,581,754, U.S. Application Serial No. 87/501,125 filed on June 22, 2017, for (1) “downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, and teaching playbooks and teaching materials in the fields of education, social and emotional

learning factors, skills assessments and standardized testing” in International Class 9; (2) “providing educational and educational skills assessment services; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, statistical reports and teaching playbooks and teaching materials, all in the fields of education, social and emotional learning factors, skills assessments and standardized testing; educational and educational skills testing services featuring the use of standardized tests and surveys; providing online computer manuals for web-based administration of tests; providing online educational services, namely, providing summative and formative educational assessments in the fields of social and emotional learning factors; educational and educational skills testing services; preparing, administering, and scoring academic standardized tests; educational services, namely, providing online reports containing scores and score interpretation for educational and educational skills-based tests” in International Class 41; and (3) “providing temporary use of online non-downloadable computer software, namely, testing and assessment software in the fields of education, social and emotional learning factors, skills assessments and standardized testing; providing a web site featuring technology that enables students, parents, educators and administrators to analyze and interpret student formative and summative assessment testing data reflecting social and emotional learning factors in the field of education at the middle school and high school levels” in International Class 42 (the “ACT TESSERA Mark”). Attached hereto as **Exhibit D** is a true and correct copy of the registration for Opposer’s ACT TESSERA Mark, U.S. Registration No. 5,581,754. The foregoing registration is currently valid and subsisting. ACT has continuously provided educational testing and assessment services, and related services, under the ACT TESSERA Mark since at least as early as June 26, 2018.

9. Opposer is also the owner of record of the registered trademark/service mark ACT HOLISTIC FRAMEWORK, U.S. Registration No. 5,581,670, U.S. Application Serial No.

87/445,898 filed on May 11, 2017, for (1) “downloadable electronic publications, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; downloadable training and teaching materials, namely, software for organizing classroom instruction in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task related skills necessary to educational and workplace settings, education and career path navigational skills” in International Class 9; (2) “publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; printed training and teaching materials in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation” in International Class 16; (3) “business advisory and consultancy services in the field of employment vocational testing to determine professional competency and employment skills; business research in the field of employment vocational testing to determine professional competency and employment skills; providing a website featuring information in the fields of business management, namely, workplace readiness and success” in International Class 35; (4) “advisory and consultancy services in the field of vocational guidance; educational research in the field of vocational guidance; providing a website featuring educational information in the fields of vocational guidance; providing educational information in the field of vocational guidance; educational services, namely, providing on-line training courses in the

fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; educational services, namely, providing classroom instruction in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation” in International Class 41; and (5) “providing online non-downloadable software that provides the technology for training in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; providing on-line non-downloadable interactive software that provides the technology to format and creates resumes” in International Class 42 (the “ACT HOLISTIC FRAMEWORK Mark”). Attached hereto as **Exhibit E** is a true and correct copy of the registration for Opposer’s ACT HOLISTIC FRAMEWORK Mark, U.S. Registration No. 5,581,670. The foregoing registration is currently valid and subsisting. ACT has continuously offered and sold educational and workforce development services and related products under the ACT HOLISTIC FRAMEWORK Mark since at least as early as June 30, 2016.

10. Opposer is also the owner of record of the registered trademark/service mark ACT ASSESSMENT, U.S. Registration No. 2,346,807, U.S. Application Serial No. 75/614,493 filed on December 31, 1998, for (1) “printed booklets featuring college admissions tests and printed

support materials in the form of reports and study aids relating thereto” in International Class 16; and (2) “preparing, administering, and scoring of college admissions tests, provided in both printed booklets and in a database for administration as a computer adaptive test” in International Class 42 (the “ACT ASSESSMENT Mark”). Attached hereto as **Exhibit F** is a true and correct copy of the registration for Opposer’s ACT ASSESSMENT Mark, U.S. Registration No. 2,346,807. The foregoing registration is currently valid and subsisting and is incontestable. ACT has continuously promoted and marketed its assessment services, and related services, under the ACT ASSESSMENT Mark since at least as early as November 7, 1959.

11. Opposer is also the owner of record of the registered trademark AIM ACT INFORMATION MANAGER, U.S. Registration No. 2,829,305, U.S. Application Serial No. 76/448,328 filed on September 10, 2002, for “database software that organizes the information in student records compiled through the college admissions testing process and that enables colleges to use such information for student recruitment and retention” in International Class 9 (the “AIM ACT Mark”). Attached hereto as **Exhibit G** is a true and correct copy of the registration for Opposer’s AIM ACT Mark, U.S. Registration No. 2,829,305. The foregoing registration is currently valid and subsisting and is incontestable. ACT has continuously promoted and marketed its educational software under the AIM ACT Mark since at least as early as April 15, 2002.

12. Opposer is also the owner of record of the registered trademark ACT NATIONAL CURRICULUM SURVEY, U.S. Registration No. 2,731,932, U.S. Application Serial No. 76/448,327 filed on September 10, 2002, for “printed answer sheets bearing a survey administered every three years to high school teachers and college faculty to identify content being taught in high school courses and entry-level college courses nationwide” in International Class 16 (the “ACT NATIONAL Mark”). Attached hereto as **Exhibit H** is a true and correct

copy of the registration for Opposer's ACT NATIONAL Mark, U.S. Registration No. 2,731,932. The foregoing registration is currently valid and subsisting and is incontestable. ACT has continuously promoted and marketed its educational survey under the ACT National Mark since at least as early as September 1, 2002.

13. Opposer is also the owner of record of the registered trademark/service mark PRACT, U.S. Registration No. 5,215,150, U.S. Application Serial No. 86/982,247 filed on March 16, 2016, for (1) "publications, namely, printed standardized test booklets, answer sheets, educational booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, summative reports, statistical reports, and research reports, all in the fields of education, educational planning, college admissions, and standardized testing" in International Class 16; and (2) "educational services, namely, providing a website featuring information in the fields of education, educational planning, and college admissions; instructional offerings, namely, conducting workshops and seminars in the fields of education, educational planning, and the uses of standardized tests for educational institutions, providing educational assessment services, namely, preparing, administering, scoring, and interpretation of standardized tests; providing online computer manuals for web-based administration of tests; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, and statistical reports, all in the fields of education, college admissions, and standardized testing" in International Class 41 (the "PRACT Mark"). Attached hereto as **Exhibit I** is a true and correct copy of the registration for Opposer's PRACT Mark, U.S. Registration No. 5,215,150. The foregoing registration is currently valid and subsisting. ACT has continuously offered and sold educational services and related services under the PRACT Mark since at least as early as March 22, 2016.

14. Opposer is also the owner of record of the registered service mark ACT ACADEMY (standard character mark), U.S. Registration No. 5,795,328, U.S. Application Serial No. 87/760,222 filed on January 18, 2018, for (1) “downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing” in International Class 9; (2) “publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing” in International Class 16; (3) “providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing” in International Class 41; and (4) “providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing” in International Class 42 (the “ACT ACADEMY Mark”). Attached hereto as **Exhibit J**

is a true and correct copy of the registration for Opposer's ACT ACADEMY Mark, U.S. Registration No. 5,795,328, U.S. Application Serial No. 87/760,222. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and test preparation services, and related services, under the ACT ACADEMY Mark since at least as early as March 22, 2018.

15. Opposer is also the owner of record of the registered trademark/service mark ACT ACADEMY (stylized), U.S. Registration No. 5,795,327, U.S. Application Serial No. 87/760,208 filed on January 18, 2018, for (1) "downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing" in International Class 9; (2) "publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing" in International Class 16; (3) "providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing" in International

Class 41; and (4) “providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing” in International Class 42 (the “Second ACT ACADEMY Mark”). Attached hereto as **Exhibit K** is a true and correct copy of the registration for Opposer’s Second ACT ACADEMY Mark, U.S. Registration No. 5,795,327, U.S. Application Serial No. 87/760,208. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and test preparation services, and related services, under the ACT ACADEMY Mark since at least as early as March 22, 2018.

16. Opposer is also the owner of record of the registered trademark/service mark ACT COLLEGEREADY, U.S. Registration No. 5,984,872, U.S. Application Serial No. 87/608,950 filed on September 14, 2017, for (1) “Educational testing, namely, computer-based testing and assessment system in the fields of English and mathematics; Educational testing, namely, computer-based testing and assessment system available via the Internet in the fields of English and mathematics” in International Class 41; and (2) “Providing temporary use of on-line non-downloadable computer software, namely, educational testing and assessment software in the fields of English and mathematics, which provides information to students and post-secondary institutions to assist in appropriate course placement” in International Class 42; (the “ACT COLLEGEREADY Mark”). Attached hereto as **Exhibit L** is a true and correct copy of the registration for Opposer’s ACT COLLEGEREADY Mark, U.S. Registration No. 5,984,872, U.S. Application Serial No. 87/608,950. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and test preparation services, and

related services, under the ACT COLLEGEREADY Mark since at least as early as October 18, 2017.

17. Opposer is also the owner of record of the registered trademark/service mark ACT WORKKEYS NCRC & Design, U.S. Registration No. 6,014,613, U.S. Application Serial No. 88/221,644 filed on December 07, 2018, for (1) “Providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing for employment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of employment, educational testing and consulting services related thereto in the field of job placement and job-related skills” in International Class 35 (the “ACT WORKKEYS NCRC Mark”). Attached hereto as **Exhibit M** is a true and correct copy of the registration for Opposer’s ACT WORKKEYS NCRC Mark, U.S. Registration No. 6,014,613, U.S. Application Serial No. 88/221,644. The foregoing registration is currently valid and subsisting. ACT has continuously promoted and marketed its educational and test preparation services, and related services, under the ACT WORKKEYS NCRC Mark since at least as early as August 01, 2017.

18. Opposer also has a pending application for its trademark/service mark ACT NOW (standard character mark), U.S. Application Serial No. 88/669,669 filed on October 25, 2019, for (1) “Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges; downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges” in International Class 9; and (2) “Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges” in International Class 42 (the “ACT NOW Mark”). Attached hereto as **Exhibit N** is a true and correct copy of the registration for Opposer’s ACT NOW Mark, U.S. Application Serial No. 88/669,669. The foregoing application is currently pending. ACT has a bona fide intent-to-use, promote, and market its educational and test preparation services, and related services, under the ACT NOW Mark.

19. Opposer also has a pending application for its trademark/service mark ACT NOW (stylized), U.S. Application Serial No. 88/669,705 filed on October 25, 2019, for (1) “Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges; downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges” in International Class 9; and (2) “Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges” in International Class 42 (the “Second ACT NOW Mark”). Attached hereto as **Exhibit O** is a true and correct copy of the registration for Opposer’s Second ACT NOW Mark, U.S. Application Serial No. 88/669,705. The foregoing application is currently pending. ACT has a bona fide intent-to-use, promote, and market its

educational and test preparation services, and related services, under the Second ACT NOW Mark.

20. The preeminent services and related services offered by Opposer under the ACT Family of Marks are used across a broad range of educational, testing, career and workforce development programs and related materials. These include both printed and on-line training materials, curriculum, assessments and other evaluative tools utilized in both the educational and employment context.

21. Opposer has invested many millions of dollars in the advertising and promotion of the ACT Family of Marks for its educational, testing, career, workplace skills and workforce development systems and associated materials, and as a result of Opposer's extensive investment and effort in promoting Opposer's ACT Family of Marks, they have become famous and well-known, and recognized as Opposer's Marks among consumers in the relevant industry.

FACTUAL BACKGROUND REGARDING THE APPLICATION

22. Upon information and belief, on March 31, 2020, Applicant ACT House, Inc., a Florida corporation, having a principal place of business at Suite 19, 914 Railroad Ave., Tallahassee, FL 32301 ("Applicant"), filed U.S. Application Serial No. 88/854,508 in the United States Patent & Trademark Office ("USPTO") seeking registration of "ACT HOUSE" for use with:

- (1) "Business development services, namely, providing start-up support for businesses of others" in International Class 35;

based upon actual use in commerce pursuant to Lanham Act Section 1(a) ("the Application"), claiming a first use date of January 1, 2016. Applicant is the current owner of record of the Application.

23. Upon information and belief, the Application was published for opposition in the *Official Gazette* on July 28, 2020.

FIRST GROUND FOR OPPOSITION

(Likelihood of Confusion)

24. Opposer incorporates the allegations contained in Paragraphs 1 through 23 herein.

25. Based on Opposer's longstanding, extensive, and continuous use of Opposer's ACT Family of Marks, the advertising and publicity they have received, Opposer's federal registrations for its ACT Family of Marks, and the high degree of consumer recognition for Opposer's Marks, Opposer's ACT Family of Marks are entitled to a broad scope of protection.

26. The identified services to be offered by Applicant under the ACT HOUSE designation are similar and/or highly related to those offered under Opposer's ACT Family of Marks, and on information and belief, both Opposer's and Applicant's respective services are or will be marketed, offered for sale, and/or sold to the same consumers and in the same or similar channels of trade

27. Applicant's use of the ACT HOUSE designation is confusingly similar to Opposer's ACT Family of Marks, which are previously used and registered and, when used in connection with the purported services identified in the Application, is likely to cause confusion or mistake or deception as to source, affiliation and/or sponsorship.

SECOND GROUND FOR OPPOSITION

(Dilution)

28. Opposer incorporates the allegations contained in Paragraphs 1 through 27 herein.

29. Opposer's ACT Family of Marks are famous and distinctive within the meaning of the Federal Trademark Dilution Act, as amended. Opposer's ACT Family of Marks became

famous before Applicant's actual use date and/or constructive use date based on the filing date of the Application, and Applicant seeks to commercially use and/or continue to use the designation ACT HOUSE in the United States.

30. The registration of the designation that is the subject of the Application is likely to dilute Opposer's ACT Family of Marks, either through dilution by blurring or dilution by tarnishment, or both.

THIRD GROUND FOR OPPOSITION

(False Suggestion of a Connection)

31. Opposer incorporates the allegations contained in Paragraphs 1 through 30 herein.

32. The trade name and trademark ACT is associated exclusively with Opposer ACT. The trade name and trademark ACT is recognized as such, in that it uniquely and unmistakably points to Opposer ACT.

33. The designation that is the subject of the Application is a close approximation of Opposer's previously used and longstanding trade name and trademark, ACT, and creates a false suggestion of a connection or association with Opposer ACT.

34. Opposer's ACT trade name and trademark were used long before Applicant's filing date of the Application for ACT HOUSE.

35. Opposer is not connected in any way with Applicant or the proposed use by Applicant of the ACT HOUSE designation in connection with educational, professional development and related services as identified in the Application. The fame and reputation of Opposer's ACT Family of Marks is of such a nature that a connection with Opposer will be presumed when Applicant's ACT HOUSE designation is used on or with or to promote Applicant's services as identified in the Application.

36. Applicant's proposed designation ACT HOUSE is likely to create a false suggestion of a connection, association, or affiliation with Opposer or as to the origin, sponsorship or approval of Applicant's services and/or commercial activities by Opposer.

37. Upon information and belief, Applicant's use and/or proposed use of ACT HOUSE will disparage Opposer, falsely suggest a connection with Opposer, and/or bring Opposer into disrepute.

DAMAGE TO OPPOSER

38. As a result of all of the foregoing, registration of Applicant's applied-for mark would cause a likelihood of confusion, mistake, or deception with Opposer and Opposer's ACT Family of Marks, a likelihood of false connection, association, or affiliation with Opposer or as to the origin, sponsorship or approval of Applicant's services and/or commercial activities by Opposer, and/or a likelihood of dilution of Opposer's ACT Family of Marks.

39. The registration of Applicant's ACT HOUSE designation on the Principal Register is inconsistent with Opposer's rights under the aforementioned registrations and common law, and would be damaging to Opposer, in that registration gives Applicant a *prima facie* exclusive right to the use of ACT HOUSE despite the likelihood of confusion, mistake, or deception with Opposer and Opposer's ACT Family of Marks and the likelihood of false connection, association, or affiliation with Opposer or as to the origin, sponsorship or approval of Applicant's services and/or commercial activities by Opposer, and/or likelihood of dilution as described above.

EXHIBIT A

Int. Cls.: 9, 16, 41 and 42

**Prior U.S. Cls.: 2, 5, 21, 22, 23, 26, 29, 36, 37, 38, 50,
100, 101 and 107**

Reg. No. 2,888,069

United States Patent and Trademark Office

Registered Sep. 28, 2004

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ACT

ACT, INC. (IOWA CORPORATION)
2201 NORTH DODGE STREET
P.O. BOX 168
IOWA CITY, IA 522430168

FOR: PRE-RECORDED COMPACT DISCS, VIDEO AND AUDIO CASSETTES, AND EDUCATIONAL AND ADMINISTRATIVE SOFTWARE FEATURING INSTRUCTION, INFORMATION, TESTS, PROFICIENCY AND PROFESSIONAL ASSESSMENTS, AND ADMINISTRATIVE ASSISTANCE, ALL FOR ONE OR MORE OF THE FOLLOWING PURPOSES, NAMELY, EDUCATION AND CAREER PLANNING, POST SECONDARY ADMISSIONS, ACADEMIC ADVISING, COURSE PLACEMENT, EDUCATIONAL RESEARCH, TEST DEVELOPMENT, EDUCATIONAL AND OCCUPATIONAL TESTING, TEST SCORING AND REPORTING, TEST ADMINISTRATION, STUDENT APTITUDE AND ACHIEVEMENT TESTING, STUDENT EVALUATION, INSTRUCTIONAL ASSESSMENT AND TRAINING, CURRICULUM DEVELOPMENT, LANGUAGE PROFICIENCY ASSESSMENT, NEED ANALYSIS, CERTIFICATION AND PROFESSIONAL LICENSING, PROFESSIONAL ASSESSMENT, AND CAREER GUIDANCE, ALL FOR USE IN THE FIELD OF EDUCATION FROM PRIMARY THROUGH POSTGRADUATE LEVELS AND INSTRUCTIONAL MANUALS THEREFORE SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-8-1959; IN COMMERCE 9-8-1959.

FOR: PUBLICATIONS, NAMELY, PRINTED TEST BOOKLETS, EDUCATIONAL BOOKS, BOOKLETS, NEWSLETTERS, BROCHURES, CATALOGUES, MANUALS, GUIDEBOOKS, TECHNICAL MANUALS, STATISTICAL REPORTS, AND RESEARCH REPORTS, ALL IN THE FIELDS OF EDUCATION PLANNING, CAREER PLANNING AND PREPARATION, WORKFORCE DEVELOPMENT, COLLEGE

ADMISSIONS, AND STANDARDIZED TESTING, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 9-8-1959; IN COMMERCE 9-8-1959.

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING A WEB SITE ON A GLOBAL COMPUTER NETWORK FEATURING INFORMATION IN THE FIELDS OF EDUCATION PLANNING, CAREER COUNSELING AND GUIDANCE, NAMELY, CAREER PLANNING AND PREPARATION, WORKFORCE DEVELOPMENT AND COLLEGE ADMISSIONS; INSTRUCTIONAL OFFERINGS, NAMELY CONDUCTING WORKSHOPS AND SEMINARS IN THE FIELDS OF EDUCATIONAL PLANNING, CAREER COUNSELING AND GUIDANCE, NAMELY CAREER PLANNING AND PREPARATION, WORKFORCE DEVELOPMENT AND THE USES OF STANDARDIZED TESTS FOR EDUCATIONAL INSTITUTIONS, PROFESSIONAL ORGANIZATIONS, GOVERNMENT, BUSINESS, AND INDUSTRY; PREPARING, ADMINISTERING, AND SCORING OF STANDARDIZED TESTS FOR SCHOOLS, COLLEGES, PROFESSIONAL ORGANIZATIONS, GOVERNMENT, BUSINESS, AND INDUSTRY, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-8-1959; IN COMMERCE 9-8-1959.

FOR: CONDUCTING RESEARCH TO ADVANCE THEORY AND PRACTICE IN AREAS OF EDUCATIONAL TESTING, MEASUREMENT, RESEARCH, AND PROGRAM SUPPORT, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-8-1959; IN COMMERCE 9-8-1959.

OWNER OF U.S. REG. NO. 2,275,487.

SER. NO. 75-692,325, FILED 4-27-1999.

MICHELE SWAIN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2020-03-11 17:26:55 EDT

Mark: ACT

US Serial Number: 75692325

Application Filing Date: Apr. 27, 1999

US Registration Number: 2888069

Registration Date: Sep. 28, 2004

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 19, 2014

Publication Date: Jul. 06, 2004

Mark Information

Mark Literal Elements: ACT

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 2275487

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: Pre-recorded compact discs, video and audio cassettes, and educational and administrative software featuring instruction, information, tests, proficiency and professional assessments, and administrative assistance, all for one or more of the following purposes, namely, education and career planning, post secondary admissions, academic advising, course placement, educational research, test development, educational and occupational testing, test scoring and reporting, test administration, student aptitude and achievement testing, student evaluation, instructional assessment and training, curriculum development, language proficiency assessment, need analysis, certification and professional licensing, professional assessment, and career guidance, all for use in the field of education from primary through postgraduate levels and instructional manuals therefore sold as a unit

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1966

Use in Commerce: 1966

For: Publications, namely, printed test booklets, educational books, booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, statistical reports, and research reports, all in the fields of education planning, career planning and preparation, workforce development, college admissions, and standardized testing

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 08, 1959

Use in Commerce: Sep. 08, 1959

For: Educational services, namely, providing a web site on a global computer network featuring information in the fields of education planning, career counseling and guidance, namely, career planning and preparation, workforce development and college admissions; instructional offerings, namely conducting workshops and seminars in the fields of educational planning, career counseling and guidance, namely career planning and preparation, workforce development and the uses of standardized tests for educational institutions, professional organizations, government, business, and industry; preparing, administering, and scoring of standardized tests for schools, colleges, professional organizations, government, business, and industry

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 08, 1959

Use in Commerce: Sep. 08, 1959

For: Conducting research to advance theory and practice in areas of educational testing, measurement, research, and program support

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 08, 1959

Use in Commerce: Sep. 08, 1959

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: ACT, Inc.

Owner Address: 2201 North Dodge Street
P.O. Box 168
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country IOWA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-248417

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 95111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com
dmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 19, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 19, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Aug. 19, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Aug. 19, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Aug. 01, 2014	TEAS SECTION 8 & 9 RECEIVED	
Sep. 24, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75184
Sep. 09, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2008	AMENDMENT UNDER SECTION 7 - ISSUED	
Feb. 29, 2008	ASSIGNED TO PARALEGAL	75184
Dec. 17, 2007	TEAS SECTION 7 REQUEST RECEIVED	
Sep. 28, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 06, 2004	PUBLISHED FOR OPPOSITION	
Jun. 16, 2004	NOTICE OF PUBLICATION	
Apr. 22, 2004	EMAIL RECEIVED	
Apr. 21, 2004	EMAIL RECEIVED	
Apr. 21, 2004	EMAIL RECEIVED	
Apr. 20, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 20, 2004	EXAMINERS AMENDMENT E-MAILED	
Apr. 20, 2004	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 20, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 15, 2004	PAPER RECEIVED	
Dec. 31, 2003	NON-FINAL ACTION MAILED	
Nov. 09, 2003	CASE FILE IN TICRS	
Jun. 06, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 09, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 09, 2003	PAPER RECEIVED	
Nov. 20, 2002	LETTER OF SUSPENSION MAILED	
Sep. 27, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 27, 2002	PAPER RECEIVED	
Jun. 27, 2002	CONTINUATION OF FINAL REFUSAL MAILED	
May 10, 2002	PAPER RECEIVED	
Nov. 09, 2000	LETTER OF SUSPENSION MAILED	
Nov. 06, 2000	ASSIGNED TO EXAMINER	75593
Oct. 12, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 12, 2000	FINAL REFUSAL MAILED	
Apr. 11, 2000	ASSIGNED TO EXAMINER	75593
Feb. 29, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 15, 1999	NON-FINAL ACTION MAILED	
Oct. 12, 1999	ASSIGNED TO EXAMINER	76747
Sep. 29, 1999	ASSIGNED TO EXAMINER	75570

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 19, 2014

Proceedings

Summary

Number of Proceedings: 11

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding [91250131](#)

Filing Date: Aug 12, 2019

Number: _____

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent KELLI OVIES
Address: FORREST FIRM PC
 3700 GLENWOOD AVE., SUITE 240
 RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	
Plaintiff(s)			

Name: ACT Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
 FOUR EMBARCADERO CENTER, 17TH FLOOR
 SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant**Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent Address:** DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250103](#)**Filing Date:** Aug 09, 2019**Status:** Suspended**Status Date:** Nov 11, 2019**Interlocutory** MARY B MYLES

Attorney:

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent DEBORAH A GUBERNICK

Address: SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D KAHN

Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory MARY B MYLES

Attorney:**Defendant****Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent** DEBORAH A GUBERNICK**Address:** SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)**Name:** ACT Inc.**Correspondent** MICHELLE D KAHN**Address:** SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91248452](#)**Filing Date:** May 29, 2019**Status:** Terminated**Status Date:** Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91200307](#)

Filing Date: Jun 17, 2011

Status: Terminated

Status Date: Aug 28, 2012

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Roland Berger Strategy Consultants Holding GmbH

Correspondent Address: ANDREW H SIMPSON
KNOBB MARTENS OLSON & BEAR LLP
2040 MAIN STREET 14TH FLOOR
IRVINE CA UNITED STATES , 92614

Correspondent e-mail: efiling@kmob.com

mail: _____

Associated marks			
Mark	Application Status	Serial Number	Registration Number
THINK: ACT	PARTIAL SECTION 71 & 15 ACCEPTED AND ACKNOWLEDGED	79084149	4215883
Plaintiff(s)			

Name: ACT, Inc.

Correspondent Address: CHRISTINE LEBRON-DYKEMAN
MCKEE VOORHEES & SEASE PLC
801 GRAND AVENUE STE 3200
DES MOINES IA UNITED STATES , 50309

Correspondent e-mail: Christine.Lebon-Dykeman@ipmvs.com , mvsllit@ipmvs.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 17, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 21, 2011	Jul 31, 2011
3	PENDING, INSTITUTED	Jun 21, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Jul 29, 2011	
5	EXTENSION OF TIME GRANTED	Aug 02, 2011	
6	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Aug 30, 2011	
7	SUSPENDED	Aug 30, 2011	
8	STIPULATION FOR AN EXTENSION OF TIME	Sep 28, 2011	
9	EXTENSION OF TIME GRANTED	Sep 28, 2011	
10	STIPULATION FOR AN EXTENSION OF TIME	Oct 31, 2011	
11	EXTENSION OF TIME GRANTED	Oct 31, 2011	
12	STIPULATION FOR AN EXTENSION OF TIME	Nov 28, 2011	
13	EXTENSION OF TIME GRANTED	Nov 28, 2011	
14	STIPULATION FOR AN EXTENSION OF TIME	Dec 21, 2011	
15	EXTENSION OF TIME GRANTED	Dec 21, 2011	
16	STIPULATION FOR AN EXTENSION OF TIME	Feb 17, 2012	
17	EXTENSION OF TIME GRANTED	Feb 17, 2012	
18	APPL'S RESTRICTION OF PROTECTION OF GOODS	Mar 01, 2012	
19	STIPULATION FOR AN EXTENSION OF TIME	May 21, 2012	
20	EXTENSION OF TIME GRANTED	May 21, 2012	
21	WITHDRAWAL OF OPPOSITION	Aug 20, 2012	
22	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 28, 2012	
23	TERMINATED	Aug 28, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91198246](#)

Filing Date: Jan 19, 2011

Status: Terminated

Status Date: Jan 19, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: ACT Certification, LLC

Correspondent Address: JOSEPH A URADNIK
URADNIK LAW FIRM PC
393 OAK LANE, PO BOX 5545
PLEASANTON CA UNITED STATES , 94566

Correspondent e-mail: joe@iplawspot.com , docket@iplawspot.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT CERTIFICATION	Abandoned - After Inter-Partes Decision	77951536	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: BRETT A AUGUST
PATTISHALL McAULIFFE NEWBURY
HILLIARD & GERALDSON LLP, 311 SOUTH WACKER DRIVE - SUITE 5000
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: baugust@pattishall.com , ijb@pattishall.com , tdt@pattishall.com , ird@pattishall.com , sia@pattishall.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT CENTER	Cancelled - Section 8	78876870	3438156
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 19, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 19, 2011	Feb 28, 2011
3	PENDING, INSTITUTED	Jan 19, 2011	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 21, 2011	
5	EXTENSION OF TIME GRANTED	Feb 21, 2011	
6	CHANGE OF CORRESPONDENCE ADDRESS	Mar 29, 2011	
7	ANSWER	Mar 29, 2011	
8	MOTION TO SUBSTITUTE PAPER - WITH CONSENT	Apr 04, 2011	
9	BOARD'S ORDER TR	Apr 06, 2011	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Aug 02, 2011	
11	SUSPENDED	Aug 02, 2011	
12	WITHDRAWAL OF APPLICATION	Oct 25, 2011	
13	BOARD'S DECISION: SUSTAINED	Oct 26, 2011	
14	TERMINATED	Oct 26, 2011	
15	BOARD'S DECISION: SUSTAINED	Oct 26, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181760](#)

Filing Date: Jan 07, 2008

Status: Terminated

Status Date: Apr 15, 2008

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: 9008 Group, Incorporated

Correspondent Address: CATHERINE ENDO CHUCK
MCBIRNEY & CHUCK
800 WILSHIRE BLVD STE 340
LOS ANGELES CA UNITED STATES , 90017-2607

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT?1	REGISTERED AND RENEWED	76663661	3429069

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: Brett A. August
Pattishall, McAuliffe, Newbury, Hilliard et al
311 S. Wacker Drive, Suite 5000
Chicago IL UNITED STATES , 60606

Correspondent e-mail: BAA@pattishall.com, TDT@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 08, 2008	Feb 17, 2008
3	PENDING, INSTITUTED	Jan 08, 2008	
4	ANSWER	Feb 19, 2008	
5	AMENDMENT	Feb 19, 2008	
6	MOTION TO SUSPEND	Feb 21, 2008	
7	AMDT APPROVED; PL ALLOWED 30 DAYS W/D	Mar 26, 2008	
8	WITHDRAWAL OF OPPOSITION	Apr 08, 2008	
9	BOARD'S DECISION: DISMISSED	Apr 15, 2008	
10	TERMINATED	Apr 15, 2008	



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu May 23 04:51:02 EDT 2019

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#)

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark ACT

Goods and Services IC 009. US 021 023 026 036 038. G & S: Pre-recorded compact discs, video and audio cassettes, and educational and administrative software featuring instruction, information, tests, proficiency and professional assessments, and administrative assistance, all for one or more of the following purposes, namely, education and career planning, post secondary admissions, academic advising, course placement, educational research, test development, educational and occupational testing, test scoring and reporting, test administration, student aptitude and achievement testing, student evaluation, instructional assessment and training, curriculum development, language proficiency assessment, need analysis, certification and professional licensing, professional assessment, and career guidance, all for use in the field of education from primary through postgraduate levels and instructional manuals therefore sold as a unit. FIRST USE: 19660000. FIRST USE IN COMMERCE: 19660000

IC 016. US 002 005 022 023 029 037 038 050. G & S: Publications, namely, printed test booklets, educational books, booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, statistical reports, and research reports, all in the fields of education planning, career planning and preparation, workforce development, college admissions, and standardized testing. FIRST USE: 19590908. FIRST USE IN COMMERCE: 19590908

IC 041. US 100 101 107. G & S: Educational services, namely, providing a web site on a global computer network featuring information in the fields of education planning, career counseling and guidance, namely, career planning and preparation, workforce development and college admissions; instructional offerings, namely conducting workshops and seminars in the fields of educational planning, career counseling and guidance, namely career planning and preparation, workforce development and the uses of standardized tests for educational institutions, professional organizations, government, business, and industry; preparing, administering, and scoring of standardized tests for schools, colleges, professional organizations, government, business, and industry. FIRST USE: 19590908. FIRST USE IN COMMERCE: 19590908

IC 042. US 100 101. G & S: Conducting research to advance theory and practice in areas of educational testing, measurement, research, and program support. FIRST USE: 19590908. FIRST USE IN COMMERCE: 19590908

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75692325

Filing Date April 27, 1999

Current Basis 1A

Original Filing Basis 1A

Published for July 6, 2004

Opposition**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED**Registration Number** 2888069**Registration Date** September 28, 2004**Owner** (REGISTRANT) ACT, Inc. CORPORATION IOWA 2201 North Dodge Street P.O. Box 168 Iowa City IOWA 522430168**Attorney of Record** Michelle D. Kahn**Prior Registrations** 2275487**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140819.**Renewal** 1ST RENEWAL 20140819**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

EXHIBIT B

United States of America

United States Patent and Trademark Office

ACT

Reg. No. 4,517,656

Registered Apr. 22, 2014

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

ACT, INC. (IOWA CORPORATION)
500 ACT DRIVE, P. O. BOX 168
IOWA CITY, IA 522430168

FOR: PREPARATION OF METHODS AND MATERIALS FOR IDENTIFYING SPECIFIC SKILLS AND SPECIFIC CONTENT AND LEVEL OF KNOWLEDGE REQUIRED FOR PROBABLE SUCCESS IN SPECIFIC FIELDS OF EMPLOYMENT; EVALUATION OF SPECIFIC FIELDS OF EMPLOYMENT FOR OTHERS TO IDENTIFY SPECIFIC SKILLS AND SPECIFIC CONTENT AND LEVEL OF KNOWLEDGE REQUIRED FOR PROBABLE SUCCESS IN SUCH SPECIFIC FIELDS OF EMPLOYMENT, EDUCATIONAL TESTING AND CONSULTING SERVICES RELATED THERETO IN THE FIELD OF JOB PLACEMENT AND JOB-RELATED SKILLS; PROVIDING AN ON-LINE COMPUTER DATABASE IN THE FIELDS OF VOCATIONAL TESTING TO DETERMINE SKILLS FOR EMPLOYMENT, AND WORKFORCE DEVELOPMENT PROGRAMS; PROVIDING DATABASES FEATURING JOB PROFILES AND REQUIREMENTS; COMPUTERIZED DATABASE MANAGEMENT AND COMPILATION OF INFORMATION INTO COMPUTERIZED DATABASES; PROVIDING INFORMATION IN THE FIELDS OF VOCATIONAL TESTING FOR EMPLOYMENT, AND WORKFORCE DEVELOPMENT PROGRAMS; ADVISORY AND CONSULTANCY SERVICES RELATING TO VOCATIONAL TESTING FOR EMPLOYMENT, AND WORKFORCE DEVELOPMENT PROGRAMS; PROVIDING A WEBSITE FEATURING INFORMATION IN THE FIELD OF VOCATIONAL TESTING FOR EMPLOYMENT AND WORKFORCE DEVELOPMENT PROGRAMS; DEVELOPING, MAINTAINING AND UTILIZING A COMPUTER DATABASE DESIGNED TO SERVE AS A CENTRAL REPOSITORY OF COMPANIES, JOBS, AND THE FUNCTIONAL SKILLS AND SKILL LEVELS NECESSARY FOR EACH INDIVIDUAL JOB IN ALL TYPES OF BUSINESS AND INDUSTRY SECTORS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).



Michelle K. Lee
Deputy Director of the United States
Patent and Trademark Office

FIRST USE 12-31-1994; IN COMMERCE 12-31-1994.

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

SER. NO. 86-058,191, FILED 9-6-2013.

MARILYN IZZI, EXAMINING ATTORNEY

**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>.

Generated on: This page was generated by TSDR on 2020-03-11 17:24:38 EDT

Mark: ACT

ACT

US Serial Number: 86058191

Application Filing Date: Sep. 06, 2013

US Registration Number: 4517656

Registration Date: Apr. 22, 2014

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 22, 2014

Publication Date: Feb. 04, 2014

Mark Information

Mark Literal Elements: ACT

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: Preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of employment, educational testing and consulting services related thereto in the field of job placement and job-related skills; providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing for employment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; developing, maintaining and utilizing a computer database designed to serve as a central repository of companies, jobs, and the functional skills and skill levels necessary for each individual job in all types of business and industry sectors

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1994

Use in Commerce: Dec. 31, 1994

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: ACT, Inc.

Owner Address: 500 ACT Drive, P. O. Box 168
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country IOWA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-248418

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 95111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 22, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Nov. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 22, 2014	REGISTERED-PRINCIPAL REGISTER	
Feb. 04, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 04, 2014	PUBLISHED FOR OPPOSITION	
Jan. 15, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 26, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 17, 2013	ASSIGNED TO EXAMINER	82420
Sep. 16, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 10, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 22, 2014

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant**Name:** Glint Inc.**Correspondent Address:** CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606**Correspondent e-mail:** trademarks.us@dentons.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250159](#)**Filing Date:** Aug 13, 2019**Status:** Pending**Status Date:** Aug 13, 2019**Interlocutory Attorney:** WINSTON T FOLMAR**Defendant****Name:** Glint Inc.

Correspondent CAROL ANNE BEEN
Address: DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Name: ACT, Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent ELITE ENTREPRENEURS INC
Address: 2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)**Name:** ACT Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250101](#)**Filing Date:** Aug 09, 2019**Status:** Suspended**Status Date:** Nov 11, 2019**Interlocutory Attorney:** MARY B MYLES**Defendant****Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent Address:** DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Serial	Registration
--------	--------------

Mark	Application Status	Number	Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT C

United States of America

United States Patent and Trademark Office

ACTNext

Reg. No. 5,676,749

Registered Feb. 12, 2019

Int. Cl.: 16, 35, 41, 42

Service Mark

Trademark

Principal Register

ACT, Inc. (IOWA CORPORATION)
500 Act Drive
Iowa City, IOWA 52243

CLASS 16: Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports and policy reports relating to research in the fields of education, educational research, learning and assessment, occupational profiling and workforce development

FIRST USE 6-5-2017; IN COMMERCE 6-5-2017

CLASS 35: Business research in the fields of learning and assessment methodologies for use in the field of career and workplace success; providing a website featuring business information in the fields of learning and assessment methodologies for use in the fields of career success and workforce development

FIRST USE 6-5-2017; IN COMMERCE 6-5-2017

CLASS 41: Providing online non-downloadable digital publications, namely, manuals, newsletters, brochures, booklets, research reports and policy reports in the fields of integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the fields of education and career and workforce development

FIRST USE 6-5-2017; IN COMMERCE 6-5-2017

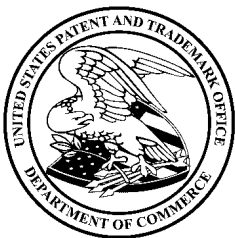
CLASS 42: Providing online non-downloadable software featuring technology that allows the user to conduct and report findings in integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences in the fields of education and career and workforce development; scientific research services, namely, integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences; providing a website featuring scientific research findings and information in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the field of education

FIRST USE 6-5-2017; IN COMMERCE 6-5-2017

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

OWNER OF U.S. REG. NO. 4517656, 2888069

SER. NO. 87-979,562, FILED 05-01-2017



Andrei Iancu

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:28:28 EDT

Mark: ACTNEXT

ACTNext

US Serial Number: 87979562

Application Filing Date: May 01, 2017

US Registration Number: 5676749

Registration Date: Feb. 12, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 12, 2019

Publication Date: Mar. 20, 2018

Notice of Allowance Date: May 15, 2018

Mark Information

Mark Literal Elements: ACTNEXT

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 4517656

Child Of: 87432201

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: Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports and policy reports relating to research in the fields of education, educational research, learning and assessment, occupational profiling and workforce development

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 2017

Use in Commerce: Jun. 05, 2017

For: Business research in the fields of learning and assessment methodologies for use in the field of career and workplace success; providing a website featuring business information in the fields of learning and assessment methodologies for use in the fields of career success and workforce development

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 2017

Use in Commerce: Jun. 05, 2017

For: Providing online non-downloadable digital publications, namely, manuals, newsletters, brochures, booklets, research reports and policy reports in the fields of integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the fields of education and career and workforce development

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 2017

Use in Commerce: Jun. 05, 2017

For: Providing online non-downloadable software featuring technology that allows the user to conduct and report findings in integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences in the fields of education and career and workforce development; scientific research services, namely, integrative research in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences; providing a website featuring scientific research findings and information in the fields of computational psychometrics, artificial intelligence, innovative assessments, multimodal analytics, and learning experiences for use in the field of education

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 2017

Use in Commerce: Jun. 05, 2017

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.

Owner Address: 500 Act Drive
Iowa City, IOWA UNITED STATES 52243

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
------	-------------	-------------------

Feb. 12, 2019	REGISTERED-PRINCIPAL REGISTER	
Jan. 11, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 10, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 10, 2019	STATEMENT OF USE PROCESSING COMPLETE	65362
Dec. 07, 2018	USE AMENDMENT FILED	65362
Jan. 10, 2019	DIVISIONAL PROCESSING COMPLETE	
Dec. 07, 2018	DIVISIONAL REQUEST RECEIVED	
Jan. 10, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Dec. 07, 2018	TEAS STATEMENT OF USE RECEIVED	
Dec. 07, 2018	TEAS REQUEST TO DIVIDE RECEIVED	
Nov. 17, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 15, 2018	EXTENSION 1 GRANTED	98765
Nov. 15, 2018	EXTENSION 1 FILED	98765
Nov. 15, 2018	TEAS EXTENSION RECEIVED	
May 15, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 20, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 20, 2018	PUBLISHED FOR OPPOSITION	
Feb. 28, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 08, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 08, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 08, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 08, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 08, 2018	EXAMINERS AMENDMENT -WRITTEN	78324
Feb. 02, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Feb. 02, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jan. 31, 2018	ASSIGNED TO LIE	70884
Jan. 22, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 27, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2017	NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2017	NON-FINAL ACTION WRITTEN	78324
Jul. 27, 2017	ASSIGNED TO EXAMINER	78324
May 06, 2017	NOTICE OF PSEUDO MARK E-MAILED	
May 05, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 04, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 10, 2019

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP

P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent CAROL ANNE BEEN
Address: DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

mail: _____

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlzoya@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition**Proceeding Number:** [91250135](#)**Filing Date:** Aug 12, 2019**Status:** Suspended**Status Date:** Dec 16, 2019**Interlocutory Attorney:** ANDREW P BAXLEY**Defendant****Name:** ALPS Insights, Inc.**Correspondent Address:** KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612**Correspondent e-mail:** kelli.ovies@forrestfirm.com , docket@forrestfirm.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)**Name:** ACT Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR

SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
 FOUR EMBARCADERO CENTER, 17TH FLOOR
 SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
 SNELL & WILMER LLP
 600 ANTON BLVD, SUITE 1400
 COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT D

United States of America

United States Patent and Trademark Office



Reg. No. 5,581,754

Registered Oct. 09, 2018

Int. Cl.: 9, 41, 42

Service Mark

Trademark

Principal Register

ACT, INC (IOWA CORPORATION)
500 Act Drive
Iowa City, IOWA 52243

CLASS 9: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, and teaching playbooks and teaching materials in the fields of education, social and emotional learning factors, skills assessments and standardized testing

FIRST USE 7-9-2018; IN COMMERCE 7-9-2018

CLASS 41: Providing educational and educational skills assessment services; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, statistical reports and teaching playbooks and teaching materials, all in the fields of education, social and emotional learning factors, skills assessments and standardized testing; educational and educational skills testing services featuring the use of standardized tests and surveys; providing online computer manuals for web-based administration of tests; providing online educational services, namely, providing summative and formative educational assessments in the fields of social and emotional learning factors; educational and educational skills testing services; preparing, administering, and scoring academic standardized tests; educational services, namely, providing online reports containing scores and score interpretation for educational and educational skills-based tests

FIRST USE 7-3-2018; IN COMMERCE 7-3-2018

CLASS 42: Providing temporary use of online non-downloadable computer software, namely, testing and assessment software in the fields of education, social and emotional learning factors, skills assessments and standardized testing; providing a web site featuring technology that enables students, parents, educators and administrators to analyze and interpret student formative and summative assessment testing data reflecting social and emotional learning factors in the field of education at the middle school and high school levels

FIRST USE 6-26-2018; IN COMMERCE 6-26-2018

The color(s) BLUE and RED is/are claimed as a feature of the mark.

The mark consists of the word "ACT" in blue followed by the word "Tessera" in red. The "A" in "ACT" consists of a stylized capital letter "A" in blue with a red line across it.

OWNER OF U.S. REG. NO. 2888069, 4517656

SER. NO. 87-501,125, FILED 06-22-2017



A handwritten signature in black ink that reads "Andrei Iancu".

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:30:44 EDT

Mark: ACT TESSERA



US Serial Number: 87501125

Application Filing Date: Jun. 22, 2017

US Registration Number: 5581754

Registration Date: Oct. 09, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 09, 2018

Publication Date: Nov. 14, 2017

Notice of Allowance Date: Jan. 09, 2018

Mark Information

Mark Literal Elements: ACT TESSERA

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the word "ACT" in blue followed by the word "Tessera" in red. The "A" in "ACT" consists of a stylized capital letter "A" in blue with a red line across it.

Color Drawing: Yes

Color(s) Claimed: The color(s) BLUE and RED is/are claimed as a feature of the mark.

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 4517656

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: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, and teaching playbooks and teaching materials in the fields of education, social and emotional learning factors, skills assessments and standardized testing

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 09, 2018

Use in Commerce: Jul. 09, 2018

For: Providing educational and educational skills assessment services; providing online educational publications, namely, newsletters,

brochures, catalogues, manuals, guidebooks, statistical reports and teaching playbooks and teaching materials, all in the fields of education, social and emotional learning factors, skills assessments and standardized testing; educational and educational skills testing services featuring the use of standardized tests and surveys; providing online computer manuals for web-based administration of tests; providing online educational services, namely, providing summative and formative educational assessments in the fields of social and emotional learning factors; educational and educational skills testing services; preparing, administering, and scoring academic standardized tests; educational services, namely, providing online reports containing scores and score interpretation for educational and educational skills-based tests

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 03, 2018

Use in Commerce: Jul. 03, 2018

For: Providing temporary use of online non-downloadable computer software, namely, testing and assessment software in the fields of education, social and emotional learning factors, skills assessments and standardized testing; providing a web site featuring technology that enables students, parents, educators and administrators to analyze and interpret student formative and summative assessment testing data reflecting social and emotional learning factors in the field of education at the middle school and high school levels

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 26, 2018

Use in Commerce: Jun. 26, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, INC

Owner Address: 500 Act Drive
Iowa City, IOWA UNITED STATES 52243

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 09, 2018	REGISTERED-PRINCIPAL REGISTER	

Sep. 06, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 05, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 06, 2018	STATEMENT OF USE PROCESSING COMPLETE	65362
Jul. 11, 2018	USE AMENDMENT FILED	65362
Aug. 06, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jul. 11, 2018	TEAS STATEMENT OF USE RECEIVED	
Jul. 11, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 09, 2018	EXTENSION 1 GRANTED	98765
Jul. 09, 2018	EXTENSION 1 FILED	98765
Jul. 09, 2018	TEAS EXTENSION RECEIVED	
Jan. 09, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 14, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 14, 2017	PUBLISHED FOR OPPOSITION	
Oct. 25, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 10, 2017	ASSIGNED TO LIE	70633
Sep. 27, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 26, 2017	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 26, 2017	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 26, 2017	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 26, 2017	EXAMINERS AMENDMENT -WRITTEN	87033
Sep. 20, 2017	ASSIGNED TO EXAMINER	87033
Jun. 29, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 26, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 05, 2018

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP

FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

mail:

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670

ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749

ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dqubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656

ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656

ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656

ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT E

United States of America

United States Patent and Trademark Office

ACT HOLISTIC FRAMEWORK

Reg. No. 5,581,670

Registered Oct. 09, 2018

Int. Cl.: 9, 16, 35, 41, 42

Service Mark

Trademark

Principal Register

ACT, Inc. (IOWA CORPORATION)
500 Act Drive
Iowa City, IOWA 52243

CLASS 9: Downloadable electronic publications, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Downloadable training and teaching materials, namely, software for organizing classroom instruction in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task related skills necessary to educational and workplace settings, education and career path navigational skills

FIRST USE 6-30-2016; IN COMMERCE 6-30-2016

CLASS 16: Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Printed training and teaching materials in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation

FIRST USE 6-30-2016; IN COMMERCE 6-30-2016

CLASS 35: Business advisory and consultancy services in the field of employment vocational testing to determine professional competency and employment skills; Business research in the field of employment vocational testing to determine professional competency and employment skills; Providing a website featuring information in the fields of business management, namely, workplace readiness and success

FIRST USE 6-30-2016; IN COMMERCE 6-30-2016

CLASS 41: Advisory and consultancy services in the field of vocational guidance; Educational research in the field of vocational guidance; Providing a website featuring educational information in the fields of vocational guidance; Providing educational information in the field of vocational guidance; Educational services, namely, providing on-line training courses in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Educational services, namely, providing classroom instruction in core and general academic skills, namely, language arts, mathematics and



Andrei Iancu

Director of the United States
Patent and Trademark Office

science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation

FIRST USE 6-30-2016; IN COMMERCE 6-30-2016

CLASS 42: Providing online non-downloadable software that provides the technology for training in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Providing on-line non-downloadable interactive software that provides the technology to format and creates resumes

FIRST USE 6-30-2016; IN COMMERCE 6-30-2016

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

OWNER OF U.S. REG. NO. 2888069, 4517656, 2731932

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

SER. NO. 87-445,898, FILED 05-11-2017

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:32:09 EDT

Mark: ACT HOLISTIC FRAMEWORK

ACT HOLISTIC FRAMEWORK

US Serial Number: 87445898

Application Filing Date: May 11, 2017

US Registration Number: 5581670

Registration Date: Oct. 09, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 09, 2018

Publication Date: Mar. 06, 2018

Notice of Allowance Date: May 01, 2018

Mark Information

Mark Literal Elements: ACT HOLISTIC FRAMEWORK

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: "HOLISTIC FRAMEWORK"

Related Properties Information

Claimed Ownership of US Registrations: 2731932, 2888069, 4517656

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: Downloadable electronic publications, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Downloadable training and teaching materials, namely, software for organizing classroom instruction in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task related skills necessary to educational and workplace settings, education and career path navigational skills

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2016

Use in Commerce: Jun. 30, 2016

For: Publications and printed matter, namely, manuals, newsletters, brochures, booklets, research reports, policy reports, and training and teaching materials in the fields of education and workplace readiness and success; Printed training and teaching materials in the fields

of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2016

Use in Commerce: Jun. 30, 2016

For: Business advisory and consultancy services in the field of employment vocational testing to determine professional competency and employment skills; Business research in the field of employment vocational testing to determine professional competency and employment skills; Providing a website featuring information in the fields of business management, namely, workplace readiness and success

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2016

Use in Commerce: Jun. 30, 2016

For: Advisory and consultancy services in the field of vocational guidance; Educational research in the field of vocational guidance; Providing a website featuring educational information in the fields of vocational guidance; Providing educational information in the field of vocational guidance; Educational services, namely, providing on-line training courses in the fields of core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Educational services, namely, providing classroom instruction in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2016

Use in Commerce: Jun. 30, 2016

For: Providing online non-downloadable software that provides the technology for training in core and general academic skills, namely, language arts, mathematics and science, technology and information literacy, collaborative problem solving, thinking and metacognition, studying and learning; behavioral skills, namely, interpersonal self-regulatory and task-related skills necessary to educational and workplace settings, education and career path navigation; Providing on-line non-downloadable interactive software that provides the technology to format and creates resumes

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2016

Use in Commerce: Jun. 30, 2016

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.

Owner Address: 500 Act Drive
Iowa City, IOWA UNITED STATES 52243

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn **Docket Number:** 52PK-254983
Attorney Primary Email Address: mkahn@sheppardmullin.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111
Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com dmullin.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 09, 2018	REGISTERED-PRINCIPAL REGISTER	
Sep. 04, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 03, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 31, 2018	STATEMENT OF USE PROCESSING COMPLETE	66154
Aug. 03, 2018	USE AMENDMENT FILED	66154
Aug. 31, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Aug. 03, 2018	TEAS STATEMENT OF USE RECEIVED	
May 01, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 06, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 06, 2018	PUBLISHED FOR OPPOSITION	
Feb. 14, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 23, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 22, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 22, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 27, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2017	NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2017	NON-FINAL ACTION WRITTEN	78324
Jul. 27, 2017	ASSIGNED TO EXAMINER	78324
May 16, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 15, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Sep. 03, 2018

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory: MARY B MYLES

Attorney:**Defendant****Name:** Glint Inc.**Correspondent Address:** CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606**Correspondent e-mail:** trademarks.us@dentons.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250159](#)**Filing Date:** Aug 13, 2019**Status:** Pending**Status Date:** Aug 13, 2019**Interlocutory Attorney:** WINSTON T FOLMAR**Defendant****Name:** Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)**Name:** ACT Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250101](#)**Filing Date:** Aug 09, 2019**Status:** Suspended**Status Date:** Nov 11, 2019**Interlocutory Attorney:** MARY B MYLES**Defendant****Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent Address:** DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Serial	Registration
--------	--------------

Mark	Application Status	Number	Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT F

Int. Cls.: 16 and 42

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100 and 101

United States Patent and Trademark Office

Reg. No. 2,346,807

Registered May 2, 2000

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ACT ASSESSMENT

ACT, INC. (IOWA CORPORATION)
2201 N. DODGE ST.
P. O. BOX 168
IOWA CITY, IA 522430168

FOR: PRINTED BOOKLETS FEATURING
COLLEGE ADMISSIONS TESTS AND PRINT-
ED SUPPORT MATERIALS IN THE FORM OF
REPORTS AND STUDY AIDS RELATING

PROVIDED IN BOTH PRINTED BOOKLETS
AND IN A DATABASE FOR ADMINISTRA-
TION AS A COMPUTER ADAPTIVE TEST, IN
CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-7-1959; IN COMMERCE
11-7-1959.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ASSESSMENT" ADAPT

THERE TO, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23,
29, 37, 38 AND 50).

FIRST USE 11-7-1959; IN COMMERCE
11-7-1959.

FOR: PREPARING, ADMINISTERING, AND
SCORING OF COLLEGE ADMISSIONS TESTS,

FROM THE MARK AS SHOWN.

SER. NO. 75-614,493, FILED 12-31-1998.

MICHELLE SWAIN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2020-03-11 17:34:09 EDT

Mark: ACT ASSESSMENT

ACT ASSESSMENT

US Serial Number: 75614493

Application Filing Date: Dec. 31, 1998

US Registration Number: 2346807

Registration Date: May 02, 2000

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 03, 2010

Publication Date: Feb. 08, 2000

Mark Information

Mark Literal Elements: ACT ASSESSMENT

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "ASSESSMENT"

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: Printed booklets featuring college admissions tests and printed support materials in the form of reports and study aids relating thereto

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 07, 1959

Use in Commerce: Nov. 07, 1959

For: Preparing, administering, and scoring of college admissions tests, provided in both printed booklets and in a database for administration as a computer adaptive test

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 07, 1959

Use in Commerce: Nov. 07, 1959

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.
Owner Address: 500 ACT Drive, PO Box 168
Iowa City, IOWA UNITED STATES 522430168
Legal Entity Type: CORPORATION
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn
Docket Number: 52PK-247932
Attorney Primary Email Address: mkahn@sheppardmullin.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 95111
Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com dmullin.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 02, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Nov. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 03, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
May 03, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 03, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Apr. 23, 2010	TEAS SECTION 8 & 9 RECEIVED	
Aug. 03, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Jul. 24, 2006	ASSIGNED TO PARALEGAL	69471
Apr. 26, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 26, 2006	TEAS SECTION 8 & 15 RECEIVED	
Apr. 18, 2006	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Apr. 18, 2006	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 07, 2006	CASE FILE IN TICRS	
Jan. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 02, 2000	REGISTERED-PRINCIPAL REGISTER	
Feb. 08, 2000	PUBLISHED FOR OPPOSITION	
Jan. 07, 2000	NOTICE OF PUBLICATION	
Dec. 06, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 06, 1999	ASSIGNED TO EXAMINER	75593
Nov. 05, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 12, 1999	NON-FINAL ACTION MAILED	
Jun. 21, 1999	ASSIGNED TO EXAMINER	76747

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 03, 2010

Proceedings**Summary**

Number of Proceedings: 10

Type of Proceeding: OppositionProceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606Correspondent e-mail: trademarks.us@dentons.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	

5	EXTENSION OF TIME GRANTED	Sep 20, 2019
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019
7	EXTENSION OF TIME GRANTED	Nov 18, 2019
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020
9	EXTENSION OF TIME GRANTED	Jan 15, 2020

Type of Proceeding: Opposition

Proceeding Number: [91250159](#) **Filing Date:** Aug 13, 2019
Status: Pending **Status Date:** Aug 13, 2019
Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.
Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606
Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.
Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111
Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory ANDREW P BAXLEY
Attorney:

Defendant

Name: ALPS Insights, Inc.

Correspondent KELLI OVIES
Address: FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlzoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Number: _____

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding [91250103](#)
Number:

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding [91250104](#)
Number:

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding [91248452](#)
Number:

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent BRYAN J MASSEY
Address: KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

Type of Proceeding: Opposition

Proceeding [91198246](#)
Number:

Filing Date: Jan 19, 2011

Status: Terminated

Status Date: Jan 19, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: ACT Certification, LLC

Correspondent JOSEPH A URADNIK

Address: URADNIK LAW FIRM PC
393 OAK LANE, PO BOX 5545
PLEASANTON CA UNITED STATES , 94566

Correspondent e-mail: joe@iplawspot.com , docket@iplawspot.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT CERTIFICATION	Abandoned - After Inter-Partes Decision	77951536	
Plaintiff(s)			

Name: ACT, Inc.

Correspondent Address: BRETT A AUGUST
PATTISHALL McAULIFFE NEWBURY
HILLIARD & GERALDSON LLP, 311 SOUTH WACKER DRIVE - SUITE 5000
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: baugust@pattishall.com , ijb@pattishall.com , tdt@pattishall.com , jrd@pattishall.com , sia@pattishall.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT CENTER	Cancelled - Section 8	78876870	3438156
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 19, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 19, 2011	Feb 28, 2011
3	PENDING, INSTITUTED	Jan 19, 2011	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 21, 2011	
5	EXTENSION OF TIME GRANTED	Feb 21, 2011	
6	CHANGE OF CORRESPONDENCE ADDRESS	Mar 29, 2011	
7	ANSWER	Mar 29, 2011	
8	MOTION TO SUBSTITUTE PAPER - WITH CONSENT	Apr 04, 2011	
9	BOARD'S ORDER TR	Apr 06, 2011	
10	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Aug 02, 2011	
11	SUSPENDED	Aug 02, 2011	
12	WITHDRAWAL OF APPLICATION	Oct 25, 2011	
13	BOARD'S DECISION: SUSTAINED	Oct 26, 2011	
14	TERMINATED	Oct 26, 2011	
15	BOARD'S DECISION: SUSTAINED	Oct 26, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181760](#)

Filing Date: Jan 07, 2008

Status: Terminated

Status Date: Apr 15, 2008

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: 9008 Group, Incorporated

Correspondent Address: CATHERINE ENDO CHUCK
MCBIRNEY & CHUCK
800 WILSHIRE BLVD STE 340
LOS ANGELES CA UNITED STATES , 90017-2607

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT?1	REGISTERED AND RENEWED	76663661	3429069
Plaintiff(s)			

Name: ACT, Inc.

Correspondent Brett A. August

Address: Pattishall, McAuliffe, Newbury, Hilliard et al
311 S. Wacker Drive, Suite 5000
Chicago IL UNITED STATES , 60606

Correspondent e-mail: BAA@pattishall.com, TDT@pattishall.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 08, 2008	Feb 17, 2008
3	PENDING, INSTITUTED	Jan 08, 2008	
4	ANSWER	Feb 19, 2008	
5	AMENDMENT	Feb 19, 2008	
6	MOTION TO SUSPEND	Feb 21, 2008	
7	AMDT APPROVED; PL ALLOWED 30 DAYS W/D	Mar 26, 2008	
8	WITHDRAWAL OF OPPOSITION	Apr 08, 2008	
9	BOARD'S DECISION: DISMISSED	Apr 15, 2008	
10	TERMINATED	Apr 15, 2008	

EXHIBIT G

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,829,305

United States Patent and Trademark Office

Registered Apr. 6, 2004

**TRADEMARK
PRINCIPAL REGISTER**

AIM ACT INFORMATION MANAGER

ACT, INC. (IOWA CORPORATION)
ATTN: PATRICIA A. FARRANT
2202 NORTH DODGE STREET
IOWA CITY, IA 522430168

FIRST USE 4-15-2002; IN COMMERCE 4-15-2002.

FOR: DATABASE SOFTWARE THAT ORGANIZES THE INFORMATION IN STUDENT RECORDS COMPILED THROUGH THE COLLEGE ADMISSIONS TESTING PROCESS AND THAT ENABLES COLLEGES TO USE SUCH INFORMATION FOR STUDENT RECRUITMENT AND RETENTION, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

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

SER. NO. 76-448,328, FILED 9-10-2002.

DOUGLAS LEE, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2020-03-11 17:36:39 EDT

Mark: AIM ACT INFORMATION MANAGER

AIM ACT INFORMATION MANAGER

US Serial Number: 76448328

Application Filing Date: Sep. 10, 2002

US Registration Number: 2829305

Registration Date: Apr. 06, 2004

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Apr. 05, 2014

Publication Date: Jan. 13, 2004

Mark Information

Mark Literal Elements: AIM ACT INFORMATION MANAGER

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "ACT INFORMATION MANAGER"

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: Database software that organizes the information in student records compiled through the college admissions testing process and that enables colleges to use such information for student recruitment and retention

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 15, 2002

Use in Commerce: Apr. 15, 2002

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: ACT, Inc.

Owner Address: 500 ACT Drive, P.O. Box 168
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country IOWA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-247936

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 95111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com
dmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 05, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 05, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Apr. 05, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Mar. 21, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	67603
Apr. 05, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Mar. 21, 2014	TEAS SECTION 8 & 9 RECEIVED	
Apr. 09, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Apr. 09, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Mar. 29, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 06, 2004	REGISTERED-PRINCIPAL REGISTER	
Feb. 17, 2004	PAPER RECEIVED	
Jan. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 13, 2004	PUBLISHED FOR OPPOSITION	
Dec. 24, 2003	NOTICE OF PUBLICATION	
Nov. 06, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 22, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 23, 2003	CASE FILE IN TICRS	
Sep. 22, 2003	PAPER RECEIVED	
Jul. 24, 2003	FINAL REFUSAL E-MAILED	
Jun. 26, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 26, 2003	PAPER RECEIVED	
Mar. 08, 2003	NON-FINAL ACTION E-MAILED	
Feb. 25, 2003	ASSIGNED TO EXAMINER	74781

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 05, 2014

Proceedings

Summary

Number of Proceedings: 9

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding [91250131](#)

Filing Date: Aug 12, 2019

Number: _____

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent KELLI OVIES
Address: FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant**Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent Address:** DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250103](#)**Filing Date:** Aug 09, 2019**Status:** Suspended**Status Date:** Nov 11, 2019**Interlocutory** MARY B MYLES

Attorney:**Defendant****Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent** DEBORAH A GUBERNICK**Address:** SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)**Name:** ACT Inc.**Correspondent** MICHELLE D KAHN**Address:** SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250104](#)**Filing Date:** Aug 09, 2019**Status:** Suspended**Status Date:** Nov 11, 2019**Interlocutory** MARY B MYLES

Attorney:**Defendant****Name:** ACT-Authentication Compliance Technologies, Inc**Correspondent Address:** DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626**Correspondent e-mail:** ipocdocket@swlaw.com , dgubernick@swlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)**Name:** ACT Inc.**Correspondent Address:** MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91248452](#)**Filing Date:** May 29, 2019**Status:** Terminated**Status Date:** Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91181760](#)

Filing Date: Jan 07, 2008

Status: Terminated

Status Date: Apr 15, 2008

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: 9008 Group, Incorporated

Correspondent Address: CATHERINE ENDO CHUCK
MCBIRNEY & CHUCK
800 WILSHIRE BLVD STE 340
LOS ANGELES CA UNITED STATES , 90017-2607

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT?1	REGISTERED AND RENEWED	76663661	3429069

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: Brett A. August
Pattishall, McAuliffe, Newbury, Hilliard et al
311 S. Wacker Drive, Suite 5000
Chicago IL UNITED STATES , 60606

Correspondent e-mail: BAA@pattishall.com, TDT@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 08, 2008	Feb 17, 2008
3	PENDING, INSTITUTED	Jan 08, 2008	
4	ANSWER	Feb 19, 2008	
5	AMENDMENT	Feb 19, 2008	
6	MOTION TO SUSPEND	Feb 21, 2008	
7	AMDT APPROVED; PL ALLOWED 30 DAYS W/D	Mar 26, 2008	
8	WITHDRAWAL OF OPPOSITION	Apr 08, 2008	
9	BOARD'S DECISION: DISMISSED	Apr 15, 2008	
10	TERMINATED	Apr 15, 2008	

EXHIBIT H

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,731,932
Registered July 1, 2003

TRADEMARK
PRINCIPAL REGISTER

ACT NATIONAL CURRICULUM SURVEY

ACT, INC. (IOWA CORPORATION)
ATTN: PATRICIA A. FARRANT
2202 NORTH DODGE STREET
IOWA CITY, IA 522430168

FIRST USE 9-1-2002; IN COMMERCE 9-1-2002.

OWNER OF U.S. REG. NO. 2,346,807.

FOR: PRINTED ANSWER SHEETS BEARING A SURVEY ADMINISTERED EVERY THREE YEARS TO HIGH SCHOOL TEACHERS AND COLLEGE FACULTY TO IDENTIFY CONTENT BEING TAUGHT IN HIGH SCHOOL COURSES AND ENTRY-LEVEL COLLEGE COURSES NATIONWIDE, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

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

SER. NO. 76-448,327, FILED 9-10-2002.

BRENDAN REGAN, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 2,731,932

United States Patent and Trademark Office

Registered July 1, 2003

**TRADEMARK
PRINCIPAL REGISTER**

ACT NATIONAL CURRICULUM SURVEY

ACT, INC. (IOWA CORPORATION)
ATTN: PATRICIA A. FARRANT
2202 NORTH DODGE STREET
IOWA CITY, IA 522430168

FIRST USE 9-1-2002; IN COMMERCE 9-1-2002.

OWNER OF U.S. REG. NO. 2,346,807.

FOR: PRINTED ANSWER SHEETS BEARING A SURVEY ADMINISTERED EVERY THREE YEARS TO HIGH SCHOOL TEACHERS AND COLLEGE FACULTY TO IDENTIFY CONTENT BEING TAUGHT IN HIGH SCHOOL COURSES AND ENTRY-LEVEL COLLEGE COURSES NATIONWIDE, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

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

SER. NO. 76-448,327, FILED 9-10-2002.

BRENDAN REGAN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2020-03-11 17:38:07 EDT

Mark: ACT NATIONAL CURRICULUM SURVEY

ACT NATIONAL CURRICULUM SURVEY

US Serial Number: 76448327

Application Filing Date: Sep. 10, 2002

US Registration Number: 2731932

Registration Date: Jul. 01, 2003

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 23, 2013

Publication Date: Apr. 08, 2003

Mark Information

Mark Literal Elements: ACT NATIONAL CURRICULUM SURVEY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "NATIONAL CURRICULUM SURVEY"

Related Properties Information

Claimed Ownership of US Registrations: 2346807

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: printed answer sheets bearing a survey administered every three years to high school teachers and college faculty to identify content being taught in high school courses and entry-level college courses nationwide

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2002

Use in Commerce: Sep. 01, 2002

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: ACT, Inc.

Owner Address: 500 ACT Drive, P. O. Box 168
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country IOWA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-247934

Attorney Primary mkahn@sheppardmullin.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Michelle D. Kahn
Name/Address: Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 95111

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppardmullin.com
dmullin.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Feb. 23, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 23, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Feb. 23, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Feb. 23, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Feb. 07, 2013	TEAS SECTION 8 & 9 RECEIVED	
May 22, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 20, 2009	ASSIGNED TO PARALEGAL	70131
Apr. 17, 2009	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2009	CASE FILE IN TICRS	
Jan. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 01, 2003	REGISTERED-PRINCIPAL REGISTER	
Apr. 08, 2003	PUBLISHED FOR OPPOSITION	
Mar. 19, 2003	NOTICE OF PUBLICATION	
Jan. 25, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2003	EXAMINERS AMENDMENT E-MAILED	
Jan. 21, 2003	ASSIGNED TO EXAMINER	77658

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Feb. 23, 2013

Proceedings

Summary

Number of 9
Proceedings:

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding [91250159](#)

Filing Date: Aug 13, 2019

Number: _____

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory GEOFFREY MCNUTT

Attorney:**Defendant****Name:** Elite Entrepreneurs Inc.**Correspondent Address:** ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270**Correspondent e-mail:** niel@eliteinc.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition**Proceeding Number:** [91250135](#)**Filing Date:** Aug 12, 2019**Status:** Suspended**Status Date:** Dec 16, 2019**Interlocutory Attorney:** ANDREW P BAXLEY**Defendant****Name:** ALPS Insights, Inc.**Correspondent Address:** KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Name: ACT Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent: DEBORAH A GUBERNICK

Address: SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent DEBORAH A GUBERNICK
Address: SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent DEBORAH A GUBERNICK
Address: SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlzoaya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent BRYAN J MASSEY
Address: KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91181760](#)

Filing Date: Jan 07, 2008

Status: Terminated

Status Date: Apr 15, 2008

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: 9008 Group, Incorporated

Correspondent CATHERINE ENDO CHUCK
Address: MCBIRNEY & CHUCK
800 WILSHIRE BLVD STE 340
LOS ANGELES CA UNITED STATES , 90017-2607

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT?1	REGISTERED AND RENEWED	76663661	3429069

Plaintiff(s)

Name: ACT, Inc.

Correspondent Brett A. August

Address: Pattishall, McAuliffe, Newbury, Hilliard et al
311 S. Wacker Drive, Suite 5000
Chicago IL UNITED STATES , 60606

Correspondent e-mail: BAA@pattishall.com, TDT@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 08, 2008	Feb 17, 2008
3	PENDING, INSTITUTED	Jan 08, 2008	
4	ANSWER	Feb 19, 2008	
5	AMENDMENT	Feb 19, 2008	
6	MOTION TO SUSPEND	Feb 21, 2008	
7	AMDT APPROVED; PL ALLOWED 30 DAYS W/D	Mar 26, 2008	
8	WITHDRAWAL OF OPPOSITION	Apr 08, 2008	
9	BOARD'S DECISION: DISMISSED	Apr 15, 2008	
10	TERMINATED	Apr 15, 2008	

EXHIBIT I

United States of America

United States Patent and Trademark Office

PreACT

Reg. No. 5,215,150

ACT, Inc. (IOWA non-profit corporation)
500 ACT Drive, P.O. Box 168
Iowa City, IA 522430168

Registered May 30, 2017

Int. Cl.: 16, 41

CLASS 16: Publications, namely, printed standardized test booklets, answer sheets, educational booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, summative reports, statistical reports, and research reports, all in the fields of education, educational planning, college admissions, and standardized testing

Service Mark

Trademark

FIRST USE 3-22-2016; IN COMMERCE 3-22-2016

Principal Register

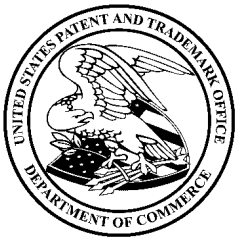
CLASS 41: Educational services, namely, providing a website featuring information in the fields of education, educational planning, and college admissions; instructional offerings, namely, conducting workshops and seminars in the fields of education, educational planning, and the uses of standardized tests for educational institutions, Providing educational assessment services, namely, preparing, administering, scoring, and interpretation of standardized tests; providing online computer manuals for web-based administration of tests; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, and statistical reports, all in the fields of education, college admissions, and standardized testing

FIRST USE 3-22-2016; IN COMMERCE 3-22-2016

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

OWNER OF U.S. REG. NO. 2888069, 4517656

SER. NO. 86-982,247, FILED 03-16-2016
SHARON A MEIER, EXAMINING ATTORNEY



Michelle K. Lee

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:39:42 EDT

Mark: PRACT

PreACT

US Serial Number: 86982247

Application Filing Date: Mar. 16, 2016

US Registration Number: 5215150

Registration Date: May 30, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 30, 2017

Publication Date: Aug. 09, 2016

Notice of Allowance Date: Oct. 04, 2016

Mark Information

Mark Literal Elements: PRACT

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 4517656

Child Of: 86942809

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: Publications, namely, printed standardized test booklets, answer sheets, educational booklets, newsletters, brochures, catalogues, manuals, guidebooks, technical manuals, summative reports, statistical reports, and research reports, all in the fields of education, educational planning, college admissions, and standardized testing

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2016

Use in Commerce: Mar. 22, 2016

For: Educational services, namely, providing a website featuring information in the fields of education, educational planning, and college admissions; instructional offerings, namely, conducting workshops and seminars in the fields of education, educational planning, and the uses of standardized tests for educational institutions, Providing educational assessment services, namely, preparing, administering, scoring, and interpretation of standardized tests; providing online computer manuals for web-based administration of tests; providing online educational publications, namely, newsletters, brochures, catalogues, manuals, guidebooks, and statistical

reports, all in the fields of education, college admissions, and standardized testing

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2016

Use in Commerce: Mar. 22, 2016

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.

Owner Address: 500 ACT Drive, P.O. Box 168
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: non-profit corporation

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
Sheppard Mullin Richter & Hampton, LLP
Four Embarcadero Center, 17th Floor
San Francisco, CALIFORNIA UNITED STATES 94111

Phone: 415 774 2953

Correspondent e-mail: mkahn@sheppardmullin.com pmarquez@sheppar dmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 30, 2017	REGISTERED-PRINCIPAL REGISTER	
Apr. 26, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 25, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 25, 2017	STATEMENT OF USE PROCESSING COMPLETE	66230
Apr. 04, 2017	USE AMENDMENT FILED	66230
Apr. 25, 2017	DIVISIONAL PROCESSING COMPLETE	
Apr. 04, 2017	DIVISIONAL REQUEST RECEIVED	
Apr. 24, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Apr. 04, 2017	TEAS REQUEST TO DIVIDE RECEIVED	
Apr. 04, 2017	TEAS STATEMENT OF USE RECEIVED	
Oct. 04, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 04, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 04, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 09, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Aug. 09, 2016 PUBLISHED FOR OPPOSITION
 Jul. 20, 2016 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
 Jun. 27, 2016 APPROVED FOR PUB - PRINCIPAL REGISTER
 Jun. 26, 2016 ASSIGNED TO EXAMINER
 Mar. 21, 2016 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
 Mar. 19, 2016 NEW APPLICATION ENTERED IN TRAM

76137

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 25, 2017

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
 DENTONS US LLP
 P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
 CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
 SHEPPARD MULLIN RICHTER & HAMPTON LLP
 FOUR EMBARCADERO CENTER, 17TH FLOOR
 SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328

ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#) **Filing Date:** Aug 13, 2019
Status: Pending **Status Date:** Aug 13, 2019
Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.
Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606
Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.
Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111
Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#) **Filing Date:** Aug 12, 2019
Status: Suspended **Status Date:** Dec 16, 2019
Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.
Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612
Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.
Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111
Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	

8	ANSWER	Nov 19, 2019
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019
11	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Dec 16, 2019
12	SUSPENDED	Dec 16, 2019
13	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Feb 21, 2020
14	SUSPENDED	Feb 21, 2020

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdoCKET@swlaw.com , dGUBERNICK@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	

5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019
7	EXTENSION OF TIME GRANTED	Sep 18, 2019
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019
9	SUSPENDED	Nov 11, 2019
10	NOTICE OF DEFAULT	Mar 10, 2020
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	

5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019
7	EXTENSION OF TIME GRANTED	Sep 18, 2019
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019
9	SUSPENDED	Nov 11, 2019
10	NOTICE OF DEFAULT	Mar 10, 2020
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlzoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	

5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019
7	EXTENSION OF TIME GRANTED	Sep 18, 2019
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019
9	SUSPENDED	Nov 11, 2019
10	NOTICE OF DEFAULT	Mar 10, 2020
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT J

United States of America

United States Patent and Trademark Office

ACT ACADEMY

Reg. No. 5,795,328

Registered Jul. 02, 2019

Int. Cl.: 9, 16, 41, 42

Service Mark

Trademark

Principal Register

ACT, Inc. (IOWA CORPORATION)
500 Act Drive
Iowa City, IOWA 52243

CLASS 9: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 16: Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 41: Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 42: Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

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

OWNER OF U.S. REG. NO. 4517656, 2888069



Andrei Iancu

Director of the United States
Patent and Trademark Office

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

SER. NO. 87-760,222, FILED 01-18-2018

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:41:11 EDT

Mark: ACT ACADEMY

ACT ACADEMY

US Serial Number: 87760222

Application Filing Date: Jan. 18, 2018

US Registration Number: 5795328

Registration Date: Jul. 02, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 02, 2019

Publication Date: Sep. 25, 2018

Notice of Allowance Date: Nov. 20, 2018

Mark Information

Mark Literal Elements: ACT ACADEMY

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: "ACADEMY"

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 4517656

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: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2018

Use in Commerce: Mar. 22, 2018

For: Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing

International 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class(es):**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 22, 2018**Use in Commerce:** Mar. 22, 2018

For: Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing

International Class(es): 041 - Primary Class**U.S Class(es):** 100, 101, 107**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 22, 2018**Use in Commerce:** Mar. 22, 2018

For: Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing

International Class(es): 042 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 22, 2018**Use in Commerce:** Mar. 22, 2018

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Filed ITU:** Yes**Currently ITU:** No**Filed 44D:** No**Currently 44E:** No**Filed 44E:** No**Currently 66A:** No**Filed 66A:** No**Currently No Basis:** No**Filed No Basis:** No

Current Owner(s) Information

Owner Name: ACT, Inc.**Owner Address:** 500 Act Drive
Iowa City, IOWA UNITED STATES 52243**Legal Entity Type:** CORPORATION**State or Country Where Organized:** IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn**Docket Number:** 52PK-267443**Attorney Primary Email Address:** mkahn@sheppardmullin.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111**Correspondent e-mail:** mkahn@sheppardmullin.com rlozoya@sheppardmullin.com
mullin.com_sftmdocket@sheppardmullin.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found**

Prosecution History

Date	Description	Proceeding
------	-------------	------------

		Number
Jul. 02, 2019	REGISTERED-PRINCIPAL REGISTER	
May 31, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 30, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 21, 2019	STATEMENT OF USE PROCESSING COMPLETE	71906
May 08, 2019	USE AMENDMENT FILED	71906
May 21, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
May 08, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 08, 2019	TEAS STATEMENT OF USE RECEIVED	
Nov. 20, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 25, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 25, 2018	PUBLISHED FOR OPPOSITION	
Sep. 05, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 23, 2018	ASSIGNED TO LIE	68552
Aug. 13, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 13, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2018	EXAMINERS AMENDMENT -WRITTEN	81094
Aug. 10, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 09, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 09, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 09, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 09, 2018	NON-FINAL ACTION E-MAILED	6325
May 09, 2018	NON-FINAL ACTION WRITTEN	81094
Apr. 30, 2018	ASSIGNED TO EXAMINER	81094
Jan. 30, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 22, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 30, 2019

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN

DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

Plaintiff(s)**Name:** ACT, Inc.**Correspondent Address:** MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111**Correspondent e-mail:** mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition**Proceeding Number:** [91250159](#)**Filing Date:** Aug 13, 2019**Status:** Pending**Status Date:** Aug 13, 2019**Interlocutory Attorney:** WINSTON T FOLMAR**Defendant****Name:** Glint Inc.**Correspondent Address:** CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606**Correspondent e-mail:** trademarks.us@dentons.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)**Name:** ACT, Inc.

Correspondent MICHELLE D. KAHN
Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069

ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT K

United States of America

United States Patent and Trademark Office



Reg. No. 5,795,327

Registered Jul. 02, 2019

Int. Cl.: 9, 16, 41, 42

Service Mark

Trademark

Principal Register

ACT, Inc. (IOWA CORPORATION)
500 Act Drive
Iowa City, IOWA 52243

CLASS 9: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 16: Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 41: Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

CLASS 42: Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing

FIRST USE 3-22-2018; IN COMMERCE 3-22-2018

The color(s) blue and red is/are claimed as a feature of the mark.

The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the word "ACADEMY" in red.

OWNER OF U.S. REG. NO. 4517656, 2888069

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



A handwritten signature in black ink, appearing to read "Andrei Iancu".

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:45:56 EDT

Mark: ACT ACADEMY



US Serial Number: 87760208

Application Filing Date: Jan. 18, 2018

US Registration Number: 5795327

Registration Date: Jul. 02, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 02, 2019

Publication Date: Sep. 25, 2018

Notice of Allowance Date: Nov. 20, 2018

Mark Information

Mark Literal Elements: ACT ACADEMY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the word "ACADEMY" in red.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue and red is/are claimed as a feature of the mark.

Disclaimer: "ACADEMY"

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 4517656

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: Downloadable electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing; computer software for administering practice tests and downloading electronic publications in the nature of manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials for use in the fields of test preparation and standardized testing

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2018

Use in Commerce: Mar. 22, 2018

For: Publications and printed matter, namely, manuals, catalogues, newsletters, brochures, booklets, score reports, guidebooks, statistical reports, teaching playbooks and teaching materials in the fields of test preparation and standardized testing

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2018

Use in Commerce: Mar. 22, 2018

For: Providing educational and test preparation services, namely, lectures, classes, exercises and test preparation in the field of a wide variety of topics and subjects such as math, science, humanities, and economics offered through online non-downloadable video, audio and instructor assistance; Providing a web site featuring a wide variety of educational topics and subjects on-line and in mobile wireless form; Providing a web site featuring a wide variety of educational topics and subjects that enables students, parents, educators and administrators to practice and deepen understanding of content necessary to be successful in standardized testing

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2018

Use in Commerce: Mar. 22, 2018

For: Providing temporary use of online non-downloadable computer software, namely, test preparation software in the field of standardized testing; computer services, namely, creating an online community for users to participate in discussions, participate in tutoring, and engage in social networking, all featuring educational topics and subjects useful in standardized testing

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 2018

Use in Commerce: Mar. 22, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.

Owner Address: 500 Act Drive
Iowa City, IOWA UNITED STATES 52243

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-267445

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111

Correspondent e-mail: mkahn@sheppardmullin.com rlozoya@sheppardmullin.com
mullin.com_sftmdocket@sheppardmullin.com

Correspondent e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jul. 02, 2019	REGISTERED-PRINCIPAL REGISTER	
May 31, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 30, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 21, 2019	STATEMENT OF USE PROCESSING COMPLETE	71906
May 08, 2019	USE AMENDMENT FILED	71906
May 21, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
May 08, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 08, 2019	TEAS STATEMENT OF USE RECEIVED	
Nov. 20, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 25, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 25, 2018	PUBLISHED FOR OPPOSITION	
Sep. 05, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 23, 2018	ASSIGNED TO LIE	68552
Aug. 13, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 13, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 13, 2018	EXAMINERS AMENDMENT -WRITTEN	81094
Aug. 10, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 09, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 09, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 09, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 09, 2018	NON-FINAL ACTION E-MAILED	6325
May 09, 2018	NON-FINAL ACTION WRITTEN	81094
Apr. 30, 2018	ASSIGNED TO EXAMINER	81094
Jan. 30, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 22, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 30, 2019

Proceedings

Summary

Number of Proceedings: 8

Type of Proceeding: Opposition

Proceeding Number: [91250153](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359083	

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250159](#)

Filing Date: Aug 13, 2019

Status: Pending

Status Date: Aug 13, 2019

Interlocutory Attorney: WINSTON T FOLMAR

Defendant

Name: Glint Inc.

Correspondent Address: CAROL ANNE BEEN
DENTONS US LLP
P.O. BOX #061080 WACKER DRIVE STATION, WILLIS TOWER
CHICAGO IL , 60606

Correspondent e-mail: trademarks.us@dentons.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT CONVERSATION	Opposition Pending	88359094	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 13, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 13, 2019	Sep 22, 2019
3	INSTITUTED	Aug 13, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 20, 2019	
5	EXTENSION OF TIME GRANTED	Sep 20, 2019	
6	D MOT FOR EXT W/ CONSENT	Nov 18, 2019	
7	EXTENSION OF TIME GRANTED	Nov 18, 2019	
8	D MOT FOR EXT W/ CONSENT	Jan 15, 2020	
9	EXTENSION OF TIME GRANTED	Jan 15, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250131](#)

Filing Date: Aug 12, 2019

Status: Terminated

Status Date: Nov 12, 2019

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Elite Entrepreneurs Inc.

Correspondent Address: ELITE ENTREPRENEURS INC
2050 TOWBRIDGE CT
CHARLOTTE NC UNITED STATES , 28270

Correspondent e-mail: niel@eliteinc.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
THE ACT MODEL	Abandoned - After Inter-Partes Decision	88063156	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FL
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PRACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	NOTICE OF DEFAULT	Oct 01, 2019	
5	BD DECISION: OPP SUSTAINED	Nov 12, 2019	
6	TERMINATED	Nov 12, 2019	

Type of Proceeding: Opposition

Proceeding Number: [91250135](#)

Filing Date: Aug 12, 2019

Status: Suspended

Status Date: Dec 16, 2019

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: ALPS Insights, Inc.

Correspondent Address: KELLI OVIES
FORREST FIRM PC
3700 GLENWOOD AVE., SUITE 240
RALEIGH NC UNITED STATES , 27612

Correspondent e-mail: kelli.ovies@forrestfirm.com , docket@forrestfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT ON INSIGHTS	Opposition Pending	88310015	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , sftmdocket@sheppardmullin.com , rlozoya@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 12, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 12, 2019	Sep 21, 2019
3	INSTITUTED	Aug 12, 2019	
4	D MOT FOR EXT W/ CONSENT	Sep 17, 2019	
5	EXTENSION OF TIME GRANTED	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Oct 18, 2019	
7	EXTENSION OF TIME GRANTED	Oct 18, 2019	
8	ANSWER	Nov 19, 2019	
9	TRIAL DATES REMAIN AS SET	Nov 20, 2019	
10	D CHANGE OF CORRESP ADDRESS	Nov 22, 2019	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 16, 2019	
12	SUSPENDED	Dec 16, 2019	
13	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Feb 21, 2020	
14	SUSPENDED	Feb 21, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250101](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES PRAESID	Opposition Pending	87898966	

Plaintiff(s)

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR

SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlzoaya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250103](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87898882	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP

FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91250104](#)

Filing Date: Aug 09, 2019

Status: Suspended

Status Date: Nov 11, 2019

Interlocutory Attorney: MARY B MYLES

Defendant

Name: ACT-Authentication Compliance Technologies, Inc

Correspondent Address: DEBORAH A GUBERNICK
SNELL & WILMER LLP
600 ANTON BLVD, SUITE 1400
COSTA MESA CA UNITED STATES , 92626

Correspondent e-mail: ipocdocket@swlaw.com , dgubernick@swlaw.com

Mark	Application Status	Serial Number	Registration Number
ACT-AUTHENTICATION COMPLIANCE TECHNOLOGIES	Opposition Pending	87887384	

Plaintiff(s)

Name: ACT Inc.

Correspondent Address: MICHELLE D KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP

FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , rlzoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327
ACT STACK	Notice of Allowance - Issued	88253798	
ACT STACK	Notice of Allowance - Issued	88253782	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 09, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 09, 2019	Sep 18, 2019
3	INSTITUTED	Aug 09, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 17, 2019	
5	D CHANGE OF CORRESP ADDRESS	Sep 17, 2019	
6	D MOT FOR EXT W/ CONSENT	Sep 18, 2019	
7	EXTENSION OF TIME GRANTED	Sep 18, 2019	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 11, 2019	
9	SUSPENDED	Nov 11, 2019	
10	NOTICE OF DEFAULT	Mar 10, 2020	
11	MOT FOR RELIEF FROM ENTRY OF DEFAULT JUDGMENT	Mar 10, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 10, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91248452](#)

Filing Date: May 29, 2019

Status: Terminated

Status Date: Aug 27, 2019

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Allen Education Consulting, LLC

Correspondent Address: BRYAN J MASSEY
KUNZLER PC
50 WEST BROADWAY, 10TH FLOOR
SALT LAKE CITY UT UNITED STATES , 84101

Correspondent e-mail: docket@kunzlerlaw.com

Mark	Application Status	Serial Number	Registration Number
ACTNOW	Abandoned - After Inter-Partes Decision	88077568	

Plaintiff(s)

Name: ACT, Inc.

Correspondent MICHELLE D KAHN

Address: SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER 17TH FLOOR
SAN FRANCISCO CA UNITED STATES , 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com , rlozoya@sheppardmullin.com , sftmdocket@sheppardmullin.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
ACT	REGISTERED AND RENEWED	75692325	2888069
ACT	Registered	86058191	4517656
ACTNEXT	Registered	87979562	5676749
ACT TESSERA	Registered	87501125	5581754
ACT HOLISTIC FRAMEWORK	Registered	87445898	5581670
ACT ASSESSMENT	REGISTERED AND RENEWED	75614493	2346807
AIM ACT INFORMATION MANAGER	REGISTERED AND RENEWED	76448328	2829305
ACT NATIONAL CURRICULUM SURVEY	REGISTERED AND RENEWED	76448327	2731932
PREACT	Registered	86982247	5215150
ACT ACADEMY	Registered	87760222	5795328
ACT ACADEMY	Registered	87760208	5795327

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2019	Jul 08, 2019
3	INSTITUTED	May 29, 2019	
4	NOTICE OF DEFAULT	Jul 18, 2019	
5	BD DECISION: OPP SUSTAINED	Aug 27, 2019	
6	TERMINATED	Aug 27, 2019	

EXHIBIT L

United States of America

United States Patent and Trademark Office

ACT CollegeReady

Reg. No. 5,984,872

Registered Feb. 11, 2020

Int. Cl.: 41, 42

Service Mark

Principal Register

ACT, Inc. (IOWA non-profit corporation)
500 Act Drive
Iowa City, IOWA 52243

CLASS 41: Educational testing, namely, computer-based testing and assessment system in the fields of English and mathematics; Educational testing, namely, computer-based testing and assessment system available via the Internet in the fields of English and mathematics

FIRST USE 10-18-2017; IN COMMERCE 10-18-2017

CLASS 42: Providing temporary use of on-line non-downloadable computer software, namely, educational testing and assessment software in the fields of English and mathematics, which provides information to students and post-secondary institutions to assist in appropriate course placement

FIRST USE 10-18-2017; IN COMMERCE 10-18-2017

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

OWNER OF U.S. REG. NO. 2346807, 2731932, 2888069

SER. NO. 87-608,950, FILED 09-14-2017



Andrei Iancu

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.

***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 United States Patent and Trademark Office (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>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2020-03-11 17:47:15 EDT

Mark: ACT COLLEGEREADY

ACT CollegeReady

US Serial Number: 87608950

Application Filing Date: Sep. 14, 2017

US Registration Number: 5984872

Registration Date: Feb. 11, 2020

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 11, 2020

Publication Date: Jan. 30, 2018

Notice of Allowance Date: Jun. 18, 2019

Mark Information

Mark Literal Elements: ACT COLLEGEREADY

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2346807, 2731932, 2888069 and others

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: Educational testing, namely, computer-based testing and assessment system in the fields of English and mathematics; Educational testing, namely, computer-based testing and assessment system available via the Internet in the fields of English and mathematics

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 18, 2017

Use in Commerce: Oct. 18, 2017

For: Providing temporary use of on-line non-downloadable computer software, namely, educational testing and assessment software in the fields of English and mathematics, which provides information to students and post-secondary institutions to assist in appropriate course placement

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 18, 2017

Use in Commerce: Oct. 18, 2017

Basis Information (Case Level)

Filed Use: No
Filed ITU: Yes
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: Yes
Currently ITU: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.
Owner Address: 500 Act Drive
Iowa City, IOWA UNITED STATES 52243
Legal Entity Type: non-profit corporation
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn
Attorney Primary Email Address: mkahn@sheppardmullin.com
Docket Number: 52PK-263062
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Michelle D. Kahn
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER
17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111
Correspondent e-mail: mkahn@sheppardmullin.com sftmdocket@sheppardmullin.com ardmullin.com rlozoya@sheppardmullin.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2020	REGISTERED-PRINCIPAL REGISTER	
Jan. 08, 2020	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 07, 2020	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 11, 2019	STATEMENT OF USE PROCESSING COMPLETE	71906
Dec. 03, 2019	USE AMENDMENT FILED	71906
Dec. 10, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
Dec. 03, 2019	TEAS STATEMENT OF USE RECEIVED	
Jun. 18, 2019	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 08, 2019	TTAB RELEASE CASE TO TRADEMARKS	241408
May 08, 2019	OPPOSITION TERMINATED NO. 999999	241408
May 08, 2019	OPPOSITION DISMISSED NO. 999999	241408
May 29, 2018	OPPOSITION INSTITUTED NO. 999999	241408
Mar. 01, 2018	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 30, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 30, 2018	PUBLISHED FOR OPPOSITION	
Jan. 10, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 19, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 18, 2017	ASSIGNED TO EXAMINER	91232

Sep. 20, 2017 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
 Sep. 18, 2017 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2020

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91241408](#)

Filing Date: May 29, 2018

Status: Terminated

Status Date: May 08, 2019

Interlocutory Attorney: SHANNA K SANDERS

Defendant

Name: ACT, Inc.

Correspondent Address: MICHELLE D KAHN
 SHEPPARD MULLIN RICHTER & HAMPTON LLP
 FOUR EMBARCADERO CENTER, 17TH FLOOR
 SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , pmarquez@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT COLLEGEREADY	Registered	87608950	5984872

Plaintiff(s)

Name: Chalk Talk Solutions, Inc.

Correspondent Address: NARESH KILARU
 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP
 901 NEW YORK AVENUE NW
 WASHINGTON DC UNITED STATES , 20001-4413

Correspondent e-mail: docketing@finnegan.com , naresh.kilaru@finnegan.com , TTAB-Legal-Assistants@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COLLEGEREADY POWERED BY CHALKTALK	Report Completed Suspension Check - Case Still Suspended	87655278	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 29, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2018	Jul 08, 2018
3	PENDING, INSTITUTED	May 29, 2018	
4	ANSWER	Jul 09, 2018	
5	P MOT FOR EXT W/ CONSENT	Sep 06, 2018	
6	EXTENSION OF TIME GRANTED	Sep 06, 2018	
7	D MOT FOR EXT W/ CONSENT	Nov 02, 2018	
8	EXTENSION OF TIME GRANTED	Nov 02, 2018	
9	W/DRAW OF OPPOSITION	May 02, 2019	
10	BD DECISION: OPP DISMISSED W/ PREJ	May 08, 2019	
11	TERMINATED	May 08, 2019	

Type of Proceeding: Extension of Time

Proceeding Number: [87608950](#)

Filing Date: Mar 01, 2018

Status: Terminated

Status Date: May 30, 2018

Interlocutory Attorney:

Defendant

Name: ACT, Inc.

Correspondent Address: MICHELLE D. KAHN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO CA , 94111

Correspondent e-mail: mkahn@sheppardmullin.com , pmarquez@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ACT COLLEGEREADY	Registered	87608950	5984872

Potential Opposer(s)

Name: Chalk Talk Solutions, Inc.

Correspondent Address: Naresh Kilaru
Finnegan Henderson Farabow Garrett & Dunner, LLP
901 New York Avenue, NW
Washington DC UNITED STATES , 20001

Correspondent e-mail: docketing@finnegan.com , naresh.kilaru@finnegan.com , TTAB-Legal-Assistants@finnegan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 01, 2018	
2	EXTENSION OF TIME GRANTED	Mar 01, 2018	

EXHIBIT M

Generated on: This page was generated by TSDR on 2020-09-08 18:43:04 EDT

Mark: ACT WORKKEYS NCRC



US Serial Number: 88221644

Application Filing Date: Dec. 07, 2018

US Registration Number: 6014613

Registration Date: Mar. 17, 2020

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 17, 2020

Publication Date: Apr. 23, 2019

Notice of Allowance Date: Jun. 18, 2019

Mark Information

Mark Literal Elements: ACT WORKKEYS NCRC

Standard Character Claim: No

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

Description of Mark: The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the words "WorkKeys" in red above the word "NCRC" in red.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue and red is/are claimed as a feature of the mark.

Design Search Code(s): 26.17.09 - Lines, curved; Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s)

Related Properties Information

Claimed Ownership of US Registrations: 2888069, 3128324, 4517656 and others

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: Providing an on-line computer database in the fields of vocational testing to determine skills for employment, and workforce development programs; providing databases featuring job profiles and requirements; computerized database management and compilation of information into computerized databases; providing information in the fields of vocational testing for employment, and workforce development programs; advisory and consultancy services relating to vocational testing for employment, and workforce development programs; providing a website featuring information in the field of vocational testing for employment and workforce development programs; preparation of methods and materials for identifying specific skills and specific content and level of knowledge required for probable success in specific fields of employment; evaluation of specific fields of employment for others to identify specific skills and specific content and level of knowledge required for probable success in such specific fields of employment, educational testing and consulting services related thereto in the field of job placement and job-related skills

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2017

Use in Commerce: Aug. 01, 2017

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.

Owner Address: 500 ACT Drive
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-291251

Attorney Primary Email Address: mkahn@sheppardmullin.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RITCHER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111-4109

Correspondent e-mail: mkahn@sheppardmullin.com sftmdocket@sheppardmullin.com
ardmullin.com rlozoya@sheppardmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 17, 2020	REGISTERED-PRINCIPAL REGISTER	
Feb. 08, 2020	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 07, 2020	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 23, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Jan. 23, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Jan. 21, 2020	ASSIGNED TO LIE	66121
Jan. 09, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 21, 2019	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Dec. 21, 2019	NON-FINAL ACTION E-MAILED	
Dec. 21, 2019	SU - NON-FINAL ACTION - WRITTEN	88578
Dec. 13, 2019	STATEMENT OF USE PROCESSING COMPLETE	65362
Dec. 06, 2019	USE AMENDMENT FILED	65362
Dec. 13, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Dec. 06, 2019	TEAS STATEMENT OF USE RECEIVED	
Jun. 18, 2019	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 23, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Apr. 23, 2019 PUBLISHED FOR OPPOSITION
Apr. 03, 2019 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Mar. 14, 2019 APPROVED FOR PUB - PRINCIPAL REGISTER
Mar. 06, 2019 ASSIGNED TO EXAMINER
Jan. 01, 2019 NOTICE OF DESIGN SEARCH CODE E-MAILED
Dec. 31, 2018 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Dec. 11, 2018 NEW APPLICATION ENTERED IN TRAM

88578

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 07, 2020

EXHIBIT N

Generated on: This page was generated by TSDR on 2020-03-11 17:54:55 EDT

Mark: ACT NOW

ACT NOW

US Serial Number: 88669669

Application Filing Date: Oct. 25, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: Review prior to publication completed.

Status Date: Feb. 11, 2020

Publication Date: Mar. 17, 2020

Mark Information

Mark Literal Elements: ACT NOW

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: Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges; downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

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: ACT, Inc.

Owner Address: 500 ACT Drive
Iowa City, IOWA UNITED STATES 522430168

Legal Entity Type: CORPORATION

State or Country IOWA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn

Docket Number: 52PK-

Attorney Primary mkahn@sheppardmullin.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent MICHELLE D. KAHN
Name/Address: SHEPPARD MULLIN RITCHER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111

Correspondent e-mail: mkahn@sheppardmullin.com sftmdocket@sheppardmullin.com
rdmullin.com rlozoya@sheppardmullin.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 10, 2020	ASSIGNED TO LIE	70138
Feb. 04, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 03, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 03, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 03, 2020	EXAMINERS AMENDMENT -WRITTEN	93969
Jan. 30, 2020	ASSIGNED TO EXAMINER	93969
Nov. 07, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 29, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: AURAND, KYLE C

Law Office LAW OFFICE 126
Assigned:

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 11, 2020

EXHIBIT O

Generated on: This page was generated by TSDR on 2020-03-11 17:56:06 EDT

Mark: ACT NOW



US Serial Number: 88669705

Application Filing Date: Oct. 25, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: Review prior to publication completed.

Status Date: Feb. 11, 2020

Publication Date: Mar. 17, 2020

Mark Information

Mark Literal Elements: ACT NOW

Standard Character Claim: No

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

Description of Mark: The mark consists of a stylized capital letter "A" in blue with red bar, followed by the capital letters "C" and "T" in blue followed by the word "NOW" in red.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue and red is/are claimed as a feature of the mark.

Design Search Code(s): 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved
27.03.01 - Geometric figures forming letters, numerals or punctuation

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: Downloadable computer software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges; downloadable cloud-computing software for use in administering, proctoring, taking and scoring standardized tests for schools and colleges

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Providing temporary use of non-downloadable cloud-based software and applications for use in administering, proctoring, taking and scoring standardized tests for schools and colleges

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No
Filed ITU: Yes
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: No
Currently ITU: Yes
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: ACT, Inc.
Owner Address: 500 ACT Drive
Iowa City, IOWA UNITED STATES 522430168
Legal Entity Type: CORPORATION
State or Country Where Organized: IOWA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Michelle D. Kahn
Attorney Primary Email Address: mkahn@sheppardmullin.com
Docket Number: 52PK-
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MICHELLE D. KAHN
SHEPPARD MULLIN RITCHER & HAMPTON LLP
FOUR EMBARCADERO CENTER, 17TH FLOOR
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111
Correspondent e-mail: mkahn@sheppardmullin.com sftmdocket@sheppardmullin.com rdmullin.com rlozoya@sheppardmullin.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 10, 2020	ASSIGNED TO LIE	70138
Feb. 04, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 03, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 03, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 03, 2020	EXAMINERS AMENDMENT -WRITTEN	93969
Jan. 30, 2020	ASSIGNED TO EXAMINER	93969
Nov. 01, 2019	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 31, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 29, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: AURAND, KYLE C
Law Office Assigned: LAW OFFICE 126

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Feb. 11, 2020