

ESTTA Tracking number: **ESTTA1095149**

Filing date: **11/12/2020**

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	MOAM Group Inc
Granted to Date of previous extension	11/11/2020
Address	121 E WALNUT STREET ALAMO, TN 38001 UNITED STATES
Attorney information	NANCY LY FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022 UNITED STATES Primary Email: tmdoctc@fr.com Secondary Email(s): ly@fr.com, rhea@fr.com No phone number provided.
Docket Number	479730009PP1

### Applicant Information

Application No.	88646206	Publication date	07/14/2020
Opposition Filing Date	11/12/2020	Opposition Period Ends	11/11/2020
Applicant	Worldwide Trophy Adventures LLC P.O. BOX 335 SIDNEY, NE 69162 UNITED STATES		

### Goods/Services Affected by Opposition

Class 041. First Use: 2018/10/02 First Use In Commerce: 2018/10/02  
All goods and services in the class are opposed, namely: Hunting guide services

### Grounds for Opposition

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

U.S. Registration No.	4719412	Application Date	07/17/2014
Registration Date	04/14/2015	Foreign Priority Date	NONE

Word Mark	YUKON OUTFITTERS
Design Mark	
Description of Mark	The mark consists of the image of a bear head in relief form to the left of the stacked wording "YUKON OUTFITTERS" to the right.
Goods/Services	<p>Class 009. First use: First Use: 2013/01/14 First Use In Commerce: 2013/04/23 Bags adapted for laptops; Bags for cameras and photographic equipment; Messenger bags especially adapted for holding laptops</p> <p>Class 013. First use: First Use: 2013/01/14 First Use In Commerce: 2013/10/11 Sniper drag bags</p> <p>Class 018. First use: First Use: 2012/09/01 First Use In Commerce: 2013/01/14 All purpose sport bags; All-purpose athletic bags; Athletic bags; Bags for sports; Courier bags; Dry bags; Duffel bags; Duffel bags for travel; Duffle bags; Gym bags; Hunters' game bags; Hunting bags; Military duffel bags, garment bags for travel, tote bags, shoulder bags and backpacks; Shoulder bags; Sling bags; Sport bags; Sportsman's hunting bags; Travelbags; Traveling bags; Wheeled bags</p> <p>Class 020. First use: First Use: 2013/01/14 First Use In Commerce: 2013/03/12 Sleeping bags</p> <p>Class 021. First use: First Use: 2013/01/14 First Use In Commerce: 2013/04/23 Insulated food bags for the transport of food and beverages</p> <p>Class 022. First use: First Use: 2012/09/01 First Use In Commerce: 2012/11/17 Hammocks</p> <p>Class 028. First use: First Use: 2013/01/14 First Use In Commerce: 2013/04/23 Bags specially adapted for sports equipment; Fishing tackle bags; Hunting decoybags; Sportsman's fishing bags</p>

Attachments	Notice of Opposition v. Worldwide Trophy Adventures - YUKON PEAK OUTFITTERS.pdf(2077501 bytes )
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Signature	/NANCY LY/
Name	NANCY LY
Date	11/12/2020

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

In the matter of Application Serial No. 88/646,206  
For the Mark **YUKON PEAK OUTFITTERS**  
Published in the Official Gazette on July 14, 2020

MOAM GROUP INC,

*Opposer,*

v.

WORLDWIDE TROPHY ADVENTURES  
LLC,

*Applicant.*

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

In the matter of Application Serial No. 88/646,206 (“the ‘206 Application”), filed on October 8, 2019 by Applicant Worldwide Trophy Adventures LLC (“Applicant”), for the mark YUKON PEAK OUTFITTERS, Opposer MOAM Group Inc d/b/a Yukon Outfitters (“Yukon Outfitters” or “Opposer”), believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same in accordance with the provisions of Section 13 of the Trademark Act of July 5, 1946 (15 U.S.C. § 1063). The grounds for this Opposition are as follows:

**PARTIES AND STANDING**

1. Opposer MOAM Group Inc, doing business as Yukon Outfitters, is a corporation organized under the laws of Tennessee with its principal place of business in Alamo, Tennessee.

2. On information and belief, Applicant Worldwide Trophy Adventures LLC is a limited liability company organized under the laws of Michigan with a principal office in Sidney, Nebraska.

3. Opposer is the owner of U.S. Reg. No. 4,719,412 (“the YUKON OUTFITTERS Registration”), for the YUKON OUTFITTERS and design mark (the “YUKON OUTFITTERS and Design Mark”) (shown below).



4. The YUKON OUTFITTERS Registration issued on April 14, 2015, for use in connection with the following goods:

- “Bags adapted for laptops; Bags for cameras and photographic equipment; Messenger bags especially adapted for holding laptops” in Class 9, based on a claim of use in commerce at least as early as April 23, 2013;
- “Sniper drag bags” in Class 13, based on a claim of use in commerce at least as early as October 11, 2013;
- “All purpose sport bags; All-purpose athletic bags; Athletic bags; Bags for sports; Courier bags; Dry bags; Duffel bags; Duffel bags for travel; Duffle bags; Gym bags; Hunters' game bags; Hunting bags; Military duffel bags, garment bags for travel, tote bags, shoulder bags and backpacks; Shoulder bags; Sling bags; Sport bags; Sportsman's hunting bags; Travel bags; Traveling bags; Wheeled bags” in Class 18, based on a claim of use in commerce at least as early as January 14, 2013;
- “Sleeping bags” in Class 20, based on a claim of use in commerce at least as early as March 12, 2013;

- “Insulated food bags for the transport of food and beverages” in Class 21, based on a claim of use in commerce at least as early as April 23, 2013;
- “Hammocks” in Class 22, based on a claim of use in commerce at least as early as November 17, 2012; and
- “Bags specially adapted for sports equipment; Fishing tackle bags; Hunting decoy bags; Sportsman's fishing bags” in Class 28, based on a claim of use in commerce at least as early as April 23, 2013.

The above-listed goods are referred to herein as “Opposer’s Goods.” A true and correct copy of the Certificate of Registration and the TSDR record are attached hereto as **Exhibit A**.

5. Opposer and Applicant offer highly related goods and services for hunting and outdoor activities.

6. As the owner of record of a prior registration for highly similar marks for highly related goods and services, Opposer has standing to bring this proceeding.

### **FACTS**

#### **Opposer’s Mark**

7. Opposer was created in a hunting camp on the banks of the Big Salmon River. While on a fly fishing trip, one of Opposer’s founders forgot his rain coat and had to buy an expensive rain coat from a field guide stationed at a hunt camp. The expensive rain coat left him wet and cold, so he set out to create Yukon Outfitters, a company that has been offering high quality gear for outdoor activities for over nine years. Opposer’s high quality products range from cases for firearms to field dressing kits.

8. Opposer first adopted the YUKON OUTFITTERS mark for use in connection with hammocks in 2011 and in 2013 Opposer started using the YUKON OUTFITTERS mark in

connection with a variety of bags, including hunting bags, hunter's game bags and hunting decoy bags. Since then, Opposer has continuously used the YUKON OUTFITTERS mark, and for additional products, and the use continues to the present day. For nearly a decade, Opposer, has invested substantial amounts of money, time and effort in developing, establishing, promoting and selling its products in connection with the YUKON OUTFITTERS mark.

9. Opposer first adopted the YUKON OUTFITTERS and Design Mark for use in connection with hammocks in 2012 and in 2013 Opposer started using the YUKON OUTFITTERS mark in connection with a variety of bags, including hunting bags, hunter's game bags and hunting decoy bags. Since then, Opposer has continuously used the YUKON OUTFITTERS and Design Mark, and for additional products, and the use continues to the present day. For nearly a decade, Opposer, has invested substantial amounts of money, time and effort in developing, establishing, promoting and selling its products in connection with the YUKON OUTFITTERS and Design Mark. Together, the YUKON OUTFITTERS mark and YUKON OUTFITTERS and Design Mark are referred to as the "YUKON OUTFITTERS Marks."

10. As a result of its efforts, Opposer has developed substantial goodwill in the YUKON OUTFITTERS Marks, and they are valuable assets of Opposer.

11. Opposer markets its products bearing the YUKON OUTFITTERS Marks to all consumers.

12. Opposer's Goods bearing the YUKON OUTFITTERS Marks are sold throughout the United States in brick-and-mortar retail and online retail stores.

Applicant's Mark

13. Applicant filed the subject '206 Application on October 8, 2019, seeking registration of the mark YUKON PEAK OUTFITTERS for use in connection with "Hunting guide services" in Class 41, based on an alleged use in commerce.

14. Applicant claims October 2, 2018 as the date it first used the YUKON PEAK OUTFITTERS mark in commerce for hunting guide services.

15. The '206 Application was published in the Official Gazette on July 14, 2020.

16. Upon information and belief, given the long-standing and prominent use of the YUKON OUTFITTERS Marks by Opposer, Applicant must have known of Opposer's rights in the YUKON OUTFITTERS Marks. Also, given Opposer's prior federal registration for the YUKON OUTFITTERS and Design Mark, Applicant had at least constructive notice of Opposer's rights in the YUKON OUTFITTERS and Design Mark.

**PRIORITY & LIKELIHOOD OF CONFUSION**  
**15 U.S.C. § 1052(d)**

17. Opposer hereby repeats and re-alleges the allegations contained in paragraphs 1 through 16 above as if fully set forth herein.

18. As described above, Opposer is the owner of common law and registered rights in the YUKON OUTFITTERS Marks.

19. Opposer's use in commerce and registration of the YUKON OUTFITTERS Marks long predate any priority date Applicant can claim for its YUKON PEAK OUTFITTERS mark.

20. The marks in question – YUKON OUTFITTERS and YUKON PEAK OUTFITTERS – are highly similar.

21. The services claimed in the '206 Application are highly related to Opposer's Goods. Because there are no restrictions set forth in the '206 Application as to the channels of trade, it is

presumed that Applicant's services will be offered in the same channels of trade and to the same intended customers as Opposer's.

22. There is a likelihood that consumers and potential consumers of either Opposer or Applicant will be confused or deceived into believing that the parties' goods and services emanate from the same source, or that one is somehow sponsored by or affiliated with the other, all to the great detriment of the goodwill Opposer has built in its YUKON OUTFITTERS Marks.

23. As a result of this likely confusion, Opposer is likely to be irreparably harmed and damaged by the allowance and registration of the '206 Application.

24. Opposer has not consented and does not consent to Applicant's use or registration of Applicant's YUKON PEAK OUTFITTERS mark in the United States.

WHEREFORE, Opposer respectfully requests that the Board sustain this Opposition, and refuse registration of the '206 Application, and grant such other and further relief as the Board deems just and proper.

Respectfully submitted,

MOAM GROUP INC

By its Attorneys,

Date: November 12, 2020

/s/ Nancy Ly  
Cynthia Walden  
Nancy Ly  
FISH & RICHARDSON P.C.  
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# Exhibit A

**Generated on:** This page was generated by TSDR on 2020-11-12 17:46:20 EST

**Mark:** YUKON OUTFITTERS



**US Serial Number:** 86339699

**Application Filing Date:** Jul. 17, 2014

**US Registration Number:** 4719412

**Registration Date:** Apr. 14, 2015

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Apr. 14, 2015

**Publication Date:** Jan. 27, 2015

## Mark Information

**Mark Literal Elements:** YUKON OUTFITTERS

**Standard Character Claim:** No

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

**Description of Mark:** The mark consists of the image of a bear head in relief form to the left of the stacked wording "YUKON OUTFITTERS" to the right.

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

**Disclaimer:** "OUTFITTERS"

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

## Related Properties Information

**Claimed Ownership of US Registrations:** 4447569

## 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:** Bags adapted for laptops; Bags for cameras and photographic equipment; Messenger bags especially adapted for holding laptops

**International Class(es):** 009 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 14, 2013

**Use in Commerce:** Apr. 23, 2013

**For:** Sniper drag bags

**International Class(es):** 013 - Primary Class

**U.S Class(es):** 002, 009

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 14, 2013

**Use in Commerce:** Oct. 11, 2013

**For:** All purpose sport bags; All-purpose athletic bags; Athletic bags; Bags for sports; Courier bags; Dry bags; Duffel bags; Duffel bags for travel; Duffle bags; Gym bags; Hunters' game bags; Hunting bags; Military duffel bags, garment bags for travel, tote bags, shoulder bags and backpacks; Shoulder bags; Sling bags; Sport bags; Sportsman's hunting bags; Travel bags; Traveling bags; Wheeled bags

**International Class(es):** 018 - Primary Class

**U.S Class(es):** 001, 002, 003, 022, 041

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 01, 2012

**Use in Commerce:** Jan. 14, 2013

**For:** Sleeping bags

**International Class(es):** 020 - Primary Class

**U.S Class(es):** 002, 013, 022, 025, 032, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 14, 2013

**Use in Commerce:** Mar. 12, 2013

**For:** Insulated food bags for the transport of food and beverages

**International Class(es):** 021 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 14, 2013

**Use in Commerce:** Apr. 23, 2013

**For:** Hammocks

**International Class(es):** 022 - Primary Class

**U.S Class(es):** 001, 002, 007, 019, 022, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 01, 2012

**Use in Commerce:** Nov. 17, 2012

**For:** Bags specially adapted for sports equipment; Fishing tackle bags; Hunting decoy bags; Sportsman's fishing bags

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 14, 2013

**Use in Commerce:** Apr. 23, 2013

## 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:** MOAM Group Inc

**DBA, AKA,** DBA Yukon Outfitters

**Formerly:**

**Owner Address:** 121 E Walnut Street  
Alamo, TENNESSEE UNITED STATES 38001

**Legal Entity Type:** CORPORATION

**State or Country** NORTH CAROLINA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Nancy Ly

**Docket Number:** 479730012001

**Attorney Primary** [tmdoctc@fr.com](mailto:tmdoctc@fr.com)

**Attorney Email** Yes

**Email Address:**

**Authorized:**

### Correspondent

**Correspondent** Nancy Ly

**Name/Address:** Fish & Richardson  
P.O. Box 1022  
Minneapolis, MINNESOTA UNITED STATES 55402

**Phone:** 858 678 4780

**Fax:** 877-769-7945

**Correspondent e-mail:** [tmdoctc@fr.com](mailto:tmdoctc@fr.com) [rhea@fr.com](mailto:rhea@fr.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 11, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 11, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 11, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 11, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 11, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 11, 2020	TEAS SECTION 8 & 15 RECEIVED	
Apr. 14, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Apr. 14, 2015	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 27, 2015	PUBLISHED FOR OPPOSITION	
Jan. 07, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 19, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Dec. 15, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 2014	DATA MODIFICATION COMPLETED	73296
Dec. 11, 2014	ASSIGNED TO LIE	73296
Dec. 09, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 08, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 08, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 31, 2014	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Oct. 31, 2014	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Oct. 31, 2014	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	82419
Oct. 31, 2014	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	82419
Oct. 29, 2014	ASSIGNED TO EXAMINER	82419
Jul. 24, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 23, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 21, 2014	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. 14, 2015

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,719,412**

**Registered Apr. 14, 2015**

**Int. Cls.: 9, 13, 18, 20, 21, 22 and 28**

MOAM GROUP INC (NORTH CAROLINA CORPORATION), DBA YUKON OUTFITTERS  
4609 TIARELLA DRIVE  
SUMMERFIELD, NC 27358

FOR: BAGS ADAPTED FOR LAPTOPS; BAGS FOR CAMERAS AND PHOTOGRAPHIC EQUIPMENT; MESSENGER BAGS ESPECIALLY ADAPTED FOR HOLDING LAPTOPS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK**

FIRST USE 1-14-2013; IN COMMERCE 4-23-2013.

**PRINCIPAL REGISTER**

FOR: SNIPER DRAG BAGS, IN CLASS 13 (U.S. CLS. 2 AND 9).

FIRST USE 1-14-2013; IN COMMERCE 10-11-2013.

FOR: ALL PURPOSE SPORT BAGS; ALL-PURPOSE ATHLETIC BAGS; ATHLETIC BAGS; BAGS FOR SPORTS; COURIER BAGS; DRY BAGS; DUFFEL BAGS; DUFFEL BAGS FOR TRAVEL; DUFFLE BAGS; GYM BAGS; HUNTERS' GAME BAGS; HUNTING BAGS; MILITARY DUFFLE BAGS, GARMENT BAGS FOR TRAVEL, TOTE BAGS, SHOULDER BAGS AND BACKPACKS; SHOULDER BAGS; SLING BAGS; SPORT BAGS; SPORTSMAN'S HUNTING BAGS; TRAVEL BAGS; TRAVELING BAGS; WHEELED BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 9-1-2012; IN COMMERCE 1-14-2013.

FOR: SLEEPING BAGS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 1-14-2013; IN COMMERCE 3-12-2013.

FOR: INSULATED FOOD BAGS FOR THE TRANSPORT OF FOOD AND BEVERAGES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 1-14-2013; IN COMMERCE 4-23-2013.

FOR: HAMMOCKS, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

FIRST USE 9-1-2012; IN COMMERCE 11-17-2012.



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**Reg. No. 4,719,412** FOR: BAGS SPECIALLY ADAPTED FOR SPORTS EQUIPMENT; FISHING TACKLE BAGS; HUNTING DECOY BAGS; SPORTSMAN'S FISHING BAGS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 1-14-2013; IN COMMERCE 4-23-2013.

OWNER OF U.S. REG. NO. 4,447,569.

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

THE MARK CONSISTS OF THE IMAGE OF A BEAR HEAD IN RELIEF FORM TO THE LEFT OF THE STACKED WORDING "YUKON OUTFITTERS" TO THE RIGHT.

SER. NO. 86-339,699, FILED 7-17-2014.

JAMES LOVELACE, 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.

**\*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>.**