

ESTTA Tracking number: **ESTTA1116029**

Filing date: **02/22/2021**

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	FUNKO, LLC
Granted to Date of previous extension	02/21/2021
Address	2802 WETMORE AVE. EVERETT, WA 98201 UNITED STATES

Correspondence information	LEGAL DEPARTMENT FUNKO, LLC 2802 WETMORE AVE. EVERETT, WA 98201 UNITED STATES Primary Email: ip@funko.com Secondary Email(s): kalai@funko.com No phone number provided.
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Applicant Information

Application No.	88890968	Publication date	08/25/2020
Opposition Filing Date	02/22/2021	Opposition Period Ends	02/21/2021
Applicant	Ultra Pro International, LLC 6049 SLAUSON AVENUE COMMERCE CITY, CA 90040 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Downloadable software in the nature of a mobile application for presenting and managing conversation starter questions
Class 028. First Use: 2017/04/00 First Use In Commerce: 2017/04/00 All goods and services in the class are opposed, namely: Games, namely, a parlor game with question cards

Grounds for Opposition

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

U.S. Registration	6232965	Application Date	06/03/2020
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No.			
Registration Date	12/29/2020	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2016/03/31 First Use In Commerce: 2016/03/31 Board games; card games; tabletop games; role-playing games; parlor games; party games; puzzles; equipment sold as a unit for playing tabletop and parlor games		

U.S. Registration No.	4881647	Application Date	06/29/2015
Registration Date	01/05/2016	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	The mark consists of the stylized wording of "POP!" with a conversation bubble around the text.		
Goods/Services	Class 028. First use: First Use: 2010/07/00 First Use In Commerce: 2010/07/00 Collectable toy figures		

U.S. Registration No.	5596001	Application Date	06/29/2015
Registration Date	10/30/2018	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2015/10/00 First Use In Commerce: 2015/10/00 Decorative pencil-top ornaments Class 021. First use: First Use: 2015/09/00 First Use In Commerce: 2015/09/00 Beverageware, salt and pepper shakers; mugs Class 022. First use: First Use: 2016/07/00 First Use In Commerce: 2016/07/00 Lanyards for holding badges, keys, key cards, identification cards, or for holding cases for holding identification, business cards, credit cards, money, and other personal items		

U.S. Registration No.	5423793	Application Date	06/29/2015
Registration Date	03/13/2018	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2015/04/00 First Use In Commerce: 2015/06/00 Hats; Shirts; Sweatshirts; T-shirts		

U.S. Registration No.	5449007	Application Date	03/15/2016
Registration Date	04/17/2018	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/06/00 First Use In Commerce: 2007/06/00 Retail and online retail store servicesfeaturing toys, dolls and toy figurines, collectable toys and toy figures, action figures, plush toys, playsets, toy accessories and related merchandise, clothing, headwear, beverageware, salt and pepper shakers, mugs, water bottles sold empty, pens, decorative pencil-top ornaments, collectable pins, buttons, ornamental cloth patches, ornamental novelty pins, lanyards, and keychains		

U.S. Registration No.	4746429	Application Date	05/01/2014
Registration Date	06/02/2015	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2010/07/15 First Use In Commerce: 2010/07/15 Dolls and toy figurines		

U.S. Registration No.	6091041	Application Date	12/19/2019
Registration Date	06/30/2020	Foreign Priority Date	NONE
Word Mark	POP!		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 2014/09/05 First Use In Commerce: 2014/09/05 key chains		

Attachments	2021_02_22_2005011_Notice of Opposition.pdf(643410 bytes)
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Signature	/kalai wineland/
Name	LEGAL DEPARTMENT
Date	02/22/2021

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

FUNKO, LLC Opposer, v. Ultra Pro International, LLC Applicant.	Opposition No. _____
	Serial No. 88/890,968
	Mark: GEEK POP
	Publication Date: Aug. 25, 2020

NOTICE OF OPPOSITION

Opposer Funko, LLC (“Opposer”) believes it will be damaged by Applicant Ultra Pro International, LLC’s (“Applicant”) registration of the mark GEEK POP identified in Application Serial No. 88/890,968 (the “Application”). The Application was published for opposition on August 25, 2020. Opposer filed, and the Board granted, three extensions of time to oppose, allowing Opposer until February 21, 2021 to file this notice. Opposer now opposes the Application.


As grounds for the opposition, Opposer asserts the following:

THE PARTIES

1. Opposer is a Washington limited liability company having a place of business in Everett, Washington.
2. On information and belief, Applicant is a Delaware limited liability company having a place of business in Commerce City, California.

OPPOSER & OPPOSER’S MARKS

3. Opposer is internationally known for its collectible figurines and consumer products.
4. Since at least as early as June 2007, Opposer has used the POP! mark on its goods and/or services.
5. Since at least as early as July 2010, Opposer has used the POP! (& design) mark on its goods and/or services.
6. Opposer owns the following registrations for the marks POP! and POP! (& design) (“Opposer’s Registrations”).

Reg. No.	Registration Date	Mark	Goods
6,232,965	December 29, 2020	POP!	Int’l Class 28: Board games; card games; tabletop games; role-playing games; parlor games; party games; puzzles; equipment sold as a unit for playing tabletop and parlor games
4,881,647	January 5, 2016		Int’l Class 28: Collectable toy figures
5,596,001	October 30, 2018	POP!	Int’l Class 16: Decorative pencil-top ornaments Int’l Class 21: Beverageware, salt and pepper shakers; mugs Int’l Class 22: Lanyards for holding badges, keys, key cards, identification cards, or for holding cases for holding identification, business cards, credit cards, money, and other personal items
5,423,793	March 13, 2018	POP!	Int’l Class 25: Hats; Shirts; Sweatshirts; T-shirts

Reg. No.	Registration Date	Mark	Goods
5,449,007	April 17, 2018	POP!	Int'l Class 35: Retail and online retail store services featuring toys, dolls and toy figurines, collectable toys and toy figures, action figures, plush toys, playsets, toy accessories and related merchandise, clothing, headwear, beverage ware, salt and pepper shakers, mugs, water bottles sold empty, pens, decorative pencil-top ornaments, collectable pins, buttons, ornamental cloth patches, ornamental novelty pins, lanyards, and keychains
4,746,429	June 2, 2015	POP!	Int'l Class 28: Dolls and toy figurines
6,091,041	June 30, 2020	POP!	Int'l Class 14: key chains

7. Printouts of the Trademark Status & Document Retrieval records for Opposer's Registrations are attached as Exhibit A.
8. Opposer's Registration No. 4,746,429 for the mark POP! is incontestable.
9. Opposer has expended substantial sums of money, time and effort in developing Opposer's Marks for use in association with Opposer's goods and services.
10. Opposer's Marks symbolize the extensive goodwill and consumer recognition that have been developed by Opposer through the sale of goods and provision of services under Opposer's Marks and through extensive advertising, promoting and popularizing of Opposer's Marks in the United States and throughout the world.

THE APPLICATION

11. Applicant is the record owner of the Application, which was filed on an intent-to-use basis on Apr. 28, 2020.

12. Applicant applied to register the following mark (“Applied-For Mark”):

GEEK POP

13. The Application covers the following goods and services: (a) Int’l Class 9: Downloadable software in the nature of a mobile application for presenting and managing conversation starter questions; and (b) Int’l Class 28: Games, namely a parlor game with question cards.

LIKELIHOOD OF CONFUSION

14. Opposer’s Marks were registered and/or in use long before Applicant filed the Application.

15. Opposer’s Marks and the Applied-For Mark have similar meanings and create similar commercial impressions.

16. Applicant’s goods and services are identical and/or related to Opposer’s goods.

17. On information and belief, Applicant’s goods and services and Opposer’s goods are offered in the same channels of trade and have the same potential customers.

18. The Applied-For Mark for Applicant’s goods and services is confusingly and deceptively similar to Opposer’s Marks for Opposer’s goods, such that the trade and purchasing public are likely to be confused by and deceived into believing that the goods and services sold and marketed in connection with the Applied-For Mark originate with or are otherwise authorized by, sponsored by, licensed by or associated with Opposer.

19. In view of the similarity of the parties' respective marks and the identical and/or related nature of the parties' respective goods and services, Applicant's use of the Applied-For Mark is likely to cause confusion, or to cause mistake or to deceive.

20. By reason of the foregoing, Opposer would be greatly damaged by the registration of Applicant's Applied-For Mark for the goods and services described in the Application.

PRAYER FOR RELIEF

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that Applicant's Application be refused registration.

DATED: February 22, 2021

Respectfully Submitted,

/s/Kalai Wineland

Kalai Wineland

Funko, LLC
Attn: Legal Department
2802 Wetmore Ave.
Everett, WA 98201

EXHIBIT A

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Mark: POP!

POP!

US Serial Number: 88946549

Application Filing Date: Jun. 03, 2020

US Registration Number: 6232965

Registration Date: Dec. 29, 2020

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: Dec. 29, 2020

Publication Date: Oct. 13, 2020

Mark Information

Mark Literal Elements: POP!

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: Board games; card games; tabletop games; role-playing games; parlor games; party games; puzzles; equipment sold as a unit for playing tabletop and parlor games

International Class(es): 028 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 31, 2016

Use in Commerce: Mar. 31, 2016

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: FUNKO, LLC

Owner Address: Attn: Legal Department
2802 Wetmore Ave.
Everett, WASHINGTON UNITED STATES 98201

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Docket Number: 60021-106US

Correspondent

Correspondent Name/Address: FUNKO, LLC
FUNKO, LLC
2802 WETMORE AVE.
ATTN: LEGAL DEPARTMENT
EVERETT, WASHINGTON UNITED STATES 98201

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 29, 2020	REGISTERED-PRINCIPAL REGISTER	
Oct. 13, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 13, 2020	PUBLISHED FOR OPPOSITION	
Sep. 23, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 03, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 03, 2020	ASSIGNED TO EXAMINER	76746
Jun. 24, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 06, 2020	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: Dec. 29, 2020

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Mark: POP!

US Serial Number: 86677917

Application Filing
Date:

Jun. 29, 2015



US Registration Number: 4881647

Registration Date: Jan. 05, 2016

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: Jan. 05, 2016

Publication Date: Oct. 20, 2015

Mark Information

Mark Literal Elements: POP!

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 stylized wording of "POP!" with a conversation bubble around the text.

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

Design Search Code(s): 01.15.17 - Thought or speech clouds; Balloons, thought or speech; Clouds, thought or speech

Related Properties Information

International Registration Number: 1262216

International Application(s) /Registration(s) Based on this Property: A0051663/1262216

Claimed Ownership of US Registrations: 4746429

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: Collectable toy figures

International 028 - Primary Class

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

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 2010

Use in Commerce: Jul. 2010

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: Funko, LLC

Owner Address: 2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98203

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott G. Warner

Docket Number: 16206-62021

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott G. Warner
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON UNITED STATES 98101

Phone: 206.447.4400

Correspondent e-mail: ip@foster.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 20, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 20, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 31, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 07, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 07, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 05, 2016	REGISTERED-PRINCIPAL REGISTER	
Nov. 11, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 20, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2015	PUBLISHED FOR OPPOSITION	
Sep. 30, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 15, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 14, 2015	ASSIGNED TO EXAMINER	82103
Jul. 07, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 02, 2015	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. 05, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Funko, LLC

Assignment 1 of 3

Conveyance: GRANT OF A SECURITY INTEREST -- TRADEMARKS

Reel/Frame: [5660/0745](#)

Pages: 8

Date Recorded: Nov. 04, 2015

Supporting Documents: [assignment-tm-5660-0745.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 30, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: WASHINGTON
Where Organized:

Assignee

Name: [CERBERUS BUSINESS FINANCE, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Address: 875 THIRD AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: S. KAREFF C/O SCHULTE ROTH & ZABEL LLP

Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: RELEASE OF SECURITY INTEREST RECORDED AT REEL 5660 FRAME 0745

Reel/Frame: [6463/0014](#)

Pages: 7

Date Recorded: Oct. 22, 2018

Supporting Documents: [assignment-tm-6463-0014.pdf](#)

Assignor

Name: [CERBERUS BUSINESS FINANCE, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: No Place Where Organized Found
Where Organized:

Assignee

Name: [FUNKO, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Address: 2802 WETMORE AVENUE
EVERETT, WASHINGTON 98203

Correspondent

Correspondent Name: THOMAS J. BUETTNER

Correspondent Address: LATHAM & WATKINS LLP
330 NORTH WABASH AVENUE, SUITE 2800
CHICAGO, IL 60611

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [6463/0725](#)

Pages: 7

Date Recorded: Oct. 23, 2018

Supporting Documents: [assignment-tm-6463-0725.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Name: [LOUNGEFLY, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PNC BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 500 FIRST AVENUE
COMMERCIAL LOAN SERVICE CENTER/DCC
PITTSBURGH, PENNSYLVANIA 15219

Correspondent

Correspondent Name: TIMOTHY D. PECSENYE

Correspondent Address: ONE LOGAN SQUARE, 8TH FLOOR
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91251287](#)

Filing Date: Sep 30, 2019

Status: Terminated

Status Date: Aug 05, 2020

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: J and K Stuff LLC

Correspondent Address: BURT SKIBA
HPS LAW GROUP
123 N CENTENNIAL WAY, SUITE 205
MESA AZ UNITED STATES , 85201

Correspondent e-mail: burt@hpslawgroup.com , brint@hpslawgroup.com , clark@hpslawgroup.com , icaryl@cox.netet

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP CULTURE ODYSSEY	Notice of Allowance - Issued	88344615	

Plaintiff(s)

Name: Funko, LLC

Correspondent Address: KALAI WINELAND
FUNKO LLC
2802 WETMORE AVE

EVERETT WA UNITED STATES , 98201

Correspondent e-mail: ip@funko.com , kalai@funko.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677927	5596001
POP!	Registered	86677933	5423793
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 30, 2019	Nov 09, 2019
3	INSTITUTED	Sep 30, 2019	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 09, 2019	
5	SUSPENDED	Nov 09, 2019	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 02, 2020	
7	SUSPENDED	Jan 06, 2020	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 03, 2020	
9	SUSPENDED	Mar 03, 2020	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 04, 2020	
11	SUSPENDED	May 04, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 01, 2020	
13	SUSPENDED	Jul 02, 2020	
14	W/DRAW OF OPPOSITION	Aug 03, 2020	
15	BD DECISION: OPP DISMISSED W/O PREJ	Aug 05, 2020	
16	TERMINATED	Aug 05, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91228395](#)

Filing Date: Jun 08, 2016

Status: Terminated

Status Date: Sep 21, 2016

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brands International FZE

Correspondent Address: KAMEL SHABAN
KAMEL SHABAN
CONVENTION PLAZA 3011, 30/F
HONG KONG HONG KONG

Correspondent e-mail: efg.chkip@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Abandoned - After Inter-Partes Decision	86670724	

Plaintiff(s)

Name: Funko, LLC

Correspondent Address: SCOTT G WARNER
GARVEY SCHUBERT BARER
1191 SECOND AVENUE , SUITE 1800
SEATTLE WA UNITED STATES , 98101

Correspondent e-mail: trademarks@gsblaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677933	5423793
POP!	Registered	86677927	5596001
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 13, 2016	Jul 23, 2016
3	PENDING, INSTITUTED	Jun 13, 2016	
4	NOTICE OF DEFAULT	Aug 02, 2016	
5	BD DECISION: SUSTAINED	Sep 21, 2016	
6	TERMINATED	Sep 21, 2016	

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Mark: POP!

POP!

US Serial Number: 86677927

Application Filing Date: Jun. 29, 2015

US Registration Number: 5596001

Registration Date: Oct. 30, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: 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: Oct. 30, 2018

Publication Date: Jan. 26, 2016

Notice of Allowance Date: Mar. 22, 2016

Mark Information

Mark Literal Elements: POP!

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: Decorative pencil-top ornaments

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: Oct. 2015

Use in Commerce: Oct. 2015

For: Beverageware, salt and pepper shakers; mugs

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: Sep. 2015

Use in Commerce: Sep. 2015

For: Lanyards for holding badges, keys, key cards, identification cards, or for holding cases for holding identification, business cards, credit cards, money, and other personal items

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: Jul. 2016

Use in Commerce: Jul. 2016

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: Funko, LLC

Owner Address: 2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98201

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott G. Warner

Docket Number: 16206-62023

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott G. Warner
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON UNITED STATES 98101

Phone: 206.447.4400

Correspondent e-mail: ip@foster.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 20, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 20, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 31, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 30, 2018	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 27, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 26, 2018	STATEMENT OF USE PROCESSING COMPLETE	71034
Sep. 05, 2018	USE AMENDMENT FILED	71034
Sep. 26, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Sep. 05, 2018	TEAS STATEMENT OF USE RECEIVED	
Mar. 17, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 15, 2018	EXTENSION 4 GRANTED	98765
Mar. 15, 2018	EXTENSION 4 FILED	98765
Mar. 15, 2018	TEAS EXTENSION RECEIVED	
Sep. 26, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 22, 2017	EXTENSION 3 GRANTED	98765
Sep. 22, 2017	EXTENSION 3 FILED	98765
Sep. 22, 2017	TEAS EXTENSION RECEIVED	

Jun. 07, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 07, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 21, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 17, 2017	EXTENSION 2 GRANTED	98765
Mar. 17, 2017	EXTENSION 2 FILED	98765
Mar. 17, 2017	TEAS EXTENSION RECEIVED	
Sep. 16, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 14, 2016	EXTENSION 1 GRANTED	98765
Sep. 14, 2016	EXTENSION 1 FILED	98765
Sep. 14, 2016	TEAS EXTENSION RECEIVED	
Mar. 22, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 26, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 26, 2016	PUBLISHED FOR OPPOSITION	
Jan. 06, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 21, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	59554
Dec. 16, 2015	ASSIGNED TO LIE	59554
Nov. 11, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 21, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 21, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 21, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 21, 2015	EXAMINERS AMENDMENT -WRITTEN	82103
Sep. 16, 2015	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Sep. 16, 2015	PRIORITY ACTION E-MAILED	6326
Sep. 16, 2015	PRIORITY ACTION WRITTEN	82103
Sep. 14, 2015	ASSIGNED TO EXAMINER	82103
Jul. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 02, 2015	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. 27, 2018

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Funko, LLC

Assignment 1 of 3

Conveyance: GRANT OF A SECURITY INTEREST -- TRADEMARKS

Reel/Frame: [5660/0745](#)

Pages: 8

Date Recorded: Nov. 04, 2015

Supporting Documents: [assignment-tm-5660-0745.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 30, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Assignee

Name: [CERBERUS BUSINESS FINANCE, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 875 THIRD AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: S. KAREFF C/O SCHULTE ROTH & ZABEL LLP

Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found**Assignment 2 of 3**

Conveyance: RELEASE OF SECURITY INTEREST RECORDED AT REEL 5660 FRAME 0745

Reel/Frame: [6463/0014](#)

Pages: 7

Date Recorded: Oct. 22, 2018

Supporting Documents: [assignment-tm-6463-0014.pdf](#)

Assignor

Name: [CERBERUS BUSINESS FINANCE, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [FUNKO, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2802 WETMORE AVENUE
EVERETT, WASHINGTON 98203

Correspondent

Correspondent Name: THOMAS J. BUETTNER

Correspondent Address: LATHAM & WATKINS LLP
330 NORTH WABASH AVENUE, SUITE 2800
CHICAGO, IL 60611

Domestic Representative - Not Found**Assignment 3 of 3**

Conveyance: SECURITY INTEREST

Reel/Frame: [6463/0725](#)

Pages: 7

Date Recorded: Oct. 23, 2018

Supporting Documents: [assignment-tm-6463-0725.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Name: [LOUNGEFLY, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PNC BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 500 FIRST AVENUE
COMMERCIAL LOAN SERVICE CENTER/DCC
PITTSBURGH, PENNSYLVANIA 15219

Correspondent

Correspondent Name: TIMOTHY D. PECSENYE

Correspondent Address: ONE LOGAN SQUARE, 8TH FLOOR
PHILADELPHIA, PA 19103

Proceedings

Summary

Number of 2
Proceedings:

Type of Proceeding: Opposition

Proceeding [91251287](#)
Number:

Filing Date: Sep 30, 2019

Status: Terminated

Status Date: Aug 05, 2020

Interlocutory MIKE WEBSTER
Attorney:

Defendant

Name: J and K Stuff LLC

Correspondent BURT SKIBA
Address: HPS LAW GROUP
123 N CENTENNIAL WAY, SUITE 205
MESA AZ UNITED STATES , 85201

Correspondent e-mail: burt@hpslawgroup.com , brint@hpslawgroup.com , clark@hpslawgroup.com , icaryl@cox.netet

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP CULTURE ODYSSEY	Notice of Allowance - Issued	88344615	

Plaintiff(s)

Name: Funko, LLC

Correspondent KALAI WINELAND
Address: FUNKO LLC
2802 WETMORE AVE
EVERETT WA UNITED STATES , 98201

Correspondent e-mail: ip@funko.com , kalai@funko.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677927	5596001
POP!	Registered	86677933	5423793
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 30, 2019	Nov 09, 2019
3	INSTITUTED	Sep 30, 2019	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 09, 2019	
5	SUSPENDED	Nov 09, 2019	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 02, 2020	
7	SUSPENDED	Jan 06, 2020	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 03, 2020	
9	SUSPENDED	Mar 03, 2020	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 04, 2020	
11	SUSPENDED	May 04, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 01, 2020	
13	SUSPENDED	Jul 02, 2020	
14	W/DRAW OF OPPOSITION	Aug 03, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91228395](#) **Filing Date:** Jun 08, 2016
Status: Terminated **Status Date:** Sep 21, 2016
Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brands International FZE
Correspondent Address: KAMEL SHABAN
 KAMEL SHABAN
 CONVENTION PLAZA 3011, 30/F
 HONG KONG HONG KONG
Correspondent e-mail: efg.chkip@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Abandoned - After Inter-Partes Decision	86670724	

Plaintiff(s)

Name: Funko, LLC
Correspondent Address: SCOTT G WARNER
 GARVEY SCHUBERT BARER
 1191 SECOND AVENUE , SUITE 1800
 SEATTLE WA UNITED STATES , 98101
Correspondent e-mail: trademarks@qsblaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677933	5423793
POP!	Registered	86677927	5596001
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 13, 2016	Jul 23, 2016
3	PENDING, INSTITUTED	Jun 13, 2016	
4	NOTICE OF DEFAULT	Aug 02, 2016	
5	BD DECISION: SUSTAINED	Sep 21, 2016	
6	TERMINATED	Sep 21, 2016	

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Mark: POP!

POP!

US Serial Number: 86677933

Application Filing Date: Jun. 29, 2015

US Registration Number: 5423793

Registration Date: Mar. 13, 2018

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: Mar. 13, 2018

Publication Date: Nov. 15, 2016

Notice of Allowance Date: Jan. 10, 2017

Mark Information

Mark Literal Elements: POP!

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: 4746429

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: Hats; Shirts; Sweatshirts; T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2015

Use in Commerce: Jun. 2015

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: Funko, LLC

Owner Address: 2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98203

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott G. Warner

Docket Number: 16206-62024

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott G. Warner
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON UNITED STATES 98101

Phone: 206.447.4400

Correspondent e-mail: ip@foster.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 20, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 20, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 31, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 13, 2018	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 08, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 22, 2018	STATEMENT OF USE PROCESSING COMPLETE	70565
Jan. 10, 2018	USE AMENDMENT FILED	70565
Jan. 22, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jan. 10, 2018	TEAS STATEMENT OF USE RECEIVED	
Jun. 17, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 15, 2017	EXTENSION 1 GRANTED	98765
Jun. 15, 2017	EXTENSION 1 FILED	98765
Jun. 15, 2017	TEAS EXTENSION RECEIVED	
Jun. 07, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 07, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 10, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 15, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 15, 2016	PUBLISHED FOR OPPOSITION	
Oct. 26, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 12, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Oct. 12, 2016	ASSIGNED TO LIE	68123
Oct. 04, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	77976
Sep. 30, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976
Sep. 21, 2016	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	

Apr. 07, 2016	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Mar. 31, 2016	ASSIGNED TO LIE	77976
Nov. 11, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 15, 2015	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 15, 2015	LETTER OF SUSPENSION E-MAILED	6332
Sep. 15, 2015	SUSPENSION LETTER WRITTEN	82103
Sep. 14, 2015	ASSIGNED TO EXAMINER	82103
Jul. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 02, 2015	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: Feb. 08, 2018

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Funko, LLC

Assignment 1 of 3

Conveyance: GRANT OF A SECURITY INTEREST -- TRADEMARKS

Reel/Frame: [5660/0745](#)

Pages: 8

Date Recorded: Nov. 04, 2015

Supporting Documents: [assignment-tm-5660-0745.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 30, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Assignee

Name: [CERBERUS BUSINESS FINANCE, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 875 THIRD AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: S. KAREFF C/O SCHULTE ROTH & ZABEL LLP

Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: RELEASE OF SECURITY INTEREST RECORDED AT REEL 5660 FRAME 0745

Reel/Frame: [6463/0014](#)

Pages: 7

Date Recorded: Oct. 22, 2018

Supporting Documents: [assignment-tm-6463-0014.pdf](#)

Assignor

Name: [CERBERUS BUSINESS FINANCE, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [FUNKO, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 2802 WETMORE AVENUE
EVERETT, WASHINGTON 98203

Correspondent

Correspondent Name: THOMAS J. BUETTNER

Correspondent Address: LATHAM & WATKINS LLP
330 NORTH WABASH AVENUE, SUITE 2800
CHICAGO, IL 60611

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [6463/0725](#)

Pages: 7

Date Recorded: Oct. 23, 2018

Supporting Documents: [assignment-tm-6463-0725.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Name: [LOUNGEFLY, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PNC BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 500 FIRST AVENUE
COMMERCIAL LOAN SERVICE CENTER/DCC
PITTSBURGH, PENNSYLVANIA 15219

Correspondent

Correspondent Name: TIMOTHY D. PECSENYE

Correspondent Address: ONE LOGAN SQUARE, 8TH FLOOR
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91251287](#)

Filing Date: Sep 30, 2019

Status: Terminated

Status Date: Aug 05, 2020

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: J and K Stuff LLC

Correspondent Address: BURT SKIBA
HPS LAW GROUP
123 N CENTENNIAL WAY, SUITE 205
MESA AZ UNITED STATES , 85201

Correspondent e-mail: burt@hpslawgroup.com , brint@hpslawgroup.com , clark@hpslawgroup.com , jcaryl@cox.netet

Associated marks			
Mark	Application Status	Serial Number	Registration Number
POP CULTURE ODYSSEY	Notice of Allowance - Issued	88344615	

Plaintiff(s)

Name: Funko, LLC

Correspondent KALAI WINELAND
 Address: FUNKO LLC
 2802 WETMORE AVE
 EVERETT WA UNITED STATES , 98201

Correspondent e-mail: ip@funko.com , kalai@funko.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677927	5596001
POP!	Registered	86677933	5423793
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 30, 2019	Nov 09, 2019
3	INSTITUTED	Sep 30, 2019	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 09, 2019	
5	SUSPENDED	Nov 09, 2019	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 02, 2020	
7	SUSPENDED	Jan 06, 2020	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 03, 2020	
9	SUSPENDED	Mar 03, 2020	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 04, 2020	
11	SUSPENDED	May 04, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 01, 2020	
13	SUSPENDED	Jul 02, 2020	
14	W/DRAW OF OPPOSITION	Aug 03, 2020	
15	BD DECISION: OPP DISMISSED W/O PREJ	Aug 05, 2020	
16	TERMINATED	Aug 05, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91228395](#)

Filing Date: Jun 08, 2016

Status: Terminated

Status Date: Sep 21, 2016

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brands International FZE

Correspondent KAMEL SHABAN
 Address: KAMEL SHABAN
 CONVENTION PLAZA 3011, 30/F
 HONG KONG HONG KONG

Correspondent e-mail: efg.chkip@gmail.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
POP!	Abandoned - After Inter-Partes Decision	86670724	

Plaintiff(s)

Name: Funko, LLC

Correspondent: SCOTT G WARNER

Address: GARVEY SCHUBERT BARER
1191 SECOND AVENUE , SUITE 1800
SEATTLE WA UNITED STATES , 98101

Correspondent e-mail: trademarks@gsblaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677933	5423793
POP!	Registered	86677927	5596001
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 13, 2016	Jul 23, 2016
3	PENDING, INSTITUTED	Jun 13, 2016	
4	NOTICE OF DEFAULT	Aug 02, 2016	
5	BD DECISION: SUSTAINED	Sep 21, 2016	
6	TERMINATED	Sep 21, 2016	

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Mark: POP!

POP!

US Serial Number: 86940479

Application Filing Date: Mar. 15, 2016

US Registration Number: 5449007

Registration Date: Apr. 17, 2018

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: Apr. 17, 2018

Publication Date: Jun. 21, 2016

Notice of Allowance Date: Aug. 16, 2016

Mark Information

Mark Literal Elements: POP!

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: 4746429, 4881647

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: Retail and online retail store services featuring toys, dolls and toy figurines, collectable toys and toy figures, action figures, plush toys, playsets, toy accessories and related merchandise, clothing, headwear, beverage ware, salt and pepper shakers, mugs, water bottles sold empty, pens, decorative pencil-top ornaments, collectable pins, buttons, ornamental cloth patches, ornamental novelty pins, lanyards, and keychains

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2007

Use in Commerce: Jun. 2007

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: Funko, LLC

Owner Address: 2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98201

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott G. Warner

Docket Number: 16206-62041

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott G. Warner
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON UNITED STATES 98101

Phone: 206.447.4400

Correspondent e-mail: ip@foster.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 20, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 20, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 17, 2018	REGISTERED-PRINCIPAL REGISTER	
Mar. 14, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 13, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 07, 2018	STATEMENT OF USE PROCESSING COMPLETE	69302
Feb. 14, 2018	USE AMENDMENT FILED	69302
Mar. 06, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Feb. 14, 2018	TEAS STATEMENT OF USE RECEIVED	
Aug. 31, 2017	ASSIGNED TO EXAMINER	90286
Aug. 03, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 01, 2017	EXTENSION 2 GRANTED	98765
Aug. 01, 2017	EXTENSION 2 FILED	98765
Aug. 01, 2017	TEAS EXTENSION RECEIVED	
Jun. 07, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 07, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 15, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 13, 2017	EXTENSION 1 GRANTED	98765
Feb. 13, 2017	EXTENSION 1 FILED	98765
Feb. 13, 2017	TEAS EXTENSION RECEIVED	
Aug. 16, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 21, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 21, 2016	PUBLISHED FOR OPPOSITION	
Jun. 01, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 12, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	

May 10, 2016 ASSIGNED TO EXAMINER
Mar. 18, 2016 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Mar. 18, 2016 NEW APPLICATION ENTERED IN TRAM

72471

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 13, 2018

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Funko, LLC

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [6463/0725](#)

Pages: 7

Date Recorded: Oct. 23, 2018

Supporting Documents: [assignment-tm-6463-0725.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Name: [LOUNGEFLY, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [PNC BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 500 FIRST AVENUE
COMMERCIAL LOAN SERVICE CENTER/DCC
PITTSBURGH, PENNSYLVANIA 15219

Correspondent

Correspondent Name: TIMOTHY D. PECSENYE

Correspondent Address: ONE LOGAN SQUARE, 8TH FLOOR
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91251287](#)

Filing Date: Sep 30, 2019

Status: Terminated

Status Date: Aug 05, 2020

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: J and K Stuff LLC

Correspondent Address: BURT SKIBA
HPS LAW GROUP

123 N CENTENNIAL WAY, SUITE 205
MESA AZ UNITED STATES , 85201

Correspondent e-mail: burt@hpslawgroup.com , brint@hpslawgroup.com , clark@hpslawgroup.com , icaryl@cox.net

Mark	Application Status	Serial Number	Registration Number
POP CULTURE ODYSSEY	Notice of Allowance - Issued	88344615	

Plaintiff(s)

Name: Funko, LLC

Correspondent KALAI WINELAND
Address: FUNKO LLC
2802 WETMORE AVE
EVERETT WA UNITED STATES , 98201

Correspondent e-mail: jp@funko.com , kalai@funko.com

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677927	5596001
POP!	Registered	86677933	5423793
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 30, 2019	Nov 09, 2019
3	INSTITUTED	Sep 30, 2019	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 09, 2019	
5	SUSPENDED	Nov 09, 2019	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 02, 2020	
7	SUSPENDED	Jan 06, 2020	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 03, 2020	
9	SUSPENDED	Mar 03, 2020	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 04, 2020	
11	SUSPENDED	May 04, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 01, 2020	
13	SUSPENDED	Jul 02, 2020	
14	W/DRAW OF OPPOSITION	Aug 03, 2020	
15	BD DECISION: OPP DISMISSED W/O PREJ	Aug 05, 2020	
16	TERMINATED	Aug 05, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91228395](#)

Filing Date: Jun 08, 2016

Status: Terminated

Status Date: Sep 21, 2016

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brands International FZE

Correspondent Address: KAMEL SHABAN
KAMEL SHABAN
CONVENTION PLAZA 3011, 30/F
HONG KONG HONG KONG

Correspondent e-mail: efg.chkip@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Abandoned - After Inter-Partes Decision	86670724	

Plaintiff(s)

Name: Funko, LLC

Correspondent SCOTT G WARNER

Address: GARVEY SCHUBERT BARER
1191 SECOND AVENUE , SUITE 1800
SEATTLE WA UNITED STATES , 98101

Correspondent e-mail: trademarks@gsblaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677933	5423793
POP!	Registered	86677927	5596001
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 13, 2016	Jul 23, 2016
3	PENDING, INSTITUTED	Jun 13, 2016	
4	NOTICE OF DEFAULT	Aug 02, 2016	
5	BD DECISION: SUSTAINED	Sep 21, 2016	
6	TERMINATED	Sep 21, 2016	

Generated on: This page was generated by TSDR on 2020-11-04 12:59:08 EST

Mark: POP!

POP!

US Serial Number: 86269305

Application Filing Date: May 01, 2014

US Registration Number: 4746429

Registration Date: Jun. 02, 2015

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Sep. 30, 2020

Publication Date: Mar. 17, 2015

Mark Information

Mark Literal Elements: POP!

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

International Registration Number: 1260907

International Application(s) /Registration(s) Based on this Property: A0051661/1260907

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: Dolls and toy figurines

International Class(es): 028 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 15, 2010

Use in Commerce: Jul. 15, 2010

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: Funko, LLC

Owner Address: Attn: Legal Department
2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98201

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: WASHINGTON
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott G. Warner

Docket Number: 16206-62008

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott G. Warner
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
Seattle, WASHINGTON UNITED STATES 98101

Phone: 206.447.4400

Correspondent e-mail: ip@foster.com ip@funko.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 30, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 30, 2020	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 30, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Aug. 04, 2020	TEAS SECTION 8 & 15 RECEIVED	
Jun. 02, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 20, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 20, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 31, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 07, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 07, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 29, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 29, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 11, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 29, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 29, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 02, 2015	REGISTERED-PRINCIPAL REGISTER	
Mar. 17, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 17, 2015	PUBLISHED FOR OPPOSITION	
Feb. 25, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 11, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Feb. 11, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 11, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	73797
Feb. 11, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797

Feb. 05, 2015	ASSIGNED TO LIE	73797
Jan. 27, 2015	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 17, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 10, 2014	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 10, 2014	LETTER OF SUSPENSION E-MAILED	6332
Dec. 10, 2014	SUSPENSION LETTER WRITTEN	77979
Dec. 10, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 09, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 09, 2014	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Nov. 26, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 19, 2014	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 19, 2014	LETTER OF SUSPENSION E-MAILED	6332
Aug. 19, 2014	SUSPENSION LETTER WRITTEN	77979
Aug. 14, 2014	ASSIGNED TO EXAMINER	77979
May 15, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 05, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 107

Date in Location: Sep. 30, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 7

Registrant: Funko, LLC

Assignment 1 of 7

Conveyance: SUPPLEMENT NO. 1 TO PATENT AND TRADEMARK SECURITY AGREEMENT

Reel/Frame: [5405/0225](#)

Pages: 7

Date Recorded: Nov. 20, 2014

Supporting Documents: [assignment-tm-5405-0225.pdf](#)

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Nov. 17, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 1300 SW 5TH AVENUE, 6TH FLOOR
PORTLAND, OREGON 97201

Correspondent

Correspondent Name: DEENA HOCHMUTH

Correspondent Address: 18400 VON KARMAN AVE., SUITE 800
IRVINE, CA 92612

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: SUPPLEMENT NO. 1 TO GRANT OF TRADEMARK SECURITY INTEREST

Reel/Frame: [5416/0811](#)

Pages: 6

Date Recorded: Dec. 10, 2014

Supporting Documents: [assignment-tm-5416-0811.pdf](#)

AssignorName: [FUNKO, LLC](#)

Execution Date: Dec. 09, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:**Assignee**Name: [GLADSTONE INVESTMENT CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:Address: 1521 WESTBRANCH DRIVE
SUITE 100
MCLEAN, VIRGINIA 22102Name: [GLADSTONE CAPITAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:Address: 1521 WESTBRANCH DRIVE
SUITE 100
MCLEAN, VIRGINIA 22102**Correspondent**

Correspondent Name: DICKSTEIN SHAPIRO LLP

Correspondent Address: 1825 EYE STREET NW
WASHINGTON, DC 20006**Domestic Representative - Not Found****Assignment 3 of 7**

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5658/0670](#)

Pages: 6

Date Recorded: Oct. 30, 2015

Supporting Documents: [assignment-tm-5658-0670.pdf](#)**Assignor**Name: [GLADSTONE INVESTMENT CORPORATION](#)

Execution Date: Oct. 30, 2015

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:Name: [GLADSTONE CAPITAL CORPORATION](#)

Execution Date: Oct. 30, 2015

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:**Assignee**Name: [FUNKO, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:Address: 1202 SHUKSAN WAY
EVERETT, WASHINGTON 98203**Correspondent**

Correspondent Name: VALERIE BRENNAN, HOGAN LOVELLS US LLP

Correspondent Address: 7930 JONES BRANCH DRIVE, 9TH FLOOR
ATTN: BOX INTELLECTUAL PROPERTY
MCLEAN, VA 22102**Domestic Representative - Not Found****Assignment 4 of 7**

Conveyance: GRANT OF A SECURITY INTEREST -- TRADEMARKS

Reel/Frame: [5660/0745](#)

Pages: 8

Date Recorded: Nov. 04, 2015

Supporting Documents: [assignment-tm-5660-0745.pdf](#)

Assignor

Name: [FUNKO, LLC](#) Execution Date: Oct. 30, 2015
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country WASHINGTON
Where Organized:

Assignee

Name: [CERBERUS BUSINESS FINANCE, LLC, AS COLLATERAL AGENT](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country DELAWARE
Where Organized:
Address: 875 THIRD AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: S. KAREFF C/O SCHULTE ROTH & ZABEL LLP
Correspondent Address: 919 THIRD AVENUE
22ND FLOOR
NEW YORK, NY 10022

Domestic Representative - Not Found**Assignment 5 of 7**

Conveyance: RELEASE OF SECURITY INTEREST
Reel/Frame: [5661/0865](#) Pages: 5
Date Recorded: Oct. 30, 2015
Supporting Documents: [assignment-tm-5661-0865.pdf](#)

Assignor

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#) Execution Date: Oct. 30, 2015
Legal Entity Type: NATIONAL BANKING ASSOCIATION State or Country UNITED STATES
Where Organized:

Assignee

Name: [FUNKO, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country WASHINGTON
Where Organized:
Address: 1202 SHUKSAN WAY
EVERETT, WASHINGTON 98203

Correspondent

Correspondent Name: VALERIE BRENNAN, HOGAN LOVELLS US LLP
Correspondent Address: 7930 JONES BRANCH DRIVE, 9TH FLOOR
ATTN: BOX INTELLECTUAL PROPERTY
MCLEAN, VA 22102

Domestic Representative - Not Found**Assignment 6 of 7**

Conveyance: RELEASE OF SECURITY INTEREST RECORDED AT REEL 5660 FRAME 0745
Reel/Frame: [6463/0014](#) Pages: 7
Date Recorded: Oct. 22, 2018
Supporting Documents: [assignment-tm-6463-0014.pdf](#)

Assignor

Name: [CERBERUS BUSINESS FINANCE, LLC](#) Execution Date: Oct. 22, 2018
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country No Place Where Organized Found
Where Organized:

Assignee

Name: [FUNKO, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country DELAWARE
Where Organized:

Address: 2802 WETMORE AVENUE
EVERETT, WASHINGTON 98203

Correspondent

Correspondent THOMAS J. BUETTNER
Name:

Correspondent LATHAM & WATKINS LLP
Address: 330 NORTH WABASH AVENUE, SUITE 2800
CHICAGO, IL 60611

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: [6463/0725](#)

Pages: 7

Date Recorded: Oct. 23, 2018

Supporting [assignment-tm-6463-0725.pdf](#)
Documents:

Assignor

Name: [FUNKO, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country WASHINGTON
Where Organized:

Name: [LOUNGEFLY, LLC](#)

Execution Date: Oct. 22, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Assignee

Name: [PNC BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES
Where Organized:

Address: 500 FIRST AVENUE
COMMERCIAL LOAN SERVICE CENTER/DCC
PITTSBURGH, PENNSYLVANIA 15219

Correspondent

Correspondent TIMOTHY D. PECSENYE
Name:

Correspondent ONE LOGAN SQUARE, 8TH FLOOR
Address: PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of 2
Proceedings:

Type of Proceeding: Opposition

Proceeding [91251287](#)
Number:

Filing Date: Sep 30, 2019

Status: Terminated

Status Date: Aug 05, 2020

Interlocutory MIKE WEBSTER
Attorney:

Defendant

Name: J and K Stuff LLC

Correspondent BURT SKIBA
Address: HPS LAW GROUP
123 N CENTENNIAL WAY, SUITE 205
MESA AZ UNITED STATES , 85201

Correspondent e-mail: burt@hpslawgroup.com , brint@hpslawgroup.com , clark@hpslawgroup.com , jcaryl@cox.netet

Associated marks

Serial

Registration

Mark	Application Status	Number	Number
POP CULTURE ODYSSEY	Notice of Allowance - Issued	88344615	

Plaintiff(s)

Name: Funko, LLC

Correspondent KALAI WINELAND

Address: FUNKO LLC
2802 WETMORE AVE
EVERETT WA UNITED STATES , 98201

Correspondent e-mail: ip@funko.com , kalai@funko.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677927	5596001
POP!	Registered	86677933	5423793
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 30, 2019	Nov 09, 2019
3	INSTITUTED	Sep 30, 2019	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 09, 2019	
5	SUSPENDED	Nov 09, 2019	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 02, 2020	
7	SUSPENDED	Jan 06, 2020	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 03, 2020	
9	SUSPENDED	Mar 03, 2020	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 04, 2020	
11	SUSPENDED	May 04, 2020	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 01, 2020	
13	SUSPENDED	Jul 02, 2020	
14	W/DRAW OF OPPOSITION	Aug 03, 2020	
15	BD DECISION: OPP DISMISSED W/O PREJ	Aug 05, 2020	
16	TERMINATED	Aug 05, 2020	

Type of Proceeding: Opposition

Proceeding Number: [91228395](#)

Filing Date: Jun 08, 2016

Status: Terminated

Status Date: Sep 21, 2016

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brands International FZE

Correspondent Address: KAMEL SHABAN
KAMEL SHABAN
CONVENTION PLAZA 3011, 30/F
HONG KONG HONG KONG

Correspondent e-mail: efg.chkip@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POP!	Abandoned - After Inter-Partes Decision	86670724	

Plaintiff(s)

Name: Funko, LLC

Correspondent SCOTT G WARNER
Address: GARVEY SCHUBERT BARER
1191 SECOND AVENUE , SUITE 1800
SEATTLE WA UNITED STATES , 98101

Correspondent e-mail: trademarks@qsblaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
POP!	Section 8 and 15 - Accepted and Acknowledged	86269305	4746429
POP!	Registered	86677917	4881647
POP!	Registered	86677933	5423793
POP!	Registered	86677927	5596001
POP!	Registered	86940479	5449007

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 13, 2016	Jul 23, 2016
3	PENDING, INSTITUTED	Jun 13, 2016	
4	NOTICE OF DEFAULT	Aug 02, 2016	
5	BD DECISION: SUSTAINED	Sep 21, 2016	
6	TERMINATED	Sep 21, 2016	

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Mark: POP!

POP!

US Serial Number: 88734125

Application Filing Date: Dec. 19, 2019

US Registration Number: 6091041

Registration Date: Jun. 30, 2020

Filed as TEAS RF: Yes

Currently TEAS RF: 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: Jun. 30, 2020

Publication Date: Apr. 14, 2020

Mark Information

Mark Literal Elements: POP!

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: 4746429, 5423793, 5596001

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: key chains

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 05, 2014

Use in Commerce: Sep. 05, 2014

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: Funko, LLC

Owner Address: 2802 Wetmore Avenue
Everett, WASHINGTON UNITED STATES 98201

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: WASHINGTON

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John Crosetto

Docket Number: 16206-62109

Attorney Primary Email Address: ip@foster.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN CROSETTO
FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON UNITED STATES 98101

Phone: 206-447-4400

Correspondent e-mail: ip@foster.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 30, 2020	REGISTERED-PRINCIPAL REGISTER	
Apr. 14, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 14, 2020	PUBLISHED FOR OPPOSITION	
Mar. 25, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 07, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2020	ASSIGNED TO EXAMINER	81843
Dec. 28, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 23, 2019	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: Jun. 30, 2020