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Filing date: **08/12/2021**

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

Proceeding	91269768
Party	Plaintiff CoVantage Credit Union
Correspondence Address	JOHN A. CLIFFORD MERCHANT & GOULD P.C. P.O. BOX 2910 MINNEAPOLIS, MN 55402 UNITED STATES Primary Email: dockmpls@merchantgould.com Secondary Email(s): jclifford@merchantgould.com, aavery@merchantgould.com, bbatzli@merchantgould.com 612-332-5300
Submission	Motion to Suspend for Civil Action
Filer's Name	John A. Clifford
Filer's email	jclifford@merchantgould.com, aavery@merchantgould.com, dockmpls@merchantgould.com
Signature	/John A. Clifford/
Date	08/12/2021
Attachments	2021 08 12 Motion to Suspend for Civil Action.PDF(77570 bytes) 2021 07 23 Complaint and Exhibits.pdf(677171 bytes)

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

_____)	
CoVantage Credit Union,)	Opposition No. 91269768
)	
Opposer)	Mark: COVANTAGE HEALTH PARTNERS & DESIGN
)	
)	Application No. 88/677253
)	
Blue Cross Blue Shield of Michigan)	
Mutual Insurance Company)	Mark: COVANTAGE HEALTH PARTNERS
)	
Applicant.)	Application No. 88/677258

MOTION TO SUSPEND FOR CIVIL ACTION

COMES NOW the Opposer to move to suspend proceedings in this opposition proceeding. Herewith, Opposer files with the Trademark Trial and Appeal Board a copy of a Complaint filed in the United States District Court, Eastern District of Wisconsin under Civil Action No. 21-CV-00867. Because the parties in the civil action and this opposition proceeding are the same and there is substantial overlap between the matters alleged in the civil action and the opposition, Opposer respectfully requests that the Board suspend this pending opposition proceeding until termination of the civil action.

Respectfully submitted,

CoVantage Credit Union

By its attorneys,

Date: 08/12/2021

/John A. Clifford/
John A. Clifford
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION TO**
SUSPEND FOR CIVIL ACTION was served, via email, this 12th day of August 2021 to
the following attorney of record.

Anna E. Ramier
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/Amanda Avery/

Amanda Avery

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

)	
)	
COVANTAGE CREDIT UNION,)	Civil Action No. 21-CV-00867
)	
Plaintiff,)	
)	
v.)	JURY TRIAL DEMANDED
)	
BLUE CROSS BLUE SHIELD OF)	
MICHIGAN MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

COMPLAINT

Plaintiff CoVantage Credit Union for its complaint against Defendant Blue Cross Blue Shield of Michigan Mutual Insurance Company alleges as follows:

THE PARTIES

1. Plaintiff CoVantage Credit Union (“CoVantage”) is a domestic nonprofit corporation organized and existing under the laws of Wisconsin, with its principal place of business located at 723 Sixth Avenue, Antigo, Wisconsin 54409.
2. Upon information and belief, Defendant Blue Cross Blue Shield of Michigan Mutual Insurance Company (“Blue Cross”) is a Michigan nonprofit mutual disability insurer, with its principal place of business located at 600 East Lafayette Boulevard, Detroit, Michigan 48226.

NATURE OF ACTION AND JURISDICTION

3. This is an action for trademark infringement, unfair competition, and false designation of origin brought pursuant to the 15 U.S.C. § 1051, et seq. (“the Lanham Act”), and federal and state common law, including the law of the State of Wisconsin.

4. This Court has jurisdiction over this action at least under Section 39 of the Lanham Act, 15 U.S.C. § 1121, and Title 28 of the United States Code, §§ 1331 and 1338, and supplemental jurisdiction over CoVantage’s claims under state law under 28 U.S.C. § 1367(a). This Court also has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 because the matter in controversy in this action exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between a citizen of the State of Wisconsin and a citizen of the State of Michigan.

5. This Court has personal jurisdiction over Blue Cross because Blue Cross is engaged in substantial and not isolated business activities in this district, including through its relationships with numerous health care providers located in this district. This Court also has personal jurisdiction over Blue Cross because the tortious acts that are the subject of the claims asserted herein have caused injury to CoVantage, which is a citizen of the State of Wisconsin, and at the time of the injury solicitation or service activities were carried on within the State of Wisconsin by Blue Cross. Blue Cross has purposefully availed itself of the privilege of conducting business in this district and has established sufficient minimum contacts with the State of Wisconsin such that it should reasonably and fairly anticipate being brought into court in Wisconsin.

6. Venue is proper in this district under 28 U.S.C. § 1391.

FACTS

A. CoVantage and Its COVANTAGE marks.

7. CoVantage was founded in 1952, and it has provided credit union services under the mark COVANTAGE since at least as early as 2000. CoVantage's use of the COVANTAGE mark has been continuous since the date of first use and the mark has not been abandoned.

8. CoVantage is the owner of U.S. Trademark Registration No. 2,976,076 for the mark



COVANTAGE CREDIT UNION, used in connection with credit union services, in International Class 36. Said registration was registered on the Principal Register on June 26, 2005, with a first use date of December 20, 2000, and use in commerce on December 20, 2000. The "CREDIT UNION" portion of the mark was disclaimed. This registration is incontestable. A report from the Trademark Status and Document Retrieval (TSDR) database of the United States Patent & Trademark Office (USPTO) for this mark is attached as Exhibit A.

9. CoVantage is the owner of U.S. Trademark Registration No. 5,051,308 for the mark



COVANTAGE CARES, used in connection with charitable fundraising services, in International Class 36. Said registration was registered on the Principal Register on September 27, 2016, with a first use date of April 20, 2016, and use in commerce on April 27, 2016. The "CARES" portion of the mark was disclaimed. A report from the USPTO's TSDR database for this mark is attached as Exhibit B.

10. CoVantage's registered marks are valid and subsisting, and they are prima facie evidence of CoVantage's exclusive right to use said marks in commerce or in connection with the

services specified in each registration. In addition, Registration No. 2,976,076 is incontestable under § 15 of the Lanham Act (15 U.S.C. § 1065), and it is therefore conclusive evidence of the validity of the registered mark, of registration of the mark, of CoVantage's ownership of the mark, and of CoVantage's exclusive right to use the mark in commerce under § 33(b) of the Lanham Act (15 U.S.C. § 1115(b)).

11. CoVantage offers banking solutions, including fee-free checking accounts, savings accounts, auto loans, credit cards, mortgages, home equity loans, and more. CoVantage offers its services through the U.S. Mail; via telephone; through the internet, including via its website at www.covantagecu.com; through mobile banking apps, including the MyCoVantage mobile banking app; and in person through one of its nineteen (19) brick-and-mortar locations in Wisconsin and Michigan.

12. CoVantage offers these services to a wide range of customers, including both individuals and businesses. CoVantage currently has more than 130,000 members residing in all 50 states of the United States, some of whom are in the health care field or the insurance field.

13. In addition to typical banking services, the services CoVantage provides to businesses include, among other things, business savings accounts, business checking accounts, business loans for working capital and other expenditures, and a suite of services under the MyCoVantage Business name, including payroll and other business bill payments required by its members. CoVantage also offers Health Savings Accounts to employees of its business members and to employees of businesses throughout its charter.

14. In addition to typical banking services, the services CoVantage provides to individuals include, among other things, information and advice on insurance matters, loans, retirement planning tools, and Health Savings Accounts (<https://www.covantagecu.org/Save->

Spend/Personal/Health-Savings-Account) used to fund and pay the qualifying health insurance premiums and other qualifying health costs of members.

15. A significant number of CoVantage's members qualify for and/or receive Medicare health insurance provided by the Social Security Administration, and they are eligible for and/or purchase Medicare Supplement plans and/or Medicare Advantage plans. Many CoVantage members take advantage of CoVantage's automated clearinghouse (ACH) and bill pay solutions to make a receive payments, debits, and credits to and from Medicare and other health and insurance providers.

16. CoVantage operates the CoVantage Cares Foundation, which in 2020 alone disbursed nearly \$600,000 to worthy non-profits in the communities served by CoVantage, including more than \$200,000 dedicated to the area of health and safety. Since its inception in 2016, the CoVantage Cares Foundation has provided nearly \$2 million in grants, including more than \$630,000 dedicated to the area of health and safety.

17. The above-described COVANTAGE marks are well known in Wisconsin and Michigan, and they have been so for many years.

18. Callahan & Associates, an industry research firm, recently ranked CoVantage first in the nation—out of 5,207 credit unions—for returning value back to members in the form of great rates and low fees in 2020. In addition, CoVantage was ranked the best credit union in Wisconsin by Forbes in June 2021 and has been ranked in the top 50 best performing credit unions in the country by S&P Global Market Intelligence.

19. The COVANTAGE marks not only have been used by CoVantage in interstate commerce, but also have been advertised and promoted by CoVantage and its affiliates and have developed and represent valuable goodwill inuring to the benefit of CoVantage.

20. CoVantage extensively advertises its services through all traditional media, including but not limited to television, print, radio, signage, and online channels. CoVantage advertises using Google, Pandora, and Yahoo. CoVantage has a YouTube channel, a Facebook page, and a LinkedIn profile, which it uses to connect with its existing members and to find new members. CoVantage's advertising makes prominent use of the COVANTAGE marks.

21. As a result, the word COVANTAGE points directly and immediately to CoVantage, and serves as CoVantage's identity and persona in the eyes of customers and potential customers, and it has done so for many years.

22. Moreover, the COVANTAGE mark serves as a strong indicator of source given the lack of use by other entities. The only two live, federal trademark registrations containing the word COVANTAGE are the two registrations discussed above at paragraphs 8 and 9, which are owned by CoVantage.

23. At least the first full page of results from a search of the term "covantage" on Google are results exclusively directed to CoVantage and its services offered under its COVANTAGE marks.

24. The COVANTAGE marks are distinctive and are inherently distinctive, serving to identify and indicate the source of CoVantage's services to the consuming public, and to distinguish CoVantage's services from those of others.

25. CoVantage also has common law rights in the COVANTAGE marks in at least Wisconsin and Michigan.

B. Blue Cross's Unlawful Conduct.

26. Blue Cross, with constructive and, upon information and belief, actual knowledge of CoVantage's rights in the COVANTAGE marks, filed applications with the USPTO seeking

registration on the Principal Register of the trademarks COVANTAGE HEALTH PARTNERS & Design (U.S. Application Serial No. 88/677253) and COVANTAGE HEALTH PARTNERS (U.S. Application Serial No. 88/677258) for use in connection with “Holding company services, namely, business management and business administration services for others in the health and managed care insurance industries; providing financial records management for others in the health and managed care insurance industries” in International Class 35, and “Providing financial management services for others in the health and managed care insurance industries; providing investment capital funding for others in the health and managed care insurance industries” in International Class 36.” The Blue Cross COVANTAGE marks are collectively referred to herein as the “Accused Marks.”

27. Both applications seeking to register the Accused Marks were filed as intent-to-use applications.

28. Both applications seeking to register the Accused Marks disclaim the “HEALTH PARTNERS” portions of the Accused Marks.

29. The Accused Marks published for opposition on May 18, 2021. CoVantage filed a notice of opposition shortly thereafter asking that the Accused Marks be refused registration.

30. CoVantage has priority in the COVANTAGE marks. CoVantage holds common law trademark rights in the mark COVANTAGE having used the mark in commerce, and in interstate commerce, for more than 20 years. CoVantage’s U.S. Trademark Registration No. 5,051,308 provides it with prima facie evidence of its rights in the COVANTAGE mark that is the subject of that registration. CoVantage’s U.S. Trademark Registration No. 2,976,076 provides it with conclusive evidence of its rights in the COVANTAGE mark that is the subject of that registration.

31. The Accused Marks are confusingly similar to CoVantage's COVANTAGE marks. The marks are confusingly similar in sight, sound, and meaning, and they convey a similar commercial impression.

32. The Accused Marks use the made-up word "covantage," which has no recognized meaning in any language and is an arbitrary and fanciful term. Because the remaining words used in the Accused Marks are disclaimed, the emphasis in the Accused Marks is on the term COVANTAGE.

33. The Accused Marks seek registration in the same International Class—Class 36—as that in which CoVantage's COVANTAGE marks are registered.

34. Blue Cross is, and it was at the time it filed the applications to register the Accused Marks, aware of the vast and valuable goodwill and reputation represented and symbolized by CoVantage's COVANTAGE marks. Blue Cross also is aware that CoVantage's customers and potential customers rely upon CoVantage's COVANTAGE marks as distinguishing CoVantage's services from the services of others. As such, Blue Cross adopted the Accused Marks in bad faith in an effort to benefit from the goodwill associated with CoVantage's COVANTAGE marks.

35. The services sold, offered, or to be sold and offered, by Blue Cross under the Accused Marks are closely related to the services provided by CoVantage under its COVANTAGE marks.

36. On information and belief, based on a review of the website www.emergentholdingsinc.com/covantage-health-partners, Blue Cross is intending to operate in at least the marketplace for Medicare Advantage health insurance plans using the Accused Marks.

37. Customers and others are likely to view Blue Cross's services as a line extension of CoVantage's services marketed under a confusingly similar mark. Customers and potential

customers are also likely to believe Blue Cross is associated with, sponsored by, or affiliated with CoVantage and its services marketed under its COVANTAGE marks when that is not true. Blue Cross's use of the Accused Marks creates a reasonable, but false, association with CoVantage and its COVANTAGE marks.

38. Customers are aware of the close, and often overlapping, relationship between insurance companies and financial services.

39. Blue Cross is a licensee of the Blue Cross and Blue Shield Association, a non-profit corporation based in Chicago, Illinois (the "Association"). The Association is the owner of record of more than five hundred (500) trademark applications or registrations on file with the USPTO, making up a portfolio of trademarks.

40. The Association licenses its portfolio of trademarks to more than thirty (30) insurance companies who collectively provide health insurance and related services to more than 100 million people.

41. Blue Cross is one of the licensees of the Association authorized to use the trademarks in the portfolio of trademarks owned by the Association.

42. Among the portfolio of the Association's active trademark registrations on the USPTO Trademark Register are Registrations Nos. 3,288,737 (for the mark Blue Shield) and 3,288,738 (for the mark Blue Cross), each of which is registered for a range of "banking and financial services" in International Class 36. Reports from the USPTO's TSDR database for these marks are attached as Exhibits C (Registrations No. 3,288,737) and D (Registrations No. 3,288,738).

43. To maintain Trademark Registrations, such as Registration Nos. 3,288,737 and 3,288,738, the owner must periodically file a Declaration of Use and submit a specimen showing

how the mark is currently used in commerce, accompanied by a sworn statement attesting that the mark is currently in use in commerce for the services listed in the registration certificate, as required by law.

44. On April 28th, 2017, and August 21, 2017, respectively, an attorney for the Association filed Declarations of Use for Registration Nos. 3,288,737 and 3,288,738, along with specimens of use and the required attestations concerning use of the marks in commerce. Each such declaration was accompanied by a portion of the then current publicly available website of Blue Cross, representations of which are attached hereto at Exhibit E. Each specimen submitted to show use of the registered marks in connection with banking and financial services discusses “Health Savings Account” services.

45. Moreover, at least three other licensees of the Association—in Maine, Kansas, and Tennessee—are currently providing credit union services via the following websites: <https://www.creditunionsonline.com/credit-union-3744.html> (Maine); <https://www.ksbcbscu.org/> (Kansas); and <https://www.bcbstecu.com/> (Tennessee).

46. At least three additional licensees of the Association—in Texas, Oregon, and Missouri—have provided credit union services in the past.

47. Many credit unions, including CoVantage, provide Health Savings Accounts to their members.

48. Blue Cross’s services are or will be promoted, offered, and sold in the same or overlapping channels of trade to the same customers or class of customers as those served by CoVantage.

49. Blue Cross operates in the same geographic area now served by CoVantage. Both Blue Cross and CoVantage provide services to customers in at least Wisconsin and Michigan.

50. Blue Cross's use of the Accused Marks has always been and continues to be without the permission, consent, or authority of CoVantage.

51. Blue Cross's use of the Accused Marks and derivatives of those marks is likely to diminish the goodwill associated with the COVANTAGE marks owned by CoVantage.

52. Blue Cross's unauthorized use of the Accused Marks and derivatives of those marks is likely to cause confusion or mistake or to deceive customers into believing that Blue Cross's unauthorized services advertised, promoted, and offered under the Accused Marks and derivatives of those marks are sponsored, licensed or authorized by, or affiliated, connected or otherwise associated with CoVantage or that CoVantage's services offered under its COVANTAGE marks are sponsored, licensed or authorized by, or affiliated, connected, or otherwise associated with Blue Cross when the same is not true.

53. Blue Cross's continued use of the Accused Marks, and derivatives of those marks, is with full knowledge of the prior ownership by CoVantage of its COVANTAGE marks, of CoVantage's rights to use and control the use of such marks, and of CoVantage's objections to Blue Cross's own continued use of the Accused Marks.

54. Blue Cross has acted and continues to act without regard to CoVantage's trademark rights and goodwill in the COVANTAGE marks.

55. Blue Cross's unauthorized use of the Accused Marks and derivatives of those marks in association with its services threatens to significantly injure CoVantage's interests. Specifically, Blue Cross (a) has traded upon and threatens to further trade upon the significant and valuable goodwill in CoVantage's COVANTAGE marks; (b) is likely to cause public confusion as to the source, sponsorship, or affiliation of Blue Cross's products or services; (c) has damaged and threatens to further damage CoVantage's significant and valuable goodwill in CoVantage's

COVANTAGE marks; (d) has injured and threatens to further injure CoVantage's right to use its COVANTAGE marks as the exclusive indicia of origin of CoVantage's services in Wisconsin and elsewhere in the United States; and (e) has lessened the capacity of CoVantage's COVANTAGE marks to serve as a unique indicator of services sponsored by CoVantage.

56. Unless these infringing acts by Blue Cross are restrained by this Court, they will cause irreparable injury to CoVantage and to the public, for which there is no adequate remedy at law. If Blue Cross is permitted to continue, further damage and irreparable injury will be sustained by CoVantage, and others will be encouraged or induced to infringe upon CoVantage's COVANTAGE marks. Through such infringement, the value of the COVANTAGE marks will be substantially reduced or destroyed, for which CoVantage cannot be adequately compensated at law.

C. Willful Nature of Blue Cross's Actions.

57. Blue Cross's acts of trademark infringement, unfair competition, and false designation of origin complained of herein have been deliberate, willful, intentional, and in bad faith, with full knowledge and conscious disregard of CoVantage's rights. In view of the egregious nature of Blue Cross's actions, this is an exceptional case within the meaning of Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a).

COUNT I
FEDERAL TRADEMARK INFRINGEMENT

58. CoVantage repeats the allegations of paragraphs 1-57 of this Complaint as if fully set forth herein.

59. The acts of Blue Cross complained of herein are likely to cause confusion, mistake, or deception as to origin, sponsorship, or approval and therefore constitute federal trademark infringement in violation of 15 U.S.C. § 1114(1). By reason of Blue Cross's bad faith and willful infringement, CoVantage is entitled to recover actual damages, treble damages, an accounting for

Blue Cross's profits, attorney fees, the costs of this litigation pursuant to 15 U.S.C. § 1117, and injunctive relief pursuant to 15 U.S.C. § 1116.

COUNT II
FEDERAL UNFAIR COMPETITION AND FALSE DESIGNATION

60. CoVantage repeats the allegations of paragraphs 1-59 of this Complaint as if fully set forth herein.

61. The acts of Blue Cross complained of herein constitute unfair competition and false designation of origin in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a). CoVantage is entitled to recover actual and treble damages, attorney fees, the costs of this litigation pursuant to 15 U.S.C. § 1117, and injunctive relief pursuant to 15 U.S.C. § 1116.

COUNT III
UNFAIR COMPETITION UNDER WISCONSIN COMMON LAW

62. CoVantage repeats the allegations of paragraphs 1-61 of this Complaint as if fully set forth herein.

63. By engaging in the foregoing acts, Blue Cross has knowingly engaged in unfair competition in violation of the common law of the State of Wisconsin.

64. CoVantage is entitled to recover actual and punitive damages for Blue Cross's unfair competition.

COUNT IV
TRADEMARK INFRINGEMENT UNDER WISCONSIN COMMON LAW

65. CoVantage repeats the allegations of paragraphs 1-64 of this Complaint as if fully set forth herein.

66. By engaging in the foregoing acts, Blue Cross has knowingly engaged in unlawful trademark infringement and passing off in violation of the common law of the State of Wisconsin.

67. CoVantage is entitled to recover actual and punitive damages for Blue Cross's trademark infringement.

COUNT V
REFUSAL OF APPLICATION SERIAL NO. 88/677253 UNDER 15 U.S.C. § 1119

68. CoVantage repeats the allegations of paragraphs 1-67 of this Complaint as if fully set forth herein.

69. Blue Cross's registration of the COVANTAGE HEALTH PARTNERS & Design mark would injure CoVantage as described in the paragraphs above.

70. Refusal of U.S. Application Serial No. 88/677253 is necessary to preserve CoVantage's trademark rights in its CoVantage marks.

COUNT VI
REFUSAL OF APPLICATION SERIAL NO. 88/677258 UNDER 15 U.S.C. § 1119

71. CoVantage repeats the allegations of paragraphs 1-70 of this Complaint as if fully set forth herein.

72. Blue Cross's registration of the COVANTAGE HEALTH PARTNERS mark would injure CoVantage as described in the paragraphs above.

73. Refusal of U.S. Application Serial No. 88/677258 is necessary to preserve CoVantage's trademark rights in its CoVantage marks.

PRAYER FOR RELIEF

WHEREFORE, CoVantage prays that the Court order that:

A. Blue Cross, its officers, agents, servants, employees, attorneys, and all those persons in active concert or participation with any of them, be preliminarily and then permanently enjoined from using the Accused Marks, and any other mark that is confusingly similar to or derived from the Accused Marks;

B. Blue Cross be ordered to transfer ownership of any domain name that incorporates the Accused Marks and any other mark that is confusingly similar to or derived from the Accused Marks to CoVantage;

C. Blue Cross, its officers, agents, servants, employees, attorneys, and all those persons in active concert or participation with any of them, be required to modify all signage, marketing materials, internet and social media content, products, packaging, and promotional material to eliminate the Accused Marks, and any other mark that is confusingly similar to or derived from the Accused Marks;

D. Blue Cross, its officers, agents, servants, employees, attorneys, and all those persons in active concert or participation with any of them, be required to deliver to the Court for destruction, or show proof of destruction of, any and all labels, signs, prints, packages, wrappers, receptacles, and advertisements, and any other materials in Blue Cross's possession or control that use the Accused Marks, and any other mark that is confusingly similar to or derived from Accused Marks;

E. Blue Cross, its officers, agents, servants, employees, attorneys, and all those persons in active concert or participation with any of them, be required to take all reasonably available steps to remove the Accused Marks, and any other mark that is confusingly similar to or derived from the Accused Marks, as a designator of Blue Cross's business from any listing in any business directory, yellow pages, internet directory, Facebook page, Instagram account, social media of any and all kinds, and any other listing or promotion service, as well as with any state or local government or agency;

F. Blue Cross be ordered to file with this Court and to serve upon CoVantage within 30 days after the entry and service on Blue Cross of an injunction, a report in writing and under

oath setting forth in detail the manner and form in which Blue Cross has complied with the injunction;

G. The United States Patent and Trademark Office shall refuse issuance of Application Serial Nos. 88/677253 and 88/677258.

H. CoVantage recover all damages it sustains as a result of Blue Cross's trademark infringement, unfair competition, and false designation of origin, and those said damages be trebled;

I. An accounting be directed to determine Blue Cross's profits resulting from Blue Cross's activities complained of herein, and that such profits be paid over to CoVantage, increased as the Court finds to be just under the circumstances of this case;

J. Blue Cross and all others acting in concert with it be directed to pay punitive damages to deter Blue Cross and all others similarly situated from like unlawful conduct in the future due to Blue Cross's unfair competition;

K. CoVantage recover its reasonable attorney fees;

L. CoVantage recover its costs of this action and prejudgment and post-judgment interest; and

M. CoVantage recover such other and further relief as the Court may deem just and appropriate.

JURY DEMAND

Under Fed. R. Civ. P. 38(b), CoVantage hereby demands a trial by jury on all issues triable as of right by a jury.

Dated: July 23, 2021

HANSEN REYNOLDS LLC

By: /s/Timothy M. Hansen
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Attorneys for Plaintiff CoVantage Credit Union

EXHIBIT A

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Mark: COVANTAGE CREDIT UNION



US Serial Number: 78419616

Application Filing Date: May 17, 2004

US Registration Number: 2976076

Registration Date: Jul. 26, 2005

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: The registration has been renewed.

Status Date: Aug. 18, 2014

Publication Date: May 03, 2005

Mark Information

Mark Literal Elements: COVANTAGE CREDIT UNION

Standard Character Claim: No

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

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

Disclaimer: CREDIT UNION

Design Search Code(s): 26.03.13 - Two ovals; Ovals, exactly two (not concentric)
26.03.21 - Ovals that are completely or partially shaded
26.17.09 - Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved; Bands, curved
27.03.05 - Objects forming letters or numerals

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: Credit union services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 20, 2000

Use in Commerce: Dec. 20, 2000

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: CoVantage Credit Union

Owner Address: 723 Sixth Avenue
Antigo, WISCONSIN UNITED STATES 544090107

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John A. Clifford

Docket Number: 14731.1US01

Attorney Primary Email Address: dockmpls@merchantgould.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: John A. Clifford
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Correspondent e-mail: dockmpls@merchantgould.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 18, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 18, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Aug. 18, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Aug. 17, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jul. 30, 2014	TEAS SECTION 8 & 9 RECEIVED	
Aug. 27, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
Aug. 27, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Aug. 05, 2010	TEAS SECTION 8 & 15 RECEIVED	
Jul. 26, 2005	REGISTERED-PRINCIPAL REGISTER	
May 03, 2005	PUBLISHED FOR OPPOSITION	
Apr. 13, 2005	NOTICE OF PUBLICATION	
Feb. 14, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78287
Feb. 07, 2005	ASSIGNED TO LIE	78287
Jan. 12, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 11, 2005	EXAMINER'S AMENDMENT ENTERED	76523
Jan. 08, 2005	ASSIGNED TO LIE	76523
Jan. 06, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 06, 2005	EXAMINERS AMENDMENT -WRITTEN	61380
Jan. 02, 2005	ASSIGNED TO EXAMINER	
Dec. 16, 2004	NON-FINAL ACTION E-MAILED	6325
Dec. 16, 2004	NON-FINAL ACTION WRITTEN	60004
Dec. 16, 2004	ASSIGNED TO EXAMINER	60004
May 24, 2004	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 18, 2014

Proceedings

Summary

Number of
Proceedings: 1

Type of Proceeding: Opposition

Proceeding
Number: [91269768](#)

Filing Date: Jun 09, 2021

Status: Pending

Status Date: Jun 09, 2021

Interlocutory
Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Blue Cross Blue Shield of Michigan Mutual Insurance Company

Correspondent
Address: ANNA E. RAIMER
JONES DAY
717 TEXAS, SUITE 3300
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: aeraimer@jonesday.com , etait@jonesday.com , nmalcolm@jonesday.com , nytef@jonesday.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COVANTAGE HEALTH PARTNERS	Opposition Pending	88677253	
COVANTAGE HEALTH PARTNERS	Opposition Pending	88677258	

Plaintiff(s)

Name: CoVantage Credit Union

Correspondent
Address: JOHN A. CLIFFORD
MERCHANT & GOULD P.C.
P.O. BOX 2910
MINNEAPOLIS MN UNITED STATES , 55402

Correspondent e-mail: dockmpls@merchantgould.com , jclifford@merchantgould.com , aavery@merchantgould.com , bbatzli@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COVANTAGE CREDIT UNION	REGISTERED AND RENEWED	78419616	2976076
COVANTAGE CARES	Registered	86822366	5051308

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2021	Jul 19, 2021
3	INSTITUTED	Jun 09, 2021	
4	D CHANGE OF CORRESP ADDRESS	Jul 15, 2021	
5	D APPEARANCE / POWER OF ATTORNEY	Jul 15, 2021	
6	D MOT FOR EXT W/ CONSENT	Jul 15, 2021	
7	EXTENSION OF TIME GRANTED	Jul 19, 2021	

EXHIBIT B

Generated on: This page was generated by TSDR on 2021-07-23 14:09:08 EDT

Mark: COVANTAGE CARES



US Serial Number: 86822366

Application Filing Date: Nov. 17, 2015

US Registration Number: 5051308

Registration Date: Sep. 27, 2016

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: Sep. 27, 2016

Publication Date: May 31, 2016

Notice of Allowance Date: Jul. 26, 2016

Mark Information

Mark Literal Elements: COVANTAGE CARES

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 word "COVANTAGE" with the letter "V" depicted as a stylized image of a heart with six lines in an arch form above the heart with the word "CARES" below in stylized cursive.

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

Disclaimer: "CARES"

Design Search Code(s): 01.15.25 - Spilling liquids; Sand; Pouring liquids; Liquids, spilling; Light rays; Coal; Dust
02.11.01 - Hearts excluding hearts as carriers or depicted on playing cards
27.03.02 - Humans forming punctuation; Humans forming letters or numerals

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: Charitable fundraising services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 20, 2016

Use in Commerce: Apr. 27, 2016

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

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

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

Current Owner(s) Information

Owner Name: CoVantage Credit Union
Owner Address: PO Box 107
723 Sixth Avenue
Antigo, WISCONSIN UNITED STATES 544090107
Legal Entity Type: CORPORATION
State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John A. Clifford
Attorney Primary Email Address: dockmpls@merchantgould.com
Docket Number: 14731.0002US
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN A. CLIFFORD
MERCHANT & GOULD P.C.
P.O. BOX 2910
MINNEAPOLIS, MINNESOTA UNITED STATES 55402-0910
Phone: 612-332-5300
Fax: 612-332-9081
Correspondent e-mail: dockmpls@merchantgould.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 27, 2016	REGISTERED-PRINCIPAL REGISTER	
Aug. 26, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 25, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 22, 2016	STATEMENT OF USE PROCESSING COMPLETE	69302
Jul. 26, 2016	USE AMENDMENT FILED	69302
Aug. 19, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Jul. 26, 2016	TEAS STATEMENT OF USE RECEIVED	
Jul. 26, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 31, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 31, 2016	PUBLISHED FOR OPPOSITION	
May 11, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 27, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 26, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 10, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 10, 2016	NON-FINAL ACTION E-MAILED	6325
Mar. 10, 2016	NON-FINAL ACTION WRITTEN	77073
Mar. 10, 2016	ASSIGNED TO EXAMINER	77073
Nov. 21, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Nov. 20, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 20, 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: Aug. 25, 2016

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91269768](#)

Filing Date: Jun 09, 2021

Status: Pending

Status Date: Jun 09, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Blue Cross Blue Shield of Michigan Mutual Insurance Company

Correspondent Address: ANNA E. RAIMER
JONES DAY
717 TEXAS, SUITE 3300
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: aeraimer@jonesday.com , etait@jonesday.com , nmalcolm@jonesday.com , nytef@jonesday.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COVANTAGE HEALTH PARTNERS	Opposition Pending	88677253	
COVANTAGE HEALTH PARTNERS	Opposition Pending	88677258	

Plaintiff(s)

Name: CoVantage Credit Union

Correspondent Address: JOHN A. CLIFFORD
MERCHANT & GOULD P.C.
P.O. BOX 2910
MINNEAPOLIS MN UNITED STATES , 55402

Correspondent e-mail: dockmpls@merchantgould.com , jclifford@merchantgould.com , aavery@merchantgould.com , bbatzli@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COVANTAGE CREDIT UNION	REGISTERED AND RENEWED	78419616	2976076
COVANTAGE CARES	Registered	86822366	5051308

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2021	Jul 19, 2021
3	INSTITUTED	Jun 09, 2021	
4	D CHANGE OF CORRESP ADDRESS	Jul 15, 2021	
5	D APPEARANCE / POWER OF ATTORNEY	Jul 15, 2021	
6	D MOT FOR EXT W/ CONSENT	Jul 15, 2021	
7	EXTENSION OF TIME GRANTED	Jul 19, 2021	

EXHIBIT C

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Mark: BLUE SHIELD

Blue Shield

US Serial Number: 78598831

Application Filing Date: Mar. 31, 2005

US Registration Number: 3288737

Registration Date: Sep. 04, 2007

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: The registration has been renewed.

Status Date: Jun. 21, 2017

Publication Date: Jan. 31, 2006

Notice of Allowance Date: Apr. 25, 2006

Mark Information

Mark Literal Elements: BLUE SHIELD

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: 0557037, 0557040, 1039941 and others

Goods and Services

Note:

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

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

For: Banking and financial services, namely, checking and savings account services, electronic funds transfer, [cash management and disbursement services, lending services, acceptance of deposits and loan payments, check cashing and check issuance,] electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, [trustee services, investment security services, certificates of deposits,] asset management services, stored-value card services, smart card services, [credit card services,] all of which are provided in connection with health care coverage plans

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 30, 2006

Use in Commerce: Nov. 30, 2006

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

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

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

Current Owner(s) Information

Owner Name: Blue Cross and Blue Shield Association
Owner Address: 225 N. Michigan Avenue
Chicago, ILLINOIS UNITED STATES 60601
Legal Entity Type: NON-PROFIT CORPORATION
State or Country Where Organized: ILLINOIS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: J. Ryan Hinshaw
Attorney Primary Email Address: Ryan.Hinshaw@bcbsa.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: J. RYAN HINSHAW
BLUE CROSS BLUE SHIELD ASSOCIATION
225 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS UNITED STATES 60601
Correspondent e-mail: trademarks@bcbsa.com Ryan.Hinshaw@bcbsa.com
om.Cynthia.Stevens@bcbsa.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 30, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 12, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 12, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 21, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 21, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Jun. 21, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Jun. 21, 2017	CORRECTION UNDER SECTION 7 A- PROCESSED	77315
Jun. 20, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Apr. 28, 2017	TEAS SECTION 8 & 9 RECEIVED	
Apr. 28, 2017	TEAS SECTION 7 REQUEST RECEIVED	
Sep. 04, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Mar. 04, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76533
Mar. 21, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Mar. 04, 2014	TEAS SECTION 8 & 15 RECEIVED	
Sep. 04, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Jul. 27, 2007	ASSIGNED TO LIE	76243
Jun. 18, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 14, 2007	STATEMENT OF USE PROCESSING COMPLETE	65362
Mar. 06, 2007	USE AMENDMENT FILED	65362
Mar. 06, 2007	TEAS STATEMENT OF USE RECEIVED	
Sep. 25, 2006	EXTENSION 1 GRANTED	65362
Aug. 30, 2006	EXTENSION 1 FILED	65362

Aug. 30, 2006	TEAS EXTENSION RECEIVED	
Apr. 25, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 31, 2006	PUBLISHED FOR OPPOSITION	
Jan. 11, 2006	NOTICE OF PUBLICATION	
Dec. 16, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Nov. 04, 2005	ASSIGNED TO LIE	71441
Nov. 02, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 01, 2005	EXAMINER'S AMENDMENT ENTERED	76537
Oct. 27, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 27, 2005	EXAMINERS AMENDMENT -WRITTEN	76843
Oct. 27, 2005	ASSIGNED TO EXAMINER	76843
Apr. 06, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 21, 2017

EXHIBIT D

Generated on: This page was generated by TSDR on 2021-07-23 14:11:38 EDT

Mark: BLUE CROSS

Blue Cross

US Serial Number: 78598836

Application Filing Date: Mar. 31, 2005

US Registration Number: 3288738

Registration Date: Sep. 04, 2007

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: The registration has been renewed.

Status Date: Mar. 17, 2018

Publication Date: Dec. 27, 2005

Notice of Allowance Date: Mar. 21, 2006

Mark Information

Mark Literal Elements: BLUE CROSS

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: Banking and financial services, namely, checking and savings account services, electronic funds transfer, [cash management and disbursement services, lending services, acceptance of deposits and loan payments, check cashing and check issuance,] electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, [trustee services, investment security services, certificates of deposits,] asset management services, stored-value card services, smart card services, [credit card services,] all of which are provided in connection with health care coverage plans

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 30, 2006

Use in Commerce: Nov. 30, 2006

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: Blue Cross and Blue Shield Association

Owner Address: 225 N. Michigan Avenue
Chicago, ILLINOIS UNITED STATES 60601

Legal Entity Type: NON-PROFIT CORPORATION

State or Country Where Organized: ILLINOIS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: J. Ryan Hinshaw

Attorney Primary Email Address: Ryan.Hinshaw@bcbsa.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: J. RYAN HINSHAW
BLUE CROSS BLUE SHIELD ASSOCIATION
225 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS UNITED STATES 60601

Correspondent e-mail: trademarks@bcbsa.com Ryan.Hinshaw@bcbsa.com
om.Cynthia.Stevens@bcbsa.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 30, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 12, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 12, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 17, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 17, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Mar. 17, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Mar. 17, 2018	CORRECTION UNDER SECTION 7 Â- PROCESSED	68973
Mar. 15, 2018	TEAS SECTION 7 REQUEST RECEIVED	
Mar. 15, 2018	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Sep. 28, 2017	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	68973
Sep. 26, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Aug. 21, 2017	TEAS SECTION 8 & 9 RECEIVED	
Sep. 04, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 22, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 22, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Mar. 04, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76533
Mar. 21, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Mar. 04, 2014	TEAS SECTION 8 & 15 RECEIVED	
Sep. 04, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	66230
Jul. 27, 2007	ASSIGNED TO LIE	66230
Jun. 18, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 14, 2007	STATEMENT OF USE PROCESSING COMPLETE	65362
Mar. 06, 2007	USE AMENDMENT FILED	65362
Mar. 06, 2007	TEAS STATEMENT OF USE RECEIVED	
Sep. 25, 2006	EXTENSION 1 GRANTED	65362
Aug. 30, 2006	EXTENSION 1 FILED	65362
Aug. 30, 2006	TEAS EXTENSION RECEIVED	
Mar. 21, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	

Dec. 27, 2005	PUBLISHED FOR OPPOSITION	
Dec. 07, 2005	NOTICE OF PUBLICATION	
Nov. 09, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Nov. 04, 2005	ASSIGNED TO LIE	71441
Nov. 02, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 01, 2005	EXAMINER'S AMENDMENT ENTERED	76537
Nov. 01, 2005	EXAMINER'S AMENDMENT ENTERED	76537
Oct. 27, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 27, 2005	EXAMINERS AMENDMENT -WRITTEN	76843
Oct. 27, 2005	ASSIGNED TO EXAMINER	76843
Apr. 06, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 17, 2018

EXHIBIT E

Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	3288737
REGISTRATION DATE	09/04/2007
SERIAL NUMBER	78598831
MARK SECTION	
MARK	BLUE SHIELD (see, https://tmng-al.uspto.gov/resting2/api/img/78598831/large)
ATTORNEY SECTION (current)	
NAME	Melissa Rotunno
FIRM NAME	BLUE CROSS & BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE STE 922
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.5677
FAX	312.297.5956
EMAIL	melissa.rotunno@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10190
ATTORNEY SECTION (proposed)	
NAME	Emily Barnhart
FIRM NAME	BLUE CROSS AND BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956

EMAIL	emily.barnhart@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10190
CORRESPONDENCE SECTION (current)	
NAME	Melissa Rotunno
FIRM NAME	BLUE CROSS & BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE STE 922
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.5677
FAX	312.297.5956
EMAIL	melissa.rotunno@bcbsa.com; emily.barnhart@bcbsa.com; Docket.USPTO@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10190
CORRESPONDENCE SECTION (proposed)	
NAME	Emily Barnhart
FIRM NAME	BLUE CROSS AND BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956
EMAIL	emily.barnhart@bcbsa.com; trademarks@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10190
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	036
GOODS OR SERVICES	Banking and financial services, namely, checking and savings account services, electronic funds transfer, electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, asset management services, stored-value card services, smart card services, all of which are provided in connection with health care coverage plans
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	SPN0-6925144254-20170428115853191750_ BLUE_SHIELD_HEALTH_SPENDING_ACCTS.pdf
CONVERTED PDF FILE(S) (5 pages)	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598831\xml2\S890002.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598831\xml2\S890003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598831\xml2\S890004.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598831\xml2\S890005.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598831\xml2\S890006.JPG
SPECIMEN DESCRIPTION	Scanned image of web pages
OWNER SECTION (current)	
NAME	Blue Cross and Blue Shield Association
STREET	225 N. Michigan Avenue
CITY	Chicago
STATE	Illinois
ZIP/POSTAL CODE	60601
COUNTRY	United States
PHONE	312.297.5582
FAX	312.297.5956
EMAIL	XXXX
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
OWNER SECTION (proposed)	
NAME	Blue Cross and Blue Shield Association
STREET	225 N. Michigan Avenue
CITY	Chicago
STATE	Illinois
ZIP/POSTAL CODE	60601
COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956
EMAIL	XXXX
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
LEGAL ENTITY SECTION (current)	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Illinois
LEGAL ENTITY SECTION (proposed)	
TYPE	non-profit corporation
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Illinois

PAYMENT SECTION

NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
COMBINED §§ 8 & 9 DECLARATION/APPLICATION FILING FEE	425
TOTAL FEE PAID	425

SIGNATURE SECTION

SIGNATURE	/Emily Barnhart/
SIGNATORY'S NAME	Emily Barnhart
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	04/28/2017
SIGNATORY'S PHONE NUMBER	312-297-6158
PAYMENT METHOD	DA

FILING INFORMATION

SUBMIT DATE	Fri Apr 28 12:07:31 EDT 2017
TEAS STAMP	USPTO/S08N09-XX.XX.XXX.XX X-20170428120731229195-32 88737-5808496aba57dfcc4c cd5d7a130b580f8b295257988 06f8be72449cb02dfd2-DA-1 0178-20170428115853191750

Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9

To the Commissioner for Trademarks:

REGISTRATION NUMBER: 3288737

REGISTRATION DATE: 09/04/2007

MARK: BLUE SHIELD

The owner, Blue Cross and Blue Shield Association, non-profit corporation legally organized under the laws of Illinois, having an address of
225 N. Michigan Avenue
Chicago, Illinois 60601
United States
312.297.6158
312.297.5956
XXXX (authorized)

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 036, the mark is in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Banking and financial services, namely, checking and savings account services, electronic funds transfer, electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, asset management services, stored-value card services, smart card services, all of which are provided in connection with health care coverage plans ; or, the owner is making the listed excusable nonuse claim.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) Scanned image of web pages.

Original PDF file:

[SPN0-6925144254-20170428115853191750 . BLUE SHIELD HEALTH SPENDING ACCTS.pdf](#)

Converted PDF file(s) (5 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

The registrant's current Attorney Information: Melissa Rotunno of BLUE CROSS & BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE STE 922
CHICAGO, Illinois 60601-7613
United States

The phone number is 312.297.5677.

The fax number is 312.297.5956.

The email address is melissa.rotunno@bcbsa.com. (authorized)

The docket/reference number is 10190.

The registrant's proposed Attorney Information: Emily Barnhart of BLUE CROSS AND BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE
CHICAGO, Illinois 60601-7613
United States The docket/reference number is 10190.

The phone number is 312.297.6158.

The fax number is 312.297.5956.

The email address is emily.barnhart@bcbsa.com. (authorized)

The registrant's current Correspondence Information: Melissa Rotunno of BLUE CROSS & BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE STE 922

CHICAGO, Illinois 60601-7613

United States

The phone number is 312.297.5677.

The fax number is 312.297.5956.

The email address is melissa.rotunno@bcbsa.com; emily.barnhart@bcbsa.com; Docket.USPTO@bcbsa.com. (authorized)

The docket/reference number is 10190.

The registrant's proposed Correspondence Information: Emily Barnhart of BLUE CROSS AND BLUE SHIELD ASSOCIATION

225 N MICHIGAN AVE

CHICAGO, Illinois 60601-7613

United States The docket/reference number is 10190.

The phone number is 312.297.6158.

The fax number is 312.297.5956.

The email address is emily.barnhart@bcbsa.com; trademarks@bcbsa.com. (authorized)

A fee payment in the amount of \$425 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

- Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
- The specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
- The registrant requests that the registration be renewed for the goods/services/collective organization identified above.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Emily Barnhart/ Date: 04/28/2017

Signatory's Name: Emily Barnhart

Signatory's Position: Attorney of Record

Signatory's Phone: 312-297-6158

Mailing Address (current):

BLUE CROSS & BLUE SHIELD ASSOCIATION

225 N MICHIGAN AVE STE 922

CHICAGO, Illinois 60601-7613

Mailing Address (proposed):

BLUE CROSS AND BLUE SHIELD ASSOCIATION

225 N MICHIGAN AVE

CHICAGO, Illinois 60601-7613

Serial Number: 78598831

Internet Transmission Date: Fri Apr 28 12:07:31 EDT 2017

TEAS Stamp: USPTO/S08N09-XX.XX.XXX.XXX-2017042812073

1229195-3288737-5808496aba57dfcc4ccd5d7

a130b580f8b29525798806f8be72449cb02dfdf2

-DA-10178-20170428115853191750



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- Health Spending Accounts
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Health Spending Accounts

Would you like to put money aside to pay for some of your health care costs? Then health spending accounts might be for you.

You can use these accounts for qualified medical expenses, such as deductibles and copays. Health spending accounts come in three forms:

- Health savings account, or HSA
- Health reimbursement arrangement, or HRA
- Flexible spending account, or FSA

Select a topic below to learn more about how they work.

The types of health spending accounts

Each of these accounts works differently and comes with its own advantages. Find out more about how they work.

- What are the differences between HSAs, HRAs and FSAs?

Health savings accounts

Learn more about health savings accounts, which help you save money on taxes and let you have more say in what medical expenses you pay for.

- What is a health savings account?
- How do HSAs work?
- How can I use my HSA?
- What is HealthEquity® and what does it mean to me as a Blue Cross member?
- Health savings account calculators

Health reimbursement arrangements

Learn more about health reimbursement arrangements, which are employer-funded accounts, and how they can help you pay for health care costs.

- What's a health reimbursement arrangement and how does it work?

Flexible spending accounts

Flexible spending accounts can help you set aside money for qualified medical, dental or vision expenses or dependent care. Learn more about these plans.

- What's a flexible spending account and how does it work?

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Help » FAQs » Health Spending Accounts

What are the differences between HSAs, HRAs and FSAs?

Who is this for?



If you're interested in health spending accounts, this information can help you learn the differences between these three kinds of accounts.

Health spending accounts are used to pay for your medical expenses. They help you manage your costs because money you or your employer are regularly putting money aside instead of paying a lump sum for your medical care. They give you more control of how and where you pay for your medical expenses.

Types of health spending accounts

Health savings account, or HSA

A health savings account is like a long-term savings account you can use to pay for health care expenses.

These accounts go hand-in-hand with your insurance, but you'll need to have an HSA-eligible plan to open and contribute to one. You can put money into your HSA directly from your paycheck before taxes and spend it whenever you'd like. You can also save by depositing post-tax money in your account and deduct your contributions from your income tax.

HSAs also work like a health care retirement plan because you can set aside money for your expenses. If you take money out for non-qualified medical expenses before you're 65, you'll have to pay a penalty on top of income taxes.

Health reimbursement arrangement, or HRA

A health reimbursement arrangement is a fund set up by your employer. They set aside a certain amount of money each year for you to use for medical expenses not covered by your health plan, such as deductibles or coinsurance. Only your employer can put money into your HRA.

Flexible spending account, or FSA

A flexible spending account is set up by your employer. They own the account, but you contribute to the account and get to decide which qualified medical expenses to pay with it. What makes it flexible? It works with most of our PPO employer-sponsored health plans. Blue Care Network does not offer HMO FSA plans.

HSA vs. HRA vs. FSA: how they're different

Let's start with what they have in common. You can use these accounts to pay for qualified medical expenses, such as deductibles and copays. A debit card may also be available depending on your plan.

Where they differ is the kind of health plan they work with, who owns the account, who controls it and who can put money into it.

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Account Features	HSA	HRA	FSA
You can use it to pay your deductibles or copays.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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You own the account.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your employer owns the account.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It can be used as pre-tax payroll money or post-tax money.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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A debit card may be available, but it won't be for all plans.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tip: Check with your employer to find out if you can pair your plan with our HSAs, HRAs or FSAs. Contact an [agent](#) for more information.

Related Items

- [How can I use my HSA?](#)
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ROUTING SHEET TO POST REGISTRATION (PRU)

Registration Number: 3288737



Serial Number: 78598831



RAM Sale Number: 3288737

RAM Accounting Date: 20170428

Total Fees: \$425

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20170428	\$125	1	1	\$125
Application for Renewal (§9)	7201	20170428	\$300	1	1	\$300

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20170428





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The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	3288738
REGISTRATION DATE	09/04/2007
SERIAL NUMBER	78598836
MARK SECTION	
MARK	BLUE CROSS (see, https://tmng-al.uspto.gov/resting2/api/img/78598836/large)
ATTORNEY SECTION (current)	
NAME	Melissa Rotunno
FIRM NAME	BLUE CROSS & BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE STE 922
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.5677
FAX	312.297.5956
EMAIL	melissa.rotunno@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10187
ATTORNEY SECTION (proposed)	
NAME	Emily Barnhart
FIRM NAME	BLUE CROSS & BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE STE 922
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956

EMAIL	emily.barnhart@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10187
CORRESPONDENCE SECTION (current)	
NAME	Melissa Rotunno
FIRM NAME	BLUE CROSS & BLUE SHIELD ASSOCIATION
STREET	225 N MICHIGAN AVE STE 922
CITY	CHICAGO
STATE	Illinois
POSTAL CODE	60601-7613
COUNTRY	United States
PHONE	312.297.5677
FAX	312.297.5956
EMAIL	melissa.rotunno@bcbsa.com; emily.barnhart@bcbsa.com; Docket.USPTO@bcbsa.com
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COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956
EMAIL	emily.barnhart@bcbsa.com; trademarks@bcbsa.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	10187
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	036
GOODS OR SERVICES	Banking and financial services, namely, checking and savings account services, electronic funds transfer, electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, asset management services, stored-value card services, smart card services, all of which are provided in connection with health care coverage plans
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	SPN0-84513710-20170821170105125326_ BLUE_SHIELD_HEALTH_SPENDING_ACCTS_2017.pdf
CONVERTED PDF FILE(S) (5 pages)	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598836\xml1\S890002.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598836\xml1\S890003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598836\xml1\S890004.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598836\xml1\S890005.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\785\988\78598836\xml1\S890006.JPG
SPECIMEN DESCRIPTION	Scanned image of web pages
OWNER SECTION (current)	
NAME	Blue Cross and Blue Shield Association
STREET	225 N. Michigan Avenue
CITY	Chicago
STATE	Illinois
ZIP/POSTAL CODE	60601
COUNTRY	United States
PHONE	312.297.5677
FAX	312.297.5956
EMAIL	XXXX
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
OWNER SECTION (proposed)	
NAME	Blue Cross and Blue Shield Association
STREET	225 N. Michigan Avenue
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ZIP/POSTAL CODE	60601
COUNTRY	United States
PHONE	312.297.6158
FAX	312.297.5956
EMAIL	XXXX
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
LEGAL ENTITY SECTION (current)	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Illinois
LEGAL ENTITY SECTION (proposed)	
TYPE	non-profit corporation
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Illinois

PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
COMBINED §§ 8 & 9 DECLARATION/APPLICATION FILING FEE	425
TOTAL FEE PAID	425
SIGNATURE SECTION	
SIGNATURE	/Emily Barnhart/
SIGNATORY'S NAME	Emily Barnhart
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	08/21/2017
SIGNATORY'S PHONE NUMBER	3122976158
PAYMENT METHOD	DA
FILING INFORMATION	
SUBMIT DATE	Mon Aug 21 17:09:36 EDT 2017
TEAS STAMP	USPTO/S08N09-X.XX.XXX.XX- 20170821170936403630-3288 738-51050bef8c03b3da216d1 de4f9ef435ca3c79ea5b7365d 5ddcf957d55860c7bc8b-DA-3 976-20170821170105125326

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To the Commissioner for Trademarks:

REGISTRATION NUMBER: 3288738

REGISTRATION DATE: 09/04/2007

MARK: BLUE CROSS

The owner, Blue Cross and Blue Shield Association, non-profit corporation legally organized under the laws of Illinois, having an address of
225 N. Michigan Avenue
Chicago, Illinois 60601
United States
312.297.6158
312.297.5956
XXXX (authorized)

is filing a Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9.

For International Class 036, the mark is in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Banking and financial services, namely, checking and savings account services, electronic funds transfer, electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, asset management services, stored-value card services, smart card services, all of which are provided in connection with health care coverage plans ; or, the owner is making the listed excusable nonuse claim.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) Scanned image of web pages.

Original PDF file:

[SPN0-84513710-20170821170105125326 . BLUE_SHIELD_HEALTH_SPENDING_ACCTS_2017.pdf](#)

Converted PDF file(s) (5 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

The registrant's current Attorney Information: Melissa Rotunno of BLUE CROSS & BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE STE 922
CHICAGO, Illinois 60601-7613
United States

The phone number is 312.297.5677.

The fax number is 312.297.5956.

The email address is melissa.rotunno@bcbsa.com. (authorized)

The docket/reference number is 10187.

The registrant's proposed Attorney Information: Emily Barnhart of BLUE CROSS & BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE STE 922
CHICAGO, Illinois 60601-7613
United States The docket/reference number is 10187.

The phone number is 312.297.6158.

The fax number is 312.297.5956.

The email address is emily.barnhart@bcbsa.com. (authorized)

The registrant's current Correspondence Information: Melissa Rotunno of BLUE CROSS & BLUE SHIELD ASSOCIATION
225 N MICHIGAN AVE STE 922

CHICAGO, Illinois 60601-7613

United States

The phone number is 312.297.5677.

The fax number is 312.297.5956.

The email address is melissa.rotunno@bcbsa.com; emily.barnhart@bcbsa.com; Docket.USPTO@bcbsa.com. (authorized)

The docket/reference number is 10187.

The registrant's proposed Correspondence Information: Emily Barnhart of BLUE CROSS & BLUE SHIELD ASSOCIATION

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A fee payment in the amount of \$425 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

- Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).
- Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
- The registrant requests that the registration be renewed for the goods/services/collective organization identified above.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Emily Barnhart/ Date: 08/21/2017

Signatory's Name: Emily Barnhart

Signatory's Position: Attorney of Record

Signatory's Phone: 3122976158

Mailing Address (current):

BLUE CROSS & BLUE SHIELD ASSOCIATION

225 N MICHIGAN AVE STE 922

CHICAGO, Illinois 60601-7613

Mailing Address (proposed):

BLUE CROSS & BLUE SHIELD ASSOCIATION

225 N MICHIGAN AVE STE 922

CHICAGO, Illinois 60601-7613

Serial Number: 78598836

Internet Transmission Date: Mon Aug 21 17:09:36 EDT 2017

TEAS Stamp: USPTO/S08N09-X.XX.XXX.XX-201708211709364

03630-3288738-51050bef8c03b3da216d1de4f9

ef435ca3c79ea5b7365d5ddcf957d55860c7bc8b

-DA-3976-20170821170105125326



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Health Spending Accounts

Would you like to put money aside to pay for some of your health care costs? Then health spending accounts might be for you.

You can use these accounts for qualified medical expenses, such as deductibles and copays. Health spending accounts come in three forms:

- Health savings account, or HSA
- Health reimbursement arrangement, or HRA
- Flexible spending account, or FSA

Select a topic below to learn more about how they work.

The types of health spending accounts

Each of these accounts works differently and comes with its own advantages. Find out more about how they work.

- What are the differences between HSAs, HRAs and FSAs?

Health savings accounts

Learn more about health savings accounts, which help you save money on taxes and let you have more say in what medical expenses you pay for.

- What is a health savings account?
- How do HSAs work?
- How can I use my HSA?
- What is HealthEquity® and what does it mean to me as a Blue Cross member?
- Health savings account calculators

Health reimbursement arrangements

Learn more about health reimbursement arrangements, which are employer-funded accounts, and how they can help you pay for health care costs.

- What's a health reimbursement arrangement and how does it work?

Flexible spending accounts

Flexible spending accounts can help you set aside money for qualified medical, dental or vision expenses or dependent care. Learn more about these plans.

- What's a flexible spending account and how does it work?

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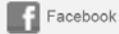
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What are the differences between HSAs, HRAs and FSAs?

Who is this for?



If you're interested in health spending accounts, this information can help you learn the differences between these three kinds of accounts.

Health spending accounts are used to pay for your medical expenses. They help you manage your costs because money you or your employer are regularly putting money aside instead of paying a lump sum for your medical care. They give you more control of how and where you pay for your medical expenses.

Types of health spending accounts

Health savings account, or HSA

A health savings account is like a long-term savings account you can use to pay for health care expenses.

These accounts go hand-in-hand with your insurance, but you'll need to have an HSA-eligible plan to open and contribute to one. You can put money into your HSA directly from your paycheck before taxes and spend it whenever you'd like. You can also save by depositing post-tax money in your account and deduct your contributions from your income tax.

HSAs also work like a health care retirement plan because you can set aside money for your expenses. If you take money out for non-qualified medical expenses before you're 65, you'll have to pay a penalty on top of income taxes.

Health reimbursement arrangement, or HRA

A health reimbursement arrangement is a fund set up by your employer. They set aside a certain amount of money each year for you to use for medical expenses not covered by your health plan, such as deductibles or coinsurance. Only your employer can put money into your HRA.

Flexible spending account, or FSA

A flexible spending account is set up by your employer. They own the account, but you contribute to the account and get to decide which qualified medical expenses to pay with it. What makes it flexible? It works with most of our PPO employer-sponsored health plans. Blue Care Network does not offer HMO FSA plans.

HSA vs. HRA vs. FSA: how they're different

Let's start with what they have in common. You can use these accounts to pay for qualified medical expenses, such as deductibles and copays. A debit card may also be available depending on your plan.

Where they differ is the kind of health plan they work with, who owns the account, who controls it and who can put money into it.

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View the chart below for more comparisons.

HSA vs. HRA vs. FSA: how they're different			
Account Features	HSA	HRA	FSA
You can use it to pay your deductibles or copays.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
You can use the money in the account before it's fully funded.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
You own the account.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your employer owns the account.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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A debit card may be available, but it won't be for all plans.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tip: Check with your employer to find out if you can pair your plan with our HSAs, HRAs or FSAs. Contact an [agent](#) for more information.

Related Items

- [How can I use my HSA?](#)
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- [What's a health reimbursement arrangement and how does it work?](#)
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ROUTING SHEET TO POST REGISTRATION (PRU)

Registration Number: 3288738



Serial Number: 78598836



RAM Sale Number: 3288738

RAM Accounting Date: 20170822

Total Fees: \$425

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20170821	\$125	1	1	\$125
Application for Renewal (§9)	7201	20170821	\$300	1	1	\$300

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20170821





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