

ESTTA Tracking number: **ESTTA1160449**

Filing date: **09/18/2021**

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	The North Face Apparel Corp.
Granted to Date of previous extension	09/19/2021
Address	3411 SILVERSIDE RD WILMINGTON, DE 19810 UNITED STATES
Attorney information	AARON Y. SILVERSTEIN SAUNDERS & SILVERSTEIN LLP 14 CEDAR STREET, SUITE 224 AMESBURY, MA 01913 UNITED STATES Primary Email: asilverstein@sandsip.com Secondary Email(s): trademarks@sandsip.com, swalters@sandsip.com +1.978.463.9100
Docket Number	590.7087.11

**Applicant Information**

Application No.	90208222	Publication date	03/23/2021
Opposition Filing Date	09/18/2021	Opposition Period Ends	09/19/2021
Applicant	A7 Fitness Inc. 3030 RICHMOND RD. WOODSTOCK, GA 30189 UNITED STATES		

**Goods/Services Affected by Opposition**


Class 010. First Use: 2014/12/00 First Use In Commerce: 2014/12/00 All goods and services in the class are opposed, namely: Compression shorts; Compression pants; compression knee sleeves
Class 025. First Use: 2014/12/00 First Use In Commerce: 2014/12/00 All goods and services in the class are opposed, namely: Beanies; Shirts for weightlifting; Athletic shirts; Tee-shirts; hoodies; underwear; socks
Class 028. First Use: 2014/12/00 First Use In Commerce: 2014/12/00 All goods and services in the class are opposed, namely: Physical fitness equipment, namely, lifting straps and wrist wraps for weightlifting

**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 No.	2897197	Application Date	05/15/2003
Registration Date	10/26/2004	Foreign Priority Date	NONE
Word Mark	NEVER STOP EXPLORING		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 backpacks, luggage, duffel bags, waist packs</p> <p>Class 020. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 Sleeping bags</p> <p>Class 022. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 tents</p> <p>Class 025. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 Clothing, namely, t-shirts, tops, shorts, sweatshirt, sweaters, pants, jackets, vests, anoraks, ski suits, ski jackets, ski vests, rain jackets, and rain pants, footwear and headwear</p>		

U.S. Registration No.	3630564	Application Date	10/16/2008
Registration Date	06/02/2009	Foreign Priority Date	NONE
Word Mark	NEVER STOP EXPLORING		
Design Mark	 <p>The design mark consists of the words "NEVER STOP EXPLORING" in a bold, serif font, centered within a rectangular border.</p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/01/01 First Use In Commerce: 1997/01/01 Retail store and on-line retail store services in the field of apparel, camping and outdoor gear, and outdoor sporting goods equipment		

U.S. Registration No.	3454860	Application Date	04/04/2007
Registration Date	06/24/2008	Foreign Priority Date	NONE
Word Mark	THE NORTH FACE NEVER STOP EXPLORING SPEAKER SERIES		

Design Mark	<p style="text-align: center;">THE NORTH FACE NEVER STOP EXPLORING SPEAKER SERIES</p>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2007/04/26 First Use In Commerce: 2007/04/26 Arranging seminars and lectures in the fields of adventure and endurance sports, namely, skiing, snowboarding, running, climbing, and hiking; conducting seminars and lectures in the fields of adventure and endurance sports, namely, skiing, snowboarding, running, climbing, and hiking

U.S. Application No.	87118448	Application Date	07/27/2016
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	NEVER STOP
Design Mark	<p style="text-align: center;">NEVER STOP</p>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 Retail store and on-line retail store services featuring apparel, camping and outdoor gear, and outdoor sporting equipment

Related Proceedings	Opposition No. 91271184
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Attachments	77594166#TMSN.png( bytes ) 77148131#TMSN.png( bytes ) 87118448#TMSN.png( bytes ) 20210918 tnf a7 neverstoptheprogress noo final.pdf(817384 bytes )
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Signature	/Aaron Y. Silverstein/
Name	Aaron Y. Silverstein
Date	09/18/2021

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

THE NORTH FACE APPAREL CORP.,

Opposer,

v.

A7 FITNESS INC.,

Applicant.

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

Application Ser. No. 90208222

Mark: #NEVERSTOPTHEPROGRESS

Filing Date: September 24, 2020

**NOTICE OF OPPOSITION**

The North Face Apparel Corp. (hereinafter “The North Face”) a Delaware corporation, with its principal place of business at 3411 Silverside Road, Wilmington, Delaware 19810, believes that it will be damaged by the registration of Application Ser. No. 90208222 for the mark #NEVERSTOPTHEPROGRESS (the “#NEVERSTOPTHEPROGRESS mark”) in Classes 10, 25, and 28.

As grounds for its opposition, The North Face alleges the following, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters:

**The North Face, Its Goods and Services, and Its  
NEVER STOP EXPLORING Trademark**

1. Over the course of more than five decades, The North Face has grown from a small retail shop in Northern California to a world-renowned source of exceptional outdoor apparel and equipment. Today, The North Face is one of the world’s foremost outdoor and athletic apparel and equipment brands.

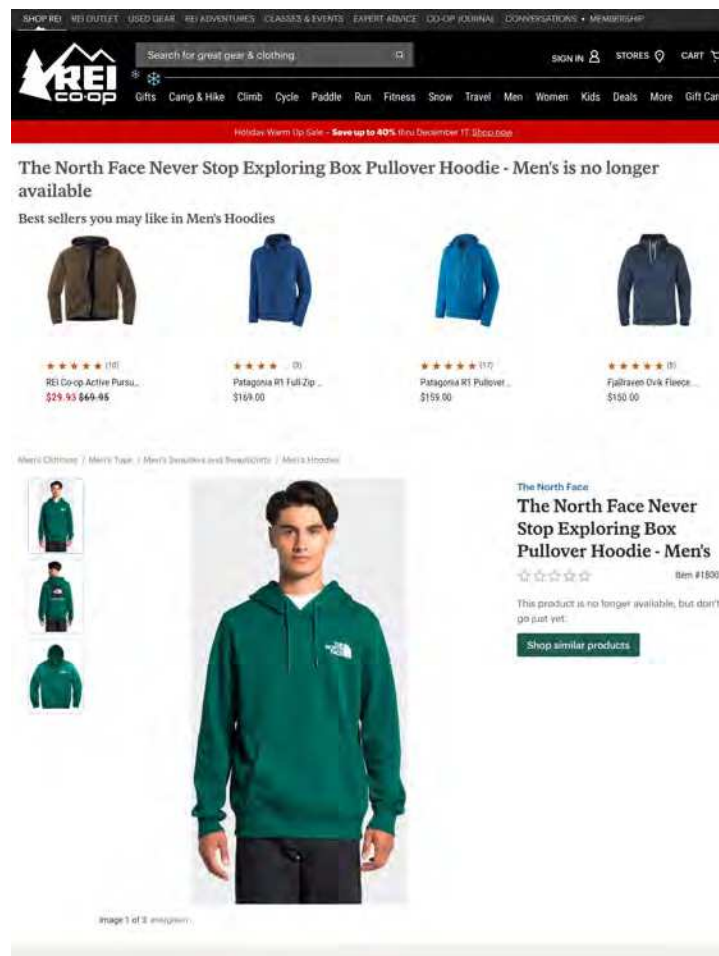
2. Much of The North Face’s success is owed to its longstanding and consistent use of its trademarks, including its NEVER STOP EXPLORING trademark.

3. Since well before Applicant’s filing date and any first use dates that have been or may be claimed by Applicant, The North Face adopted the NEVER STOP EXPLORING trademark and began using it in interstate commerce in the advertisement, promotion, and sale of The North Face’s wide variety of goods and services.

4. The North Face has continuously used its NEVER STOP EXPLORING trademark in United States commerce since well before Applicant's filing date or any first use dates that have been or may be claimed by Applicant.

5. As a result of its distinctive nature, and thus inherent strength; widespread advertising, publicity, promotion, and sales; and longstanding and extensive use and recognition, the NEVER STOP EXPLORING mark has been well-known for years.

6. Representative examples of The North Face's use of its NEVER STOP EXPLORING mark appear below.



SPLEEN MEMBER: SPEND 2000+, GET A FREE GIFT WHILE SUPPLIES LAST. DON'T MISS NOW.

# NEVER STOP EXPLORING

## SPEAKER SERIES

Hear tips from our adventures as our Speaker Series comes to a city near you.

**SPONSORED BY GORE-TEX**



NEVER MISS OUT ON EVENTS NEAR YOU!

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### NOVEMBER PROJECT

#### BROGAN GRAHAM & BOJAN MANDARIC

November Project is the free, grassroots fitness phenomenon that began in 2011 as a simple workout pact between two former collegiate athletes looking to stay fit through the tough New England winter. Missing the camaraderie and accountability of their team rowing days, Brogan Graham and Bojan Mandaric, soon began motivating friends and strangers to join them in their high-octane workouts (plank runs, hills, calisthenics in random Boston locations).

DATE	LOCATION	TIME	TICKETS
April 18	Boston, MA	8:30PM	Climbing Shoes
April 26	San Francisco, CA	8:30PM	Climbing Shoes




## #NEVERSTOPEXPLORING

We love seeing our gear out in the wild. Share your photos with #neverstopexploring and tag @thenorthface to be featured here.

[+ ADD YOUR PHOTO](#)



[LOAD MORE](#)



### MEN'S NEVER STOP SHORT

\$40.00 Pay in 4 installments of \$10.00 with Klarna. Lasts 30 days.

100% Customer Recommended  
★★★★★ 2 Reviews

Color: TIF BLACK

Size:

Length: REGULAR

Lifetime Warranties & Free Returns

Free Standard Shipping

Size & Fit

**DESCRIPTION**

The boxer-style Never Stop Short has an adjustable fit to deliver on style and warm-weather comfort.

**FEATURES**

**DETAILS**

**#NEVERSTOPEXPLORING**  
 We love seeing our gear out in the wild. Share your photos with #neverstopexploring and tag @thenorthface to be featured here.









7. The North Face owns the following valid and subsisting registrations for its NEVER STOP EXPLORING and NEVER STOP EXPLORING-formative trademarks for goods and services that are overlapping or closely related to the goods identified in U.S. Serial No. 90208222 (extracts from the USPTO TSDR database showing the current status and title of such registrations are attached as Exhibit A) (the “NEVER STOP EXPLORING Registrations”):

Mark	Reg. No.	Filing Date/ Reg. Date	Date of first use	Goods/Services
NEVER STOP EXPLORING	2897197	Filing Date: May 15, 2003  Reg. Date: Oct. 26, 2004	At least as early as January 1997	Backpacks, luggage, duffel bags, waist packs, in Class 18  Sleeping bags, in Class 20  Tents, in Class 22  Clothing, namely, t-shirts, tops, shorts, sweatshirt, sweaters, pants, jackets, vests, anoraks, ski suits, ski jackets, ski vests, rain jackets, and rain pants, footwear and headwear, in Class 25
NEVER STOP EXPLORING	3630564	Filing Date: Oct. 16, 2008  Reg. Date: June 2, 2009	At least as early as January 1, 1997	Retail store and on-line retail store services in the field of apparel, camping and outdoor gear, and outdoor sporting goods equipment, in Class 35
THE NORTH FACE NEVER STOP EXPLORING SPEAKER SERIES	3454860	Filing Date: April 4, 2007  Reg. Date: June 24, 2008	At least as early as April 26, 2007	Retail store and on-line retail store services in the field of apparel, camping and outdoor gear, and outdoor sporting goods equipment, in Class 35

8. The North Face also owns the following pending application for the trademark NEVER STOP for services that are closely related to the goods identified in U.S. Serial No. 90208222 (an extract from the USPTO TSDR database showing the current status and title of the application is attached as Exhibit B) (the “NEVER STOP Application”):

Mark	Ser. No.	Filing Date	Goods/Services
NEVER STOP	87118448	July 27, 2016	Retail store and on-line retail store services featuring apparel, camping and outdoor gear, and outdoor sporting equipment, in Class 35

The marks which are the subject of the NEVER STOP EXPLORING Registrations and NEVER STOP Application are individually, and collectively, referred to as the “NEVER STOP EXPLORING marks.”

**Applicant and Its Application**

9. A7 Fitness Inc. is a Georgia corporation, with an address of 3030 Richmond Rd., Woodstock, Georgia 30189 (hereinafter, “Applicant”).

10. On November 9, 2019, Applicant filed the Application pursuant to §1(a) of the Lanham Act to register the #NEVERSTOPTHEPROGRESS mark.

11. The Application was assigned Application Serial No. 90208222.

12. The Application was published for opposition on March 23, 2021, with the following identification of goods: “Compression shorts; Compression pants; compression knee sleeves” in Class 10; “Beanies; Shirts for weightlifting; Athletic shirts; Tee-shirts; hoodies; underwear; socks” in Class 25; “Physical fitness equipment, namely, lifting straps and wrist wraps for weightlifting” in Class 28.

13. Applicant has alleged a date of first use and first use in commerce of December 2014 for all goods set forth in the Application.

**Count One**

**Priority and Likelihood of Confusion, 15 U.S.C. § 1052(d)**

14. The North Face repeats and realleges each and every allegation set forth in each of the preceding paragraphs.

15. Applicant’s #NEVERSTOPTHEPROGRESS mark is likely to cause confusion with The North Face’s NEVER STOP EXPLORING marks.

16. Applicant’s #NEVERSTOPTHEPROGRESS mark so closely resembles The North Face’s NEVER STOP EXPLORING marks as to be likely to cause confusion, mistake, or deception of the relevant trade and public, all to The North Face’s damage.

17. Customers and potential consumers are likely to mistakenly believe that Applicant’s goods offered under the #NEVERSTOPTHEPROGRESS mark emanate from or are licensed or approved by The North Face. Such confusion would be a source of damage to The North Face.

18. The goods set forth in the Application overlap or are closely related to the goods and services offered by The North Face under its NEVER STOP EXPLORING marks.

19. Applicant's goods will be offered to the same general class of customers to whom The North Face offers its goods and services under its NEVER STOP EXPLORING marks.

20. The North Face has used in commerce, registered, and/or applied to register its NEVER STOP EXPLORING marks long prior to Applicant's filing date and any date of first use Applicant has claimed or may be able to claim.

21. The North Face has continuously used its NEVER STOP EXPLORING marks since commencing use thereof.

22. The North Face is not connected or affiliated in any way with Applicant or with Applicant's #NEVERSTOPTHEPROGRESS mark.

WHEREFORE, The North Face believes it will be damaged by the registration of the mark shown in Application Ser. No. 90208222 and respectfully requests that this Opposition be sustained and that registration to Applicant be refused.

Respectfully submitted,

Dated: September 18, 2021

By: /s/Aaron Y. Silverstein  
Aaron Y. Silverstein  
Seth A. Walters  
Saunders & Silverstein LLP  
14 Cedar Street, Suite 224  
Amesbury, Massachusetts 01913-1831  
+1.978.463.9100  
asilverstein@sandsip.com  
swalters@sandsip.com  
trademarks@sandsip.com

Attorneys for Opposer  
THE NORTH FACE APPAREL CORP.

# **EXHIBIT A**

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

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**Mark:** NEVER STOP EXPLORING

No Image exists for this case.

**US Serial Number:** 78250061

**Application Filing Date:** May 15, 2003

**US Registration Number:** 2897197

**Registration Date:** Oct. 26, 2004

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

LIVE/REGISTRATION/Issued and Active

**Descriptor:**



The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Nov. 12, 2014

**Publication Date:** Aug. 03, 2004

**Mark Information**

[Privacy - Terms](#)

**Mark Literal Elements:** NEVER STOP EXPLORING

**Standard Character Claim:** No

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

## 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:** backpacks, luggage, duffel bags, waist packs

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1997

**Use in Commerce:** Jan. 1997

**For:** Sleeping bags

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1997

**Use in Commerce:** Jan. 1997

**For:** tents

**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:** Jan. 1997

**Use in Commerce:** Jan. 1997

**For:** Clothing, namely, t-shirts, tops, shorts, sweatshirt, sweaters, pants, jackets, vests, anoraks, ski suits, ski jackets, ski vests, rain jackets, and rain pants, footwear and headwear

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1997

**Use in Commerce:** Jan. 1997

### 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:** North Face Apparel Corp., The

**Owner Address:** 3411 Silverside Rd  
Wilmington, DELAWARE UNITED STATES 19810

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

### Attorney/Correspondence Information

**Attorney of Record**



**Attorney of Record**

**Attorney Name:** Christine M. Hernandez

**Docket Number:** 4340

**Correspondent**

**Correspondent Name/Address:** Christine\_Hernandez@vfc.com

THE NORTH FACE APPAREL CORP.  
3411 SILVERSIDE RD  
200 Hanby Building  
WILMINGTON, DELAWARE UNITED STATES 19810-4812

**Phone:** 302-477-3930

**Fax:** 302-477-3932

**Correspondent e-mail:** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)  
[Amanda\\_Mitchell@vfc.com](mailto:Amanda_Mitchell@vfc.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

**Prosecution History**

Date	Description	Proceeding Number
Oct. 29, 2018	NOTICE OF SUIT	
Sep. 26, 2018	NOTICE OF SUIT	
Jun. 19, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 18, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 15, 2015	NOTICE OF SUIT	
Nov. 12, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 12, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70132
Nov. 12, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132

Nov. 12, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Oct. 27, 2014	TEAS SECTION 8 & 9 RECEIVED	
Aug. 20, 2013	NOTICE OF SUIT	
Aug. 14, 2013	NOTICE OF SUIT	
Sep. 20, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Sep. 19, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Sep. 17, 2010	TEAS SECTION 8 & 15 RECEIVED	
Oct. 26, 2004	REGISTERED-PRINCIPAL REGISTER	
Aug. 03, 2004	PUBLISHED FOR OPPOSITION	
Jul. 14, 2004	NOTICE OF PUBLICATION	
May 24, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 04, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 04, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 19, 2003	NON-FINAL ACTION MAILED	
Nov. 18, 2003	ASSIGNED TO EXAMINER	78449

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 12, 2014

## Assignment Abstract Of Title Information - None recorded

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Mark: NEVER STOP EXPLORING

NEVER STOP EXPLORING

US Serial Number: 77594166

Application Filing Date: Oct. 16, 2008

US Registration Number: 3630564

Registration Date: Jun. 02, 2009

Filed as TEAS Plus: Yes

Currently TEAS Plus: 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: The registration has been renewed.

Status Date: Jul. 10, 2019

Publication Date: Mar. 17, 2009

### Mark Information

[Privacy - Terms](#)

**Mark Literal Elements:** NEVER STOP EXPLORING

**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** [2897197](#), [3232358](#)

**Registrations:**

### 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 store and on-line retail store services in the field of apparel, camping and outdoor gear, and outdoor sporting goods equipment

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 01, 1997

**Use in Commerce:** Jan. 01, 1997

### 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:** The North Face Apparel Corp**Owner Address:** 3411 Silverside Road  
Wilmington, DELAWARE UNITED STATES 19810**Legal Entity Type:** CORPORATION**State or Country Where  
Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Christine M. Hernandez**Docket Number:** 15944**Attorney Primary Email  
Address:** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent  
Name/Address:** Christine M. HernandezTHE NORTH FACE APPAREL CORP.  
3411 SILVERSIDE RD  
200 Hanby Building  
WILMINGTON, DELAWARE UNITED STATES 19810-4812**Phone:** 302-529-3247**Fax:** 302-477-1399**Correspondent e-mail:** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)  
[Amanda\\_Mitchell@vfc.com](mailto:Amanda_Mitchell@vfc.com)**Correspondent e-mail  
Authorized:** Yes**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jul. 10, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 10, 2019	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jul. 10, 2019	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Jul. 10, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
May 31, 2019	TEAS SECTION 8 & 9 RECEIVED	
Jun. 02, 2018	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 19, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 18, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 22, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 22, 2015	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
Jun. 19, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Jun. 01, 2015	TEAS SECTION 8 & 15 RECEIVED	
Jun. 02, 2009	REGISTERED-PRINCIPAL REGISTER	
Mar. 17, 2009	PUBLISHED FOR OPPOSITION	
Feb. 25, 2009	NOTICE OF PUBLICATION	
Feb. 10, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78289
Feb. 06, 2009	ASSIGNED TO LIE	78289
Jan. 28, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2009	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 22, 2009	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 22, 2009	EXAMINERS AMENDMENT E-MAILED	6328

Jan. 22, 2009	EXAMINERS AMENDMENT -WRITTEN	83171
Jan. 15, 2009	ASSIGNED TO EXAMINER	83171
Oct. 20, 2008	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 10, 2019

## Assignment Abstract Of Title Information - None recorded

## Proceedings - Click to Load

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Mark: THE NORTH FACE NEVER STOP EXPLORING SPEAKER SERIES

THE NORTH FACE NEVER STOP  
EXPLORING SPEAKER SERIES

US Serial Number: 77148131

Application Filing Date: Apr. 04, 2007

US Registration Number: 3454860

Registration Date: Jun. 24, 2008

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: May 31, 2018

Publication Date: Oct. 09, 2007

Notice of Allowance Date: Jan. 01, 2008

### Mark Information

Mark Literal Elements: THE NORTH FACE NEVER STOP EXPLORING SPEAKER SERIES

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

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "SPEAKER SERIES"

## Related Properties Information

**Claimed Ownership of US** [0983624](#), [2097715](#), [2897197](#) and others  
**Registrations:**

## 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:** Arranging seminars and lectures in the fields of adventure and endurance sports, namely, skiing, snowboarding, running, climbing, and hiking;  
conducting seminars and lectures in the fields of adventure and endurance sports, namely, skiing, snowboarding, running, climbing, and hiking

**International Class(es):** 041 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 26, 2007

**Use in Commerce:** Apr. 26, 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:** The North Face Apparel Corp.

**Owner Address:** 3411 Silverside Road  
Wilmington, DELAWARE UNITED STATES 19810

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

**Attorney Name:** Christine M. Hernandez

**Docket Number:** 13332-US

#### Correspondent

**Correspondent Name/Address:** Christine M. Hernandez  
3411 Silverside Road  
200 Hanby Building  
WILMINGTON, DELAWARE UNITED STATES 19810

**Phone:** 302.477.3930

**Fax:** 302.477.3932

**Correspondent e-mail:** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)  
[Amanda\\_Mitchell@vfc.com](mailto:Amanda_Mitchell@vfc.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
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May 31, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 31, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
May 31, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
May 31, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
May 21, 2018	TEAS SECTION 8 & 9 RECEIVED	
May 21, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 24, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 19, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 18, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 11, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 11, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Jul. 11, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Jun. 23, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jun. 24, 2008	REGISTERED-PRINCIPAL REGISTER	
May 16, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
May 15, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 13, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
May 02, 2008	USE AMENDMENT FILED	70565
May 02, 2008	TEAS STATEMENT OF USE RECEIVED	
Jan. 01, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 05, 2007	ASSIGNED TO EXAMINER	77654
Oct. 09, 2007	PUBLISHED FOR OPPOSITION	

Sep. 19, 2007	NOTICE OF PUBLICATION	
Sep. 04, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78288
Sep. 04, 2007	ASSIGNED TO LIE	78288
Jul. 25, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 24, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 24, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 24, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 18, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 18, 2007	NON-FINAL ACTION E-MAILED	6325
Jul. 18, 2007	NON-FINAL ACTION WRITTEN	81101
Jul. 18, 2007	ASSIGNED TO EXAMINER	81101
Apr. 09, 2007	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 31, 2018

**Assignment Abstract Of Title Information - None recorded**

**Proceedings - Click to Load**

## **EXHIBIT B**

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Processing Wait Times: Please note that due to an extraordinary surge in applications, processing times are longer than usual. See [current trademark processing wait times](#) for more information.

STATUS DOCUMENTS

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Mark: NEVER STOP

# NEVER STOP

US Serial Number: 87118448

Application Filing Date: Jul. 27, 2016

Register: Principal

Mark Type: Service Mark

TM5 Common Status

Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Aug. 02, 2021

Publication Date: Dec. 24, 2019

Notice of Allowance Date: Feb. 18, 2020

## Mark Information

Mark Literal Elements: NEVER STOP

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

[Privacy - Terms](#)

**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:** Retail store and on-line retail store services featuring apparel, camping and outdoor gear, and outdoor sporting equipment

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(b)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** The North Face Apparel Corp.

**Owner Address:** 3411 Silverside Road  
Wilmington, DELAWARE UNITED STATES 19810

**Legal Entity Type:** CORPORATION

**State or Country Where** DELAWARE

**Organized:**

### Attorney/Correspondence Information

**Attorney of Record**

**Attorney Name:** Christine M. Hernandez

**Docket Number:** 25403

**Attorney Primary Email** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)

**Attorney Email Authorized:** Yes

**Address:**

**Correspondent**

**Correspondent** Christine M. Hernandez

**Name/Address:** THE NORTH FACE APPAREL CORP.  
3411 Silverside Road  
200 Hanby Building  
Wilmington, DELAWARE UNITED STATES 19810

**Phone:** 3025293247

**Fax:** 302-477-1399

**Correspondent e-mail:** [Christine\\_Hernandez@vfc.com](mailto:Christine_Hernandez@vfc.com)  
[amanda\\_mitchell@vfc.com](mailto:amanda_mitchell@vfc.com)  
[jeanine\\_ortt1@vfc.com](mailto:jeanine_ortt1@vfc.com) [tnf\\_ipdockcket@vfc.com](mailto:tnf_ipdockcket@vfc.com)

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

**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 02, 2021	EXTENSION 3 GRANTED	98765
Aug. 02, 2021	EXTENSION 3 FILED	98765
Aug. 02, 2021	TEAS EXTENSION RECEIVED	
Feb. 10, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	



Feb. 08, 2021	EXTENSION 2 GRANTED	98765
Feb. 08, 2021	EXTENSION 2 FILED	98765
Feb. 08, 2021	TEAS EXTENSION RECEIVED	
Aug. 08, 2020	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 06, 2020	EXTENSION 1 GRANTED	98765
Aug. 06, 2020	EXTENSION 1 FILED	98765
Aug. 06, 2020	TEAS EXTENSION RECEIVED	
Feb. 18, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 24, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 24, 2019	PUBLISHED FOR OPPOSITION	
Dec. 04, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 17, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 26, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 25, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 25, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 01, 2019	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 01, 2019	NON-FINAL ACTION E-MAILED	6325
Jul. 01, 2019	NON-FINAL ACTION WRITTEN	93056
May 28, 2019	LIE CHECKED SUSP - TO ATTY FOR ACTION	70633
Nov. 07, 2018	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 07, 2018	LETTER OF SUSPENSION E-MAILED	6332
Nov. 07, 2018	SUSPENSION LETTER WRITTEN	93056
May 07, 2018	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70633
Nov. 01, 2017	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70633
Jun. 19, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Apr. 26, 2017	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70633
Apr. 26, 2017	ASSIGNED TO LIE	70633
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 18, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 18, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 18, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 05, 2016	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Oct. 05, 2016	LETTER OF SUSPENSION E-MAILED	6332
Oct. 05, 2016	SUSPENSION LETTER WRITTEN	93056
Sep. 29, 2016	ASSIGNED TO EXAMINER	93056
Aug. 02, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 30, 2016	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** MMEJE, OBIEZE GINIKANW

**Law Office Assigned:** LAW OFFICE 122

### File Location

**Current Location:** INTENT TO USE SECTION

**Date in Location:** Feb. 18, 2020

## Assignment Abstract Of Title Information - None recorded

## Proceedings - Click to Load