

ESTTA Tracking number: **ESTTA1184812**

Filing date: **01/15/2022**

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

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|---------------------------------------|---|
| Name | Zoom Video Communications, Inc. |
| Granted to date of previous extension | 01/16/2022 |
| Address | 55 ALMADEN BLVD 6TH FLOOR SAN JOSE, CA 95113 UNITED STATES |
| Attorney information | PAMELA CHESTEK CHESTEK LEGAL PO BOX 2492 RALEIGH, NC 27602 UNITED STATES Primary email: pamela@chesteklegal.com Secondary email(s): mojda@chesteklegal.com 19198008033 |
| Docket no. | 166-00774 |

Applicant information

| | | | |
|------------------------|---|------------------------|------------|
| Application no. | 90402490 | Publication date | 07/20/2021 |
| Opposition filing date | 01/15/2022 | Opposition period ends | 01/16/2022 |
| Applicant | Eagle Eyes Vision LLC 8383 WILSHIRE BLVD SUITE 106 BEVERLY HILLS, CA 90211 UNITED STATES | | |

Goods/services affected by opposition

Class 009. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Downloadable cloud-based software for sharing of on-demand media including audio, video, still images and text, also functional to share and purchase on-demand media for downloading to compatible devices; Downloadable computer software for controlling the operation of on-demand audio and video media transmission and storage


Grounds for opposition

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| Priority and likelihood of confusion | Trademark Act Section 2(d) |
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Marks cited by opposer as basis for opposition


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|-------------------|---------|------------------|------------|
| U.S. registration | 1892967 | Application date | 06/08/1993 |
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|---------------------|--|-----------------------|------|
| no. | | | |
| Register | Principal | | |
| Registration date | 05/09/1995 | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | Class 009. First use: First Use: 1977/00/00 First Use In Commerce: 1977/00/00 telecommunications and personal computer peripheral products; namely, modems, faxmodems, voice/fax modems, dialers, communications processors, and, voice storage and playback apparatus | | |

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|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 2675838 | Application date | 04/14/1999 |
| Register | Principal | | |
| Registration date | 01/21/2003 | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark |  | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: 1995/08/00 First Use In Commerce: 1995/08/00 COMPUTER HARDWARE AND SOFTWARE FOR TRANSMITTING AND RECEIVING DATA OVER A WIRELESS NETWORK; VOLTAGE SURGE PROTECTORS, LIGHTNING PROTECTORS AND STATIC PROTECTORS FOR COMMUNICATIONS EQUIPMENT SOLD AS A COMPONENT OF COMMUNICATIONS COMPUTER HARDWARE; COMPUTER HARDWARE AND SOFTWARE FOR CREATING NETWORKS OF ELECTRONIC DEVICES IN THE HOME, NAMELY, LOCAL AREA NETWORK DRIVERS, NETWORK INTERFACE CARDS, EXTERNAL INTERFACE DEVICE UNITS, PLUGS AND CONNECTORS, AND RELATED SOFTWARE FOR CREATING NETWORKS OF ELECTRONIC DEVICES; COMPUTER PERIPHERALS, [NAMELY, VIDEO CAMERAS; COMPUTER PERIPHERALS,] NAMELY, MODEMS, [SPEAKERS, MICROPHONES,] AND COMPUTER HARDWARE, AND COMPUTER OPERATING SOFTWARE FOR USE IN CONNECTION WITH SUCH PERIPHERALS; AND LOCAL AREA NETWORK PRODUCTS, namely, HARDWARE NETWORK INTERFACE CARDS, AND COMPUTER SOFTWARE FOR TRANSMITTING AND RECEIVING DATA OVER A WIRELESS NETWORK</p> <p>Class 042. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 TECHNICAL SUPPORT SERVICES, NAMELY PROVIDING TECHNICAL ADVICE AND CONSULTATION REGARDING INSTALLING, USE, MAINTENANCE AND TROUBLE SHOOTING OF COMPUTER COMMUNICATIONS SOFTWARE AND HARDWARE PROBLEMS, VIA TELEPHONE AND E-MAIL</p> | | |

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| U.S. registration no. | 2891467 | Application date | 04/20/1999 |
| Register | Principal | | |
| Registration date | 10/05/2004 | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: 1983/00/00 First Use In Commerce: 1983/00/00 Telecommunications and Computer Peripheral Products, namely, Wide Area Network communication receivers and transmitters, DSL modems, Cable modems [, and satellite data transmitters and receivers]</p> <p>Class 038. First use: First Use: 2004/05/12 First Use In Commerce: 2004/05/12 [Provision of telecommunication connections to a global computer network]</p> | | |

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|-----------------------|---|-----------------------|------------|
| U.S. registration no. | 6084179 | Application date | 11/11/2019 |
| Register | Principal | | |
| Registration date | 06/23/2020 | Foreign priority date | NONE |
| Word mark | ZOOMTOPIA | | |
| Design mark |  | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 041. First use: First Use: 2017/09/27 First Use In Commerce: 2017/09/27 Educational services, namely, conducting conferences in the field of video conferencing and communications</p> | | |

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|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 6216396 | Application date | 05/19/2020 |
| Register | Principal | | |
| Registration date | 12/08/2020 | Foreign priority date | NONE |
| Word mark | ZOOMTOPIA | | |
| Design mark |  | | |
| Description of mark | The mark consists of the coined term "ZOOMTOPIA" in stylized form. | | |

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| Goods/services | Class 009. First use: First Use: 2019/06/30 First Use In Commerce: 2019/06/30 Downloadable computer software for providing information about conferences in the field of digital communications, namely, information and notifications about conference activities and scheduling, conference speakers, exhibitors, attendees, conference logistics, maps and meeting locations, wireless Internet availability, and transportation |
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|----------------------|----------|-----------------------|------------|
| U.S. application no. | 90252389 | Application date | 10/13/2020 |
| Registration date | NONE | Foreign priority date | NONE |

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| Word mark | ONZOOM |
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| Design mark |  |
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| Description of mark | NONE |
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| Goods/services | Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable software that enables users to create and stream online ticketed events featuring live and recorded audio-visual content Class 035. First use: First Use: 0 First Use In Commerce: 0 Management of event ticketing for others; Providing on-line registration services for business events, educational events, social events and live entertainment and performance events Class 042. First use: First Use: 0 First Use In Commerce: 0 Providing a website featuring online non-downloadable software that enables users to create and stream online ticketed events featuring live and recorded audio-visual content; Providing a website featuring technology that enables users to search and register for attendance at business events, educational events, social events and live entertainment and performance events |
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|----------------------|----------|-----------------------|------------|
| U.S. application no. | 88016782 | Application date | 06/27/2018 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM | | |

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|---------------------|--|--|--|
| Design mark | <h1>ZOOM</h1> | | |
| Description of mark | NONE | | |
| Goods/services | Class 009. First use: First Use: 2014/10/31 First Use In Commerce: 2014/10/31 digital video cameras, microphones, and digital video display monitors | | |

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|----------------------|---|-----------------------|------------|
| U.S. application no. | 88921775 | Application date | 05/18/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark |  | | |
| Description of mark | The mark consists of the term ZOOM in stylized form. | | |
| Goods/services | Class 009. First use: First Use: 2013/01/31 First Use In Commerce: 2013/01/31 Downloadable computer software for livedigital communications, namely, live video and audio conferencing with multiplesimultaneous users, teleconferencing, network conferencing, web conferencing, text messaging, instant messaging, and videotexting | | |

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|----------------------|--|-----------------------|------------|
| U.S. application no. | 88920458 | Application date | 05/18/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark |  | | |
| Description of mark | The mark consists of The term ZOOM in stylized form. | | |
| Goods/services | Class 042. First use: First Use: 2012/07/01 First Use In Commerce: 2012/07/01 | | |

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| | Software as a service (SAAS) services featuring software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, text messaging, instant messaging, and videotexting |
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| U.S. application no. | 90665166 | Application date | 04/22/2021 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark |  | | |
| Description of mark | The mark consists of the term ZOOM in stylized form. | | |
| Goods/services | <p>Class 014. First use: First Use: 2018/05/00 First Use In Commerce: 2018/05/00 Lapel pins</p> <p>Class 016. First use: First Use: 2015/04/00 First Use In Commerce: 2015/04/00 Stickers; Printed notebooks</p> <p>Class 018. First use: First Use: 2015/06/00 First Use In Commerce: 2015/06/00 Backpacks; Luggage tags; Tote bags; Wallets</p> <p>Class 021. First use: First Use: 2015/04/00 First Use In Commerce: 2015/04/00 Cups; Mugs; Water bottles sold empty</p> <p>Class 022. First use: First Use: 2016/04/00 First Use In Commerce: 2016/04/00 Lanyards for holding badges</p> <p>Class 025. First use: First Use: 2015/04/00 First Use In Commerce: 2015/04/00 Clothing, namely, hats, shirts, t-shirts, polo shirts, sweatshirts, hooded sweatshirts, vests, socks, and baby bodysuits</p> | | |

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|----------------------|--|-----------------------|------------|
| U.S. application no. | 87557217 | Application date | 08/04/2017 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM | | |
| Design mark |  | | |

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| Description of mark | The mark consists of the word ZOOM in stylized blue lettering. |
| Goods/services | Class 038. First use: First Use: 2012/05/31 First Use In Commerce: 2012/05/31 Audio teleconferencing; Network conferencing services; Providing instant messaging services; Providing telephone conferencing services; Teleconferencing services; Telepresence conferencing services; Text messaging services; Video conferencing services; Video teleconferencing; Videotext services; Web conferencing services; Web messaging |

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| U.S. application no. | 90450612 | Application date | 01/06/2021 |
| Registration date | NONE | Foreign priority date | NONE |

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| Word mark | ZOOM CARES |
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| Design mark |  |
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| Description of mark | NONE |
| Goods/services | Class 036. First use: First Use: 2020/10/27 First Use In Commerce: 2020/10/27 Charitable services, namely, granting funds to education, social equity and climate change initiatives |

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| U.S. application no. | 90641756 | Application date | 04/13/2021 |
| Registration date | NONE | Foreign priority date | NONE |

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| Word mark | ZOOM EVENTS |
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| Design mark |  |
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| Description of mark | NONE |
| Goods/services | Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable software for users to create and stream online ticketed events featuring live and recorded audiovisual content Class 035. First use: First Use: 0 First Use In Commerce: 0 |

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| | <p>Management of event ticketing for others; Providing on-line registration services for business events, educational events, social events, and live entertainment and performance events</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing a web site featuring technology that enables users to search and register for attendance at business events, educational events, social events and live entertainment and performance events; Providing a website featuring on-line non-downloadable software that enables users to create and stream online ticketed events featuring live and recorded audiovisual content</p> |
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| U.S. application no. | 90252359 | Application date | 10/13/2020 |
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| Registration date | NONE | Foreign priority date | NONE |
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| Word mark | ZOOM FOR YOU |
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| Design mark |  |
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| Description of mark | NONE |
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| Goods/services | <p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Downloadable software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, text messaging, instant messaging, and video-texting for use in the fields of audio teleconferencing, network conferencing services, providing instant messaging services; teleconferencing services, telepresence conferencing services, video teleconferencing, web conferencing services and webmessaging; hardware, namely, digital video cameras, microphones, and digital video display monitors for use in the fields of audio teleconferencing, network conferencing services, providing instant messaging services, teleconferencing services, telepresence conferencing services, video teleconferencing, web conferencing services and web messaging; Downloadable computer software for providing information about conferences in the field of digital communications, namely, information and notifications about conference activities and scheduling, conference speakers, exhibitors, attendees, and conference logistics; Downloadable software for users to create Downloadable software that enables users to create and stream online ticketed events featuring live and recorded audio-visual content</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Management of event ticketing for others; Providing on-line registration services for business events, educational events, social events and live entertainment and performance events</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Audio teleconferencing; Network conferencing services; Providing instant messaging services; Teleconferencing services; Telepresence conferencing services; Video teleconferencing; Web conferencing services; Web messaging</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> |
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| | <p>Educational services, namely, conducting conferences in the field of video conferencing and communications</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Software as a service (SAAS) services featuring software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, and instant messaging; Computer software consultancy; Installation of computer software; Providing a website featuring technology that enables users to search and register for attendance at business events, educational events, social events and live entertainment and performance events; Providing a website featuring on-line non-downloadable software that enables users to create and stream online ticketed events featuring live and recorded audio-visual content; Providing a website featuring technology that enables users to search and register for attendance at business events, educational events, social events and live entertainment and performance events</p> |
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| U.S. application no. | 90394184 | Application date | 12/18/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM PHONE | | |
| Design mark |  | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 038. First use: First Use: 2019/01/22 First Use In Commerce: 2019/01/22</p> <p>Audio teleconferencing; Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks; Instant messaging services; Network conferencing services; Teleconferencing services; Telepresence conferencing services; Video teleconferencing; Web conferencing services; Web messaging</p> <p>Class 042. First use: First Use: 2019/01/22 First Use In Commerce: 2019/01/22</p> <p>Software as a service (SAAS) services featuring software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, and instant messaging</p> | | |


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|----------------------|------------|-----------------------|------------|
| U.S. application no. | 90394047 | Application date | 12/18/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM ROOMS | | |

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| Design mark | ZOOM ROOMS |
| Description of mark | NONE |
| Goods/services | <p>Class 038. First use: First Use: 2014/10/31 First Use In Commerce: 2014/10/31 Audio teleconferencing; Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, informationservices networks and data networks; Instant messaging services; Network conferencing services; Teleconferencing services; Telepresence conferencing services; Video teleconferencing; Web conferencingservices; Web messaging</p> <p>Class 042. First use: First Use: 2014/10/31 First Use In Commerce: 2014/10/31 Software as a service (SAAS) services featuring software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, and instant messaging</p> |

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|----------------------|--|-----------------------|------------|
| U.S. application no. | 87926427 | Application date | 05/17/2018 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOM ROOMS | | |
| Design mark | ZOOM ROOMS | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: 2014/10/31 First Use In Commerce: 2014/10/31 Downloadable software for use in the fields of audio teleconferencing, network conferencing services, instant messagingservices, telephone conferencing services, teleconferencing services, telepresence conferencing services, text messaging services, video conferencing services,video communications services, video teleconferencing, videotext services, web conferencing services, and web messaging, namely, software for transmitting digital audio, video, and data files; hardware, namely, digital video cameras, microphones, and digital video display monitors for use in the fields of audio teleconferencing, network conferencing services, instant messaging services, telephoneconferencing services, teleconferencingservices, telepresence conferencing services, text messaging services,</p> | | |

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| | video conferencing services, video communications services, video teleconferencing, videotext services, web conferencing services, and web messaging |
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|----------------------|---|-----------------------|------------|
| U.S. application no. | 88919819 | Application date | 05/17/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOMROOMS | | |
| Design mark |  | | |
| Description of mark | The mark consists of the wording ZOOMROOMS in stylized letters. | | |
| Goods/services | Class 042. First use: First Use: 2015/04/29 First Use In Commerce: 2015/04/29 Software as a service (SAAS) services featuring software for live digital communications, namely, live video and audio conferencing with multiple simultaneous users, teleconferencing, network conferencing, web conferencing, text messaging, instant messaging, and videotexting | | |

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|----------------------|---|-----------------------|------------|
| U.S. application no. | 88919896 | Application date | 05/17/2020 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | ZOOMROOMS | | |
| Design mark |  | | |
| Description of mark | The mark consists of the wording ZOOMROOMS in stylized form. | | |
| Goods/services | Class 038. First use: First Use: 2015/04/29 First Use In Commerce: 2015/04/29 Audio teleconferencing; Data transmission and reception services via telecommunication means; Teleconferencing services; Communication services, namely, transmission of voice, audio, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks; Electronic transmission of messages and data; Network conferencing services; Providing private and secure real time electronic communication over a computer network; Providing telephone conferencing services; Telepresence conferencing services; Transfer of data by telecommunication; Transmission of sound, picture and data signals; Video conferencing services; Video teleconferencing; Web conferencing services | | |

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| U.S. application/ registration no. | NONE | Application date | NONE |
| Register | NONE | | |
| Registration date | NONE | | |
| Mark | ZOOM | | |
| Goods/services | Downloadable software, including computer software for Desktop computers, laptop computers, and mobile devices; SaaS (software as a service) services; Teleconferencing; internet phone services; chat messaging services; Education conference services; Providing ser- | | |

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| | vices to customers to host online events and online directory of those events; Charitable services; Various types of promotional merchandise |
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| Attachments | 75684799#TMSN.png(bytes) 88687774#TMSN.png(bytes) 88923364#TMSN.png(bytes) 90252389#TMSN.png(bytes) 88016782#TMSN.png(bytes) 88921775#TMSN.png(bytes) 88920458#TMSN.png(bytes) 90665166#TMSN.png(bytes) 87557217#TMSN.png(bytes) 90450612#TMSN.png(bytes) 90641756#TMSN.png(bytes) 90252359#TMSN.png(bytes) 90394184#TMSN.png(bytes) 90394047#TMSN.png(bytes) 87926427#TMSN.png(bytes) 88919819#TMSN.png(bytes) 88919896#TMSN.png(bytes) Notice of Opposition - EYEZOOM final.pdf(2206209 bytes) |
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| Signature | /Pamela S Chestek/ |
| Name | PAMELA CHESTEK |
| Date | 01/15/2022 |

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

In the Matter of Application Serial No. 90/402,490
Mark: EYEZOOM
Publication date: July 20, 2021

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| Zoom Video Communications, Inc. Opposer, v. Eagle Eyes Vision LLC Applicant. |
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Opposition No. _____

NOTICE OF OPPOSITION

Opposer, Zoom Video Communications, Inc., a Delaware corporation with an address at 55 Almaden Boulevard, 6th Floor, San Jose, CA 95113 (“Opposer” or “Zoom”), believes that it will be damaged by the registration of the mark shown in Serial No. 90/402,490 to Eagle Eyes Vision LLC (“Applicant”), which application was published for opposition on July 20, 2021, and hereby through its attorneys opposes the registration of said mark for the applied-for goods.


As grounds for opposition, Opposer alleges as follows:

Rights of Opposer

1. Zoom provides a video-first communications platform that connects people through frictionless video meetings and webinars, phone, and chat services and enables face-to-face video experiences for thousands of people in a single meeting across disparate devices and locations.

2. Opposer's first use of the ZOOM mark was in May 2012.
3. Over the past ten years, opposer has built a successful video communications platform. With the sharp increase in need for those services at the outset of the COVID-19 pandemic, Zoom became internationally famous. When the COVID-19 pandemic arose, the world was forced to isolate and ZOOM products became a critical part of the fabric of our lives, allowing business, education, and social events to continue. More than 200 million users took part in ZOOM meetings in March 2020, compared to 10 million during the previous December 2019. Courts started routinely using the ZOOM teleconferencing platform for hearings. Late night talk shows began using the ZOOM functionality for their broadcasts, exercise classes were held on ZOOM services, the TV show "American Idol" used ZOOM services for auditions, and sporting events used ZOOM services to connect with their audiences.
4. As a result of over ten years of use of the ZOOM mark, Opposer is the owner of unregistered trademark rights in the mark ZOOM for a number of goods and services, inter alia:
 - a. Downloadable software, including computer software for desktop computers, laptop computers, and mobile devices,
 - b. SaaS (software as a service) services,
 - c. Teleconferencing, internet phone services, and chat messaging services,
 - d. Education conference services,
 - e. Providing services to customers to host online events and online directory of those events,
 - f. Charitable services, and
 - g. Various types of ZOOM promotional merchandise.

5. Opposer is the owner of several valid and subsisting trademark registrations for ZOOM and Zoom-formatives on the Principal Register in the United States Patent and Trademark Office for various goods and services, as summarized below:

| Trademark | Status | Application Number | Application Date | Registration Number | Registration Date | Classes |
|---|------------|--------------------|------------------|---------------------|-------------------|---------|
| ZOOM | Registered | 74399844 | Jun 08 1993 | 1892967 | May 9 1995 | 9 |
| ZOOM | Registered | 75684799 | Apr 14 1999 | 2675838 | Jan 21 2003 | 9, 42 |
| ZOOM | Registered | 75687137 | Apr 20 1999 | 2891467 | Oct 05 2004 | 9 |
| ZOOMTOPIA | Registered | 88687774 | Nov 11 2019 | 6084179 | Jun 23 2020 | 41 |
|  | Registered | 88923364 | May 19 2020 | 6216396 | Dec 08 2020 | 9 |

Title and status copies of the registrations are attached as Exhibit 1.

6. Opposer's goods are registered in Class 9 for, inter alia, “computer hardware and software for transmitting and receiving data over a wireless network” and “downloadable computer software for providing information about conferences in the field of digital communications.”
7. Opposer is also the owner of 14 pending applications for ZOOM and ZOOM-formative trademarks in Classes 9, 14, 16, 18, 21, 22, 25, 35, 36, 38, 41 and 42. A list of trademark applications and registrations is attached as Exhibit 2.

8. Opposer's ZOOM mark is distinctive to both the consuming public and Opposer's trade.
9. Opposer has expended substantial time, money, and resources marketing, advertising, and promoting its goods and services.
10. As a result of its widespread, continuous, and exclusive use of the ZOOM mark to identify its goods/services with the Opposer as their source, Opposer owns valid and subsisting federal statutory and common law rights to the ZOOM mark.

The Accused Application

11. Applicant, Eagle Eyes Vision LLC, filed trademark Application Serial No. 90/402,490 on December 22, 2020 to register the proposed mark EYEZOOM.
12. The application was filed under Section 1(b) of the Trademark Act and the application is still pending under Section 1(b) of the Trademark Act.
13. The application is for "Downloadable cloud-based software for sharing of on-demand media including audio, video, still images and text also functional to share and purchase on-demand media for downloading to compatible devices; downloadable computer software for controlling the operation of on-demand audio and video media transmission and storage" in International Class 9.

Count I – Likelihood of Confusion (15 U.S.C. § 1052(d))

14. Applicant's first use date, if the mark ultimately registers, is constructively December 22, 2020.
15. Opposer's trademark rights, both by virtue of registration and acquired through use, were established many years prior to the Applicant's constructive first use date.

16. Applicant's proposed mark EYEZOOM is confusingly similar to Opposer's ZOOM Mark in sight, sound, and commercial impression. Applicant's mark uses the entirety of Opposer's distinctive ZOOM Mark with the addition of "EYE." Consumers are very likely to focus on "ZOOM" in the Applicant's applied-for mark and assume the Applicant's goods or services are associated or in some way approved by the Opposer, when that is not the case.
17. The Applicant's goods are the same as, or related to, the goods of the Opposer. For example, Opposer uses the ZOOM mark for downloadable software for participating in video conferences, which includes functionality for video media transmission and storage. Applicant has applied for registration for "downloadable computer software for controlling the operation of on-demand audio and video media transmission and storage," goods that are the same as Applicant's goods.
18. The proposed mark is therefore barred from registration because it comprises a mark that, when used in connection with the alleged goods and services of the Applicant, is highly likely to cause confusion, mistake, or deception within the meaning of 15 U.S.C. § 1052(d).

WHEREFORE, Opposer respectfully prays that its opposition be sustained and that registration to Applicant be refused.

Respectfully submitted,

Dated: January 15, 2022

By: /Pamela S. Chestek/

Pamela S. Chestek

Chestek Legal

PO Box 2492

Raleigh, NC 27602

Attorney for Opposer

pamela@chesteklegal.com

Exhibit 1

For assistance with TSDR, email 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.

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Mark: ZOOM

No Image exists for this case.

US Serial Number: 74399844

Application Filing Date: Jun. 08, 1993

US Registration Number: 1892967

Registration Date: May 09, 1995

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: Apr. 16, 2015

Publication Date: Feb. 14, 1995

Mark Information

Mark Literal Elements: ZOOM

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: telecommunications and personal computer peripheral products; namely, modems, faxmodems, voice/fax modems, dialers, communications processors, and, voice storage and playback apparatus

International Class(es): 009 - Primary Class

U.S Class(es): 021, 026

Class Status: ACTIVE

Basis: 1(a)

First Use: 1977

Use in Commerce: 1977

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

[Privacy - Terms](#)

| | |
|---------------------------|-------------------------------|
| 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: ZOOM VIDEO COMMUNICATIONS, INC.

Owner Address: 55 ALMADEN BLVD., 6TH FL.
SAN JOSE, CALIFORNIA UNITED STATES 95113

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pamela S. Chestek **Docket Number:** 166-00575

Attorney Primary Email Address: pamela@chesteklegal.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Pamela S. Chestek
Chestek Legal
PO Box 2492
Raleigh, NORTH CAROLINA UNITED STATES 27602

Phone: 919-800-8033

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Sep. 24, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Sep. 24, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Sep. 24, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Sep. 24, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Sep. 24, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Sep. 01, 2021 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Aug. 11, 2021 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Mar. 12, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Mar. 12, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Mar. 12, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Mar. 12, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Mar. 12, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Aug. 10, 2016 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Aug. 10, 2016 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |

| | | |
|---------------|--|-------|
| Apr. 16, 2015 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Apr. 16, 2015 | REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS) | 68502 |
| Apr. 16, 2015 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | 68502 |
| Apr. 16, 2015 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 68502 |
| Apr. 02, 2015 | TEAS SECTION 8 & 9 RECEIVED | |
| Jun. 06, 2008 | NOTICE OF SUIT | |
| May 20, 2008 | NOTICE OF SUIT | |
| Jun. 06, 2005 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | |
| Jun. 06, 2005 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Apr. 11, 2005 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Jun. 01, 2005 | ASSIGNED TO PARALEGAL | 64591 |
| Apr. 11, 2005 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Apr. 11, 2005 | PAPER RECEIVED | |
| Aug. 20, 2003 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Jul. 13, 2001 | REGISTERED - SEC. 8 (6-YR) ACCEPTED | |
| May 08, 2001 | REGISTERED - SEC. 8 (6-YR) FILED | |
| May 09, 1995 | REGISTERED-PRINCIPAL REGISTER | |
| Feb. 14, 1995 | PUBLISHED FOR OPPOSITION | |
| Jan. 13, 1995 | NOTICE OF PUBLICATION | |
| Aug. 02, 1994 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jun. 29, 1994 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Dec. 29, 1993 | NON-FINAL ACTION MAILED | |
| Nov. 03, 1993 | ASSIGNED TO EXAMINER | 69191 |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 16, 2015

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[Proceedings - Click to Load](#)

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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 MAINTENANCE

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Mark: ZOOM

ZOOM

US Serial Number: 75684799

Application Filing Date: Apr. 14, 1999

US Registration Number: 2675838

Registration Date: Jan. 21, 2003

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Aug. 23, 2021

Publication Date: Oct. 29, 2002

Mark Information

Mark Literal Elements: ZOOM

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US Registrations: [1892697](#), [2094836](#), [2159348](#), [2219272](#) and others

Parent Of: [75982358](#)

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: COMPUTER HARDWARE AND SOFTWARE FOR TRANSMITTING AND RECEIVING DATA OVER A WIRELESS NETWORK; VOLTAGE SURGE PROTECTORS, LIGHTNING PROTECTORS AND STATIC PROTECTORS FOR COMMUNICATIONS EQUIPMENT SOLD AS A COMPONENT OF COMMUNICATIONS COMPUTER HARDWARE; COMPUTER HARDWARE AND SOFTWARE FOR CREATING NETWORKS OF ELECTRONIC DEVICES IN THE HOME, NAMELY, LOCAL AREA NETWORK DRIVERS, NETWORK INTERFACE CARDS, EXTERNAL INTERFACE DEVICE UNITS, PLUGS AND CONNECTORS, AND RELATED SOFTWARE FOR CREATING NETWORKS OF ELECTRONIC DEVICES; COMPUTER PERIPHERALS, [NAMELY, VIDEO CAMERAS; COMPUTER PERIPHERALS,] NAMELY, MODEMS, [SPEAKERS, MICROPHONES,] AND COMPUTER HARDWARE, AND COMPUTER OPERATING SOFTWARE FOR USE IN CONNECTION WITH SUCH PERIPHERALS; AND LOCAL AREA NETWORK PRODUCTS, namely, HARDWARE NETWORK INTERFACE CARDS, AND COMPUTER SOFTWARE FOR TRANSMITTING AND RECEIVING DATA OVER A WIRELESS NETWORK

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Privacy - Terms

Basis: 1(a)**First Use:** Aug. 1995**Use in Commerce:** Aug. 1995

For: TECHNICAL SUPPORT SERVICES, NAMELY PROVIDING TECHNICAL ADVICE AND CONSULTATION REGARDING INSTALLING, USE, MAINTENANCE AND TROUBLE SHOOTING OF COMPUTER COMMUNICATIONS SOFTWARE AND HARDWARE PROBLEMS, VIA TELEPHONE AND E-MAIL

International Class(es): 042 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** 1983**Use in Commerce:** 1983

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: ZOOM VIDEO COMMUNICATIONS, INC.

Owner Address: 55 ALMADEN BLVD., 6TH FL.
SAN JOSE, CALIFORNIA UNITED STATES 95113

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pamela S. Chestek**Docket Number:** 166-00575

Attorney Primary Email Address: pamela@chesteklegal.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Pamela S. Chestek

Chestek Legal
PO Box 2492
Raleigh, NORTH CAROLINA UNITED STATES 27602

Phone: 919-800-8033**Domestic Representative - Not Found**

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Sep. 24, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Sep. 24, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Sep. 24, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Sep. 24, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Sep. 24, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Sep. 01, 2021 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Aug. 23, 2021 | TTAB RELEASE CASE TO TRADEMARKS | 76523 |
| Aug. 23, 2021 | CANCELLATION TERMINATED NO. 999999 | 76523 |

| | | |
|---------------|--|-------|
| Aug. 23, 2021 | CANCELLATION DENIED NO. 999999 | 76523 |
| Aug. 11, 2021 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Aug. 04, 2021 | TEAS SECTION 7 REQUEST RECEIVED | |
| Apr. 19, 2021 | AMENDMENT UNDER SECTION 7 – PROCESSED | 77315 |
| Feb. 22, 2021 | CANCELLATION INSTITUTED NO. 999999 | 76523 |
| Aug. 10, 2016 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Aug. 10, 2016 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Feb. 09, 2013 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Feb. 09, 2013 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 67603 |
| Feb. 09, 2013 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | 67603 |
| Feb. 07, 2013 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 67603 |
| Jan. 22, 2013 | TEAS SECTION 8 & 9 RECEIVED | |
| Mar. 04, 2009 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 74886 |
| Jan. 26, 2009 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED | |
| Jan. 26, 2009 | PAPER RECEIVED | |
| Jun. 06, 2008 | NOTICE OF SUIT | |
| May 20, 2008 | NOTICE OF SUIT | |
| Mar. 17, 2008 | CASE FILE IN TICRS | |
| Jan. 21, 2003 | REGISTERED-PRINCIPAL REGISTER | |
| Oct. 29, 2002 | PUBLISHED FOR OPPOSITION | |
| Oct. 09, 2002 | NOTICE OF PUBLICATION | |
| Jun. 24, 2002 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| May 09, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 25, 2002 | DIVISIONAL PROCESSING COMPLETE | |
| Jan. 11, 2002 | DIVISIONAL REQUEST RECEIVED | |
| Mar. 07, 2002 | ASSIGNED TO EXAMINER | 76833 |
| Oct. 03, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Aug. 28, 2001 | FINAL REFUSAL MAILED | |
| May 14, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Feb. 14, 2001 | NON-FINAL ACTION MAILED | |
| Sep. 18, 2000 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jun. 20, 2000 | NON-FINAL ACTION MAILED | |
| Apr. 05, 2000 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Oct. 05, 1999 | NON-FINAL ACTION MAILED | |
| Sep. 17, 1999 | ASSIGNED TO EXAMINER | 76833 |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Apr. 19, 2021

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STATUS DOCUMENTS MAINTENANCE

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Mark: ZOOM

No Image exists for this case.

US Serial Number: 75687137

Application Filing Date: Apr. 20, 1999

US Registration Number: 2891467

Registration Date: Oct. 05, 2004

Register: Principal

Mark Type: Trademark, Service Mark

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: Aug. 28, 2014

Publication Date: Sep. 09, 2003

Notice of Allowance Date: Dec. 02, 2003

Mark Information

Mark Literal Elements: ZOOM

Standard Character Claim: No

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

Related Properties Information

Claimed Ownership of US [2094836](#), [2219272](#)

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: [Provision of telecommunication connections to a global computer network]

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: May 12, 2004

Use in Commerce: May 12, 2004

For: Telecommunications and Computer Peripheral Products, namely, Wide Area Network communication receivers and transmitters, DSL modems, Cable modems [, and satellite data transmitters and receivers]

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

Privacy - Terms

First Use: 1983

Use in Commerce: 1983

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: ZOOM VIDEO COMMUNICATIONS, INC.

Owner Address: 55 ALMADEN BLVD., 6TH FL.
SAN JOSE, CALIFORNIA UNITED STATES 95113

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pamela S. Chestek

Docket Number: 166-00575

Attorney Primary Email Address: pamela@chesteklegal.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Pamela S. Chestek

Chestek Legal
PO Box 2492
Raleigh, NORTH CAROLINA UNITED STATES 27602

Phone: 919-800-8033

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Sep. 24, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Sep. 24, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Sep. 24, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Sep. 24, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Sep. 24, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Sep. 01, 2021 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Aug. 11, 2021 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Mar. 12, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Mar. 12, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Mar. 12, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Mar. 12, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Mar. 12, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Aug. 10, 2016 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Aug. 10, 2016 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |

| | | |
|---------------|---|-------|
| Aug. 28, 2014 | NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED | |
| Aug. 28, 2014 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 76873 |
| Aug. 28, 2014 | REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8 | 76873 |
| Aug. 28, 2014 | REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED | 76873 |
| Aug. 28, 2014 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 76873 |
| Aug. 12, 2014 | TEAS SECTION 8 & 9 RECEIVED | |
| Jan. 08, 2010 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 67603 |
| Jan. 05, 2010 | TEAS SECTION 8 & 15 RECEIVED | |
| Jun. 06, 2008 | NOTICE OF SUIT | |
| May 20, 2008 | NOTICE OF SUIT | |
| Oct. 02, 2007 | CORRECTION UNDER SECTION 7 - PROCESSED | |
| Jul. 16, 2007 | CORRECTION UNDER SECTION 7 - PROCESSED | |
| Jul. 02, 2007 | ASSIGNED TO PARALEGAL | 67603 |
| Oct. 29, 2004 | SEC 7 REQUEST FILED | |
| Oct. 29, 2004 | PAPER RECEIVED | |
| Oct. 05, 2004 | REGISTERED-PRINCIPAL REGISTER | |
| Aug. 04, 2004 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 77978 |
| Aug. 03, 2004 | ASSIGNED TO LIE | 77978 |
| Jul. 30, 2004 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Jul. 23, 2004 | NON-FINAL ACTION MAILED | |
| Jul. 21, 2004 | ASSIGNED TO EXAMINER | 69800 |
| Jun. 29, 2004 | STATEMENT OF USE PROCESSING COMPLETE | |
| Jun. 29, 2004 | USE AMENDMENT FILED | |
| Jul. 01, 2004 | PAPER RECEIVED | |
| Jun. 16, 2004 | EXTENSION 1 GRANTED | |
| May 26, 2004 | EXTENSION 1 FILED | |
| Jun. 08, 2004 | CASE FILE IN TICRS | |
| May 26, 2004 | PAPER RECEIVED | |
| Dec. 02, 2003 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Sep. 09, 2003 | PUBLISHED FOR OPPOSITION | |
| Aug. 20, 2003 | NOTICE OF PUBLICATION | |
| Jul. 14, 2003 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Feb. 07, 2003 | LETTER OF SUSPENSION MAILED | |
| Nov. 29, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Nov. 29, 2002 | PAPER RECEIVED | |
| Jun. 11, 2002 | LETTER OF SUSPENSION MAILED | |
| Apr. 26, 2002 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 26, 2002 | PAPER RECEIVED | |
| Oct. 03, 2001 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Oct. 20, 2001 | ASSIGNED TO EXAMINER | 69800 |
| May 17, 2000 | LETTER OF SUSPENSION MAILED | |
| Mar. 30, 2000 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Sep. 30, 1999 | NON-FINAL ACTION MAILED | |
| Sep. 28, 1999 | ASSIGNED TO EXAMINER | 69800 |
| Sep. 20, 1999 | ASSIGNED TO EXAMINER | 73711 |

TM Staff and Location Information

TM Staff Information - None

File Location



Current Location: TMEG LAW OFFICE 103

Date in Location: Aug. 28, 2014

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[Proceedings - Click to Load](#)



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STATUS DOCUMENTS MAINTENANCE

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Mark: ZOOMTOPIA

ZOOMTOPIA

US Serial Number: 88687774

Application Filing Date: Nov. 11, 2019

US Registration Number: 6084179

Registration Date: Jun. 23, 2020

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

Status Date: Jun. 23, 2020

Publication Date: Apr. 07, 2020

Mark Information

Mark Literal Elements: ZOOMTOPIA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: [1506845](#)

International Application(s) /Registration(s) Based on this Property: [A0091570/1506845](#)

Goods and Services

Note:

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

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

For: Educational services, namely, conducting conferences in the field of video conferencing and communications

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

[Privacy - Terms](#)

First Use: Sep. 27, 2017**Use in Commerce:** Sep. 27, 2017**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:** Zoom Video Communications, Inc.**Owner Address:** 6th Floor
55 Almaden Blvd.
San Jose, CALIFORNIA UNITED STATES 95113**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Pamela Chestek**Docket Number:** 166-00579**Attorney Primary Email
Address:** pamela@chesteklegal.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent
Name/Address:** Pamela Chestek
Chestek Legal
PO Box 2492
Raleigh, NORTH CAROLINA UNITED STATES 27602**Phone:** 919-800-8033**Domestic Representative - Not Found****Prosecution History**

| Date | Description | Proceeding Number |
|---------------|--|--------------------------|
| Jul. 22, 2020 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Jul. 22, 2020 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Jul. 22, 2020 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Jun. 23, 2020 | REGISTERED-PRINCIPAL REGISTER | |
| Apr. 07, 2020 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Apr. 07, 2020 | PUBLISHED FOR OPPOSITION | |
| Mar. 18, 2020 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Mar. 04, 2020 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 73296 |
| Mar. 02, 2020 | ASSIGNED TO LIE | 73296 |
| Feb. 24, 2020 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Feb. 21, 2020 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Feb. 20, 2020 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |

| | | |
|---------------|--|-------|
| Feb. 20, 2020 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Feb. 20, 2020 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Feb. 20, 2020 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 20, 2020 | NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 20, 2020 | NON-FINAL ACTION WRITTEN | 69195 |
| Feb. 13, 2020 | PREVIOUS ALLOWANCE COUNT WITHDRAWN | |
| Feb. 11, 2020 | WITHDRAWN FROM PUB - OG REVIEW QUERY | 99910 |
| Jan. 24, 2020 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 23, 2020 | ASSIGNED TO EXAMINER | 69195 |
| Nov. 18, 2019 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Nov. 14, 2019 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 23, 2020

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Mark: ZOOMTOPIA



US Serial Number: 88923364

Application Filing Date: May 19, 2020

US Registration Number: 6216396

Registration Date: Dec. 08, 2020

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Dec. 08, 2020

Publication Date: Sep. 22, 2020

Mark Information

Mark Literal Elements: ZOOMTOPIA

Standard Character Claim: No

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

Description of Mark: The mark consists of the coined term "ZOOMTOPIA" in stylized form.

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

Goods and Services

Note:

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

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

For: Downloadable computer software for providing information about conferences in the field of digital communications, namely, information and notifications about conference activities and scheduling, conference speakers, exhibitors, attendees, conference logistics, maps and meeting locations, wireless Internet availability, and transportation

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2019

Use in Commerce: Jun. 30, 2019

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

[Privacy - Terms](#)

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Zoom Video Communications, Inc.

Owner Address: 6th Floor
55 Almaden Blvd.
San Jose, CALIFORNIA UNITED STATES 95113

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pamela Chestek

Docket Number: 166-00580

Attorney Primary Email Address: pamela@chesteklegal.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Pamela Chestek
Chestek Legal
PO Box 2492
Raleigh, NORTH CAROLINA UNITED STATES 27602

Phone: 919-800-8033

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Feb. 09, 2021 | POST REGISTRATION ACTION MAILED - SEC. 7 | 64591 |
| Feb. 02, 2021 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 64591 |
| Jan. 04, 2021 | TEAS SECTION 7 REQUEST RECEIVED | |
| Dec. 08, 2020 | REGISTERED-PRINCIPAL REGISTER | |
| Sep. 22, 2020 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 22, 2020 | PUBLISHED FOR OPPOSITION | |
| Sep. 02, 2020 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 17, 2020 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 17, 2020 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 17, 2020 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 17, 2020 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Aug. 14, 2020 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 14, 2020 | NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 14, 2020 | NON-FINAL ACTION WRITTEN | 91173 |
| Aug. 14, 2020 | ASSIGNED TO EXAMINER | 91173 |
| Jul. 22, 2020 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Jul. 22, 2020 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Jul. 22, 2020 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Jun. 03, 2020 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| May 22, 2020 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 117

Date in Location: Feb. 09, 2021






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Exhibit 2

ZOOM Registrations and Applications

| Trademark | Status | Application Number | Application Date | Registration Number | Registration Date | Classes |
|---|------------|--------------------|------------------|---------------------|-------------------|------------------------|
| ZOOM | Registered | 74399844 | Jun 08 1993 | 1892967 | May 09 1995 | 9 |
| ZOOM | Registered | 75684799 | Apr 14 1999 | 2675838 | Jan 21 2003 | 9, 42 |
| ZOOM | Registered | 75687137 | Apr 20 1999 | 2891467 | Oct 05 2004 | 9 |
| ZOOMTOPIA | Registered | 88687774 | Nov 11 2019 | 6084179 | Jun 23 2020 | 41 |
|  | Registered | 88923364 | May 19 2020 | 6216396 | Dec 08 2020 | 9 |
| ONZOOM | Pending | 90252389 | Oct 13 2020 | | | 9, 35, 42 |
| ZOOM | Pending | 88016782 | Jun 27 2018 | | | 9 |
|  | Pending | 88921775 | May 18 2020 | | | 9 |
|  | Pending | 88920458 | May 18 2020 | | | 42 |
|  | Pending | 90665166 | Apr 22 2021 | | | 14, 16, 18, 21, 22, 25 |
|  | Pending | 87557217 | Aug 04 2017 | | | 38 |
| ZOOM CARES | Pending | 90450612 | Jan 06 2021 | | | 36 |
| ZOOM EVENTS | Pending | 90641756 | Apr 13 2021 | | | 9, 35, 42 |

| Trademark | Status | Application Number | Application Date | Registration Number | Registration Date | Classes |
|--------------|---------|--------------------|------------------|---------------------|-------------------|-------------------|
| ZOOM FOR YOU | Pending | 90252359 | Oct 13 2020 | | | 9, 35, 38, 41, 42 |
| ZOOM PHONE | Pending | 90394184 | Dec 18 2020 | | | 38, 42 |
| ZOOM ROOMS | Pending | 90394047 | Dec 18 2020 | | | 38, 42 |
| ZOOM ROOMS | Pending | 87926427 | May 17 2018 | | | 9 |
| zoomrooms | Pending | 88919819 | May 17 2020 | | | 42 |
| zoomrooms | Pending | 88919896 | May 17 2020 | | | 38 |