

ESTTA Tracking number: **ESTTA1240938**

Filing date: **10/11/2022**

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

Name	FanDuel Group, Inc.
Granted to date of previous extension	10/09/2022
Address	300 PARK AVENUE SOUTH, 14TH FLOOR NEW YORK, NY 10010 UNITED STATES

Attorney information	JACQUELINE L. PATT, ESQ. MARKERY LAW LLC P.O. BOX 84150 GAITHERSBURG, MD 20883-4150 UNITED STATES Primary email: docket@markerylaw.com Secondary email(s): jackiepatt@markerylaw.com, taratoth@markerylaw.com (202) 888-7885
Docket no.	

Applicant information

Application no.	90774487	Publication date	04/12/2022
Opposition filing date	10/11/2022	Opposition period ends	10/09/2022
Applicant	FANFULL, INC. 1600 GLENARM PLACE, APT. 2504 DENVER, CO 80202 UNITED STATES		

Goods/services affected by opposition


<p>Class 009. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Downloadable computer application software for mobile phones, namely, software for providing sports, e-sports and entertainment contests; Downloadable computer application software for mobile phones, namely, software for providing sports league player and team statistics and sports information in the nature of player, team and game analysis and forecasting using predictive analytics; Downloadable computer game software for use on mobile and cellular phones</p>
<p>Class 041. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Entertainment services, namely, conducting contests; Providing entertainment information via a website; Providing sports information via a website; Providing a website featuring entertainment information in the fields of entertainment, e-sports and sports</p>

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.	4146662	Application date	10/07/2011
Register	Principal		
Registration date	05/22/2012	Foreign priority date	NONE
Word mark	FANDUEL		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Jul 1, 2009 First Use In Commerce: Jul 1, 2009 Entertainment services in the nature offantasy sports leagues		

U.S. registration no.	6029354	Application date	12/04/2019
Register	Principal		
Registration date	04/07/2020	Foreign priority date	NONE
Word mark	FANDUEL		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: Aug 1, 2016 First Use In Commerce: Aug 1, 2016</p> <p>downloadable mobile application for sports betting; downloadable mobile application for fantasy sports contests; downloadable mobile application featuring newsand information in the field of sports;downloadable mobile application providing sports league player and team statistics and sports information in the natureof player, team and game analysis and forecasting using predictive analytics</p> <p>Class 041. First use: First Use: Jul 1, 2009 First Use In Commerce: Jul 1, 2009</p> <p>entertainment services in the nature ofsports betting; providing a web site featuring news and information in the field of sports and sports betting; conducting and providing facilities for sports betting; entertainment in the nature of ongoing Internet protocol television (IPTV) programming segments in the field of sports; entertainment services, namely, a continuing program about sports accessible by television, satellite, and computer networks; entertainment in the nature of television sports news shows; entertainment services in the nature of fantasy</p>		

	sports leagues; providing a website that provides information regarding sports league player performance and statistics; organizing, conducting and operating-fantasy sport tournaments; providing news and information in the field of sports; entertainment services, namely, providing podcasts in the field of sports
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U.S. registration no.	5277718	Application date	06/20/2016
Register	Principal		
Registration date	08/29/2017	Foreign priority date	NONE
Word mark	FANDUEL FD		
Design mark			
Description of mark	The mark consists of a broken shield designed to look like the letters "F" and "D." To the right of the shield design is the word "FANDUEL".		
Goods/services	<p>Class 009. First use: First Use: Aug 1, 2016 First Use In Commerce: Aug 1, 2016 Downloadable mobile application for fantasy sports contests</p> <p>Class 041. First use: First Use: Aug 1, 2016 First Use In Commerce: Aug 1, 2016 Entertainment services in the nature offantasy sports leagues; Providing a website that provides information regardingsports league player performance and statistics; Organizing, conducting and operating fantasy sport tournaments; Providing news and information in the field ofsports</p>		

Attachments	88714239#TMSN.png(bytes) 87077526#TMSN.png(bytes) FANFULL Notice of Opposition with Exhibits-FINAL.pdf(247706 bytes)
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Signature	/Jacqueline L. Patt/
Name	JACQUELINE L. PATT, ESQ.
Date	10/11/2022

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

FanDuel Group, Inc.)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	Serial No. 90/774487
Fanfull, Inc.,)	Mark: FANFULL
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

In the matter of the application for registration of the trademark FANFULL filed by Fanfull, Inc. as shown in Application Serial No. 90/774487, filed June 15, 2021, and published for opposition in the Official Gazette of April 12, 2022.

FanDuel Group, Inc. of New York, NY (“Opposer”), believes that it will be damaged by registration of the mark shown in said Application Serial No. 90/774487, owned by Fanfull, Inc. of Denver, CO (“Applicant”), and hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is now providing, and for many years, has provided online sports and gaming services offering sportsbook, daily fantasy sports, online casino, and online horse race betting products under the FANDUEL mark.

2. Opposer is the owner of United States Incontestable Trademark Registration No. 4,146,662 for the mark FANDUEL, Registration No. 5,277,718 for its FD FANDUEL design mark, and Registration No. 6,029,354 for the mark FANDUEL (the “FANDUEL Marks”) for the goods and services listed below (“Opposer’s Goods and Services”). *See Exhibit 1,*

TSDR printouts of Registration Nos. 4,146,662, 5,277,718, 6,029,354. Such registrations are now in full force and effect.

<p>FANDUEL Reg. No. 4146662</p>	<p>Int'l Class 41: Entertainment services in the nature of fantasy sports leagues</p>
<p>FANDUEL Reg. No. 6029354</p>	<p>Int'l Class 9: downloadable mobile application for sports betting; downloadable mobile application for fantasy sports contests; downloadable mobile application featuring news and information in the field of sports; downloadable mobile application providing sports league player and team statistics and sports information in the nature of player, team and game analysis and forecasting using predictive analytics</p> <p>Int'l Class 41: entertainment services in the nature of sports betting; providing a web site featuring news and information in the field of sports and sports betting; conducting and providing facilities for sports betting; entertainment in the nature of ongoing Internet protocol television (IPTV) programming segments in the field of sports; entertainment services, namely, a continuing program about sports accessible by television, satellite, and computer networks; entertainment in the nature of television sports news shows; entertainment services in the nature of fantasy sports leagues; providing a website that provides information regarding sports league player performance and statistics; organizing, conducting and operating fantasy sport tournaments; providing news and information in the field of sports; entertainment services, namely, providing podcasts in the field of sports</p>
<p> FANDUEL Reg. No. 5277718</p>	<p>Int'l Class 9: Downloadable mobile application for fantasy sports contests</p> <p>Int'l Class 41: Entertainment services in the nature of fantasy sports leagues; Providing a website that provides information regarding sports league player performance and statistics; Organizing, conducting and operating fantasy sport tournaments; Providing news and information in the field of sports</p>

3. Opposer has used the mark FANDUEL in commerce in connection with the Opposer's Goods and Services continuously since at least as early as July 1, 2009.

4. Opposer has used the FD & Design mark in commerce in connection with Opposer's Goods and Services continuously since at least as early as August 1, 2016.

5. Opposer has extensively promoted and marketed its FANDUEL Marks in connection with Opposer's Goods and Services. By reason of its extensive marketing and promotion, FanDuel Group, Inc. has established substantial goodwill in its well-known and distinctive FANDUEL Marks, and the public has come to associate the FANDUEL Marks with Opposer's Goods and Services.

6. Applicant filed Application Serial No. 90/774487 for the mark FANFULL on June 15, 2021, based on an intent to use the mark under Section 1(b) covering the following goods and services in International Classes 9 and 41 ("Applicant's Goods and Services").

FANFULL, Ser. No. 90/774487	Int'l Class 9: Downloadable computer application software for mobile phones, namely, software for providing sports, e-sports and entertainment contests; Downloadable computer application software for mobile phones, namely, software for providing sports league player and team statistics and sports information in the nature of player, team and game analysis and forecasting using predictive analytics; Downloadable computer game software for use on mobile and cellular phones Int'l Class 41: Entertainment services, namely, conducting contests; Providing entertainment information via a website; Providing sports information via a website; Providing a website featuring entertainment information in the fields of entertainment, e-sports and sports
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Count I
Likelihood of Confusion

7. Opposer has used the FANDUEL Marks in commerce in the United States in connection with Opposer's Goods and Services since prior to any date of first use that may be relied upon by the Applicant.

8. On information and belief, Applicant did not use the trademark FANFULL in the United States for Applicant's Goods and Services identified in its application prior to any first use date that can be relied upon by Opposer.

9. On information and belief, Applicant did not use the mark FANFULL in the U.S. prior to July 1, 2009.

10. Applicant's Goods and Services for which Applicant seeks to register the mark FANFULL are the same as or closely related to Opposer's Goods and Services offered under the FANDUEL Marks.

11. Applicant's Goods and Services intended to be offered or offered under the mark FANFULL will travel in the same channels of trade and will be offered to the same consumers as Opposer's Goods and Services offered under the FANDUEL Marks.

12. Applicant's mark FANFULL is the same or similar to the Opposer's FANDUEL Marks in sound, appearance, meaning and commercial impression.

13. Applicant's mark FANFULL so resembles Opposer's FANDUEL Marks that the use and registration thereof is likely to cause confusion, mistake and deception as to the source of origin and/or the sponsorship of Applicant's Goods and Services with Opposer's Goods and Services.

14. If the Applicant were permitted to use and register its mark for Applicant's Goods and Services, confusion among consumers resulting in damage and injury to Opposer would be caused by virtue of the similarity between Applicant's FANFULL mark and Opposer's FANDUEL Marks, and the related nature of the goods and services covered by those marks. Any defect, objection or fault found with Applicant's Goods and Services would reflect upon, seriously injure, and dilute the reputation and value that Opposer has established under its FANDUEL Marks.

WHEREFORE, Opposer prays as follows:

- (a) that the Notice of Opposition be granted; and
- (b) that Applicant's Application Serial No. 90/774487 be denied.

Please conduct all correspondence in this matter with the undersigned at the below address.

Respectfully submitted,



Date: October 11, 2022

Jacqueline L. Patt
Katrina Hull
Markery Law LLC
P.O. Box 84150
Gaithersburg, MD 20883
Attorneys for Opposer

CERTIFICATE OF FILING

I hereby certify this Notice of Opposition is being filed electronically via ESTAA on October 11, 2022.

A handwritten signature in black ink, appearing to read "Jacqueline L. Patt". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jacqueline L. Patt

Exhibit 1

Generated on: This page was generated by TSDR on 2022-10-10 14:09:24 EDT

Mark: FANDUEL

FanDuel

US Serial Number: 85441744

Application Filing Date: Oct. 07, 2011

US Registration Number: 4146662

Registration Date: May 22, 2012

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

Status Date: Jul. 20, 2017

Publication Date: Mar. 06, 2012

Mark Information

Mark Literal Elements: FANDUEL

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Entertainment services in the nature of fantasy sports leagues

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 2009

Use in Commerce: Jul. 01, 2009

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: FANDUEL GROUP, INC.

Owner Address: 300 PARK AVENUE SOUTH, 14TH FLOOR
NEW YORK, NEW YORK UNITED STATES 10010

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline L. Patt, Esq.

Docket Number: US-ZWIL-001A

Attorney Primary Email Address: docket@markerylaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jacqueline L. Patt, Esq.

Markery Law LLC
P.O. Box 84150
Gaithersburg, MARYLAND UNITED STATES 20883-4150

Phone: (202) 888-7885

Fax: (202) 803-7953

Correspondent e-mail: docket@markerylaw.com jackiepatt@markerylaw.com
com_taratoth@markerylaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jacqueline L. Patt

Phone: (202) 888-7885

Fax: (202) 803-7953

Domestic Representative e-mail: docket@markerylaw.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 02, 2022	TEAS SECTION 8 & 9 RECEIVED	
May 22, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 18, 2020	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 20, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 20, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Jul. 20, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
May 26, 2017	TEAS SECTION 8 & 15 RECEIVED	
May 22, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Nov. 16, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 14, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 22, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 10, 2014	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jan. 10, 2014	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 22, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 06, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 06, 2012	PUBLISHED FOR OPPOSITION	
Feb. 15, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 28, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Jan. 28, 2012	ASSIGNED TO LIE	70138
Jan. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 26, 2012	ASSIGNED TO EXAMINER	83223
Oct. 14, 2011	NOTICE OF PSEUDO MARK MAILED	
Oct. 13, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: Jul. 20, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 6

Registrant: Hubdub Ltd.

Assignment 1 of 6

Conveyance: CHANGE OF NAME

Reel/Frame: [5576/0707](#)

Pages: 3

Date Recorded: Jul. 15, 2015

Supporting Documents: [assignment-tm-5576-0707.pdf](#)

Assignor

Name: [HUBDUB LTD. DBA FANDUEL](#)

Execution Date: Apr. 19, 2012

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: SCOTLAND

Assignee

Name: [FANDUEL LIMITED](#)

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: SCOTLAND

Address: 1 EXCHANGE CRESCENT, CONFERENCE SQUARE
C/O SHEPHERD AND WEDDERBURN LLP
EDINBURGH, SCOTLAND EH38UL

Correspondent

Correspondent Name: JACQUELINE L. PATT

Correspondent Address: P.O. BOX 84150
GAITHERSBURG, MD 20883-4150

Domestic Representative

Domestic Representative Name: JACQUELINE L. PATT

Domestic Representative Address: P.O. BOX 84150
GAITHERSBURG, MD 20883-4150

Assignment 2 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: [5017/0732](#)

Pages: 11

Date Recorded: Apr. 30, 2013

Supporting Documents: [assignment-tm-5017-0732.pdf](#)

Assignor

Name: [FANDUEL LIMITED](#)

Execution Date: Apr. 26, 2013

Legal Entity Type: COMPANY

State or Country Where Organized: No Place Where Organized Found

Name: [FANDUEL INC.](#)

Execution Date: Apr. 26, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [VENTURE LENDING & LEASING VI, INC.](#)

Legal Entity Type: CORPORATION

State or Country MARYLAND
Where Organized:

Address: 104 LA MESA DRIVE, SUITE 102
PORTOLA VALLEY, CALIFORNIA 94028

Name: [VENTURE LENDING & LEASING VII, INC.](#)

Legal Entity Type: CORPORATION

State or Country MARYLAND
Where Organized:

Address: 104 LA MESA DRIVE, SUITE 102
PORTOLA VALLEY, CALIFORNIA 94028

Correspondent

Correspondent Name: JEFFREY T. KLUGMAN

Correspondent Address: FOUR EMBARCADERO CENTER, SUITE 4000
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Assignment 3 of 6

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5641/0501](#)

Pages: 4

Date Recorded: Oct. 08, 2015

Supporting Documents: [assignment-tm-5641-0501.pdf](#)

Assignor

Name: [VENTURE LENDING & LEASING VI, INC.](#)

Execution Date: Oct. 06, 2015

Legal Entity Type: CORPORATION

State or Country MARYLAND
Where Organized:

Name: [VENTURE LENDING & LEASING VII, INC.](#)

Execution Date: Oct. 06, 2015

Legal Entity Type: CORPORATION

State or Country MARYLAND
Where Organized:

Assignee

Name: [FANDUEL LIMITED](#)

Legal Entity Type: LIMITED COMPANY

State or Country SCOTLAND
Where Organized:

Address: 19 UNION SQUARE WEST
9TH FLOOR
NEW YORK, NEW YORK 10003

Name: [FANDUEL INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 19 UNION SQUARE WEST
9TH FLOOR
NEW YORK, NEW YORK 10003

Correspondent

Correspondent Name: SQUARE 1 BANK

Correspondent Address: 406 BLACKWELL STREET
SUITE 240
DURHAM, NC 27701

Domestic Representative - Not Found

Assignment 4 of 6

Conveyance: INTELLECTUAL PROPERTY SECURITY AGREEMENT

Reel/Frame: [5908/0365](#)

Pages: 11

Date Recorded: Oct. 24, 2016

Supporting Documents: [assignment-tm-5908-0365.pdf](#)

Assignor

Name: [FANDUEL LIMITED](#)
Legal Entity Type: PRIVATE LIMITED COMPANY
Execution Date: Oct. 24, 2016
State or Country Where Organized: SCOTLAND

Assignee

Name: [HERCULES CAPITAL, INC., IN ITS CAPACITY AS ADMINISTRATIVE AGENT AND COLLATERAL AGENT](#)
Legal Entity Type: COMPANY
State or Country Where Organized: MARYLAND
Address: 400 HAMILTON AVENUE, SUITE 310
PALO ALTO, CALIFORNIA 94301

Correspondent

Correspondent Name: LATHAM & WATKINS LLP
Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found**Assignment 5 of 6**

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [6378/0812](#) **Pages:** 9
Date Recorded: Jul. 12, 2018
Supporting Documents: [assignment-tm-6378-0812.pdf](#)

Assignor

Name: [HERCULES CAPITAL, INC., AS AGENT](#)
Legal Entity Type: CORPORATION
Execution Date: Jul. 11, 2018
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [FANDUEL LIMITED](#)
Legal Entity Type: PRIVATE LIMITED COMPANY
State or Country Where Organized: SCOTLAND
Address: QUARTERMILE 1, 15 LAURISTON PLACE
EDINBURGH, SCOTLAND EH3 9EN

Name: [FANDOM GAMING, INC.](#)
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE
Address: 300 PARK AVENUE S, 14TH FLOOR
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: WSGR, C/O QUI LU FLOOD, SENIOR PARALEGAL
Correspondent Address: ONE MARKET, SPEAR TOWER, SUITE 3300
SAN FRANCISCO, CA 94105

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

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [6890/0260](#) **Pages:** 4
Date Recorded: Mar. 12, 2020
Supporting Documents: [assignment-tm-6890-0260.pdf](#)

Assignor

Name: [FANDUEL LIMITED](#)
Legal Entity Type: LIMITED COMPANY
Execution Date: Mar. 10, 2020
State or Country Where Organized: SCOTLAND

Assignee

Name: [FANDUEL GROUP, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 300 PARK AVENUE SOUTH, 14TH FLOOR
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: JACQUELINE L. PATT

Correspondent Address: P.O. BOX 84150
GAITHERSBURG, MD 20883-4150

Domestic Representative - Not Found

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Mark: FANDUEL

FANDUEL

US Serial Number: 88714239

Application Filing Date: Dec. 04, 2019

US Registration Number: 6029354

Registration Date: Apr. 07, 2020

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Apr. 07, 2020

Publication Date: Jan. 21, 2020

Mark Information

Mark Literal Elements: FANDUEL

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 4146662, 5277718

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 mobile application for sports betting; downloadable mobile application for fantasy sports contests; downloadable mobile application featuring news and information in the field of sports; downloadable mobile application providing sports league player and team statistics and sports information in the nature of player, team and game analysis and forecasting using predictive analytics

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2016

Use in Commerce: Aug. 01, 2016

For: entertainment services in the nature of sports betting; providing a web site featuring news and information in the field of sports and sports betting; conducting and providing facilities for sports betting; entertainment in the nature of ongoing Internet protocol television (IPTV) programming segments in the field of sports; entertainment services, namely, a continuing program about sports accessible by television, satellite, and computer networks; entertainment in the nature of television sports news shows; entertainment services in the

nature of fantasy sports leagues; providing a website that provides information regarding sports league player performance and statistics; organizing, conducting and operating fantasy sport tournaments; providing news and information in the field of sports; entertainment services, namely, providing podcasts in the field of sports

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 2009

Use in Commerce: Jul. 01, 2009

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: FanDuel Limited

Owner Address: c/o Shepherd and Wedderburn LLP
1 Exchange Crescent, Conference Square
Edinburgh SCOTLAND EH38UL

Legal Entity Type: limited company (Ltd.)

State or Country Where Organized: SCOTLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline L. Patt

Docket Number: US-ZWIL-001B

Attorney Primary Email Address: docket@markerylaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JACQUELINE L. PATT
MARKERY LAW LLC
P.O. BOX 84150
GAITHERSBURG, MARYLAND UNITED STATES 20883-4150

Phone: 202-888-7885

Fax: (202) 803-7953

Correspondent e-mail: docket@markerylaw.com jackiepatt@markerylaw.com
com.tarathoth@markerylaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jacqueline L. Patt

Phone: 202-888-7885

Fax: (202) 803-7953

Domestic Representative e-mail: docket@markerylaw.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Apr. 07, 2020	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 2020	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 21, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 21, 2020	PUBLISHED FOR OPPOSITION	
Jan. 01, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Dec. 16, 2019 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 16, 2019 ASSIGNED TO EXAMINER
Dec. 09, 2019 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Dec. 07, 2019 NEW APPLICATION ENTERED IN TRAM

93068

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 07, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: FanDuel Limited

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6890/0260](#)

Pages: 4

Date Recorded: Mar. 12, 2020

Supporting Documents: [assignment-tm-6890-0260.pdf](#)

Assignor

Name: [FANDUEL LIMITED](#)

Execution Date: Mar. 10, 2020

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: SCOTLAND

Assignee

Name: [FANDUEL GROUP, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 300 PARK AVENUE SOUTH, 14TH FLOOR
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: JACQUELINE L. PATT

Correspondent Address: P.O. BOX 84150
GAITHERSBURG, MD 20883-4150

Domestic Representative - Not Found

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Mark: FANDUEL FD



US Serial Number: 87077526

Application Filing Date: Jun. 20, 2016

US Registration Number: 5277718

Registration Date: Aug. 29, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, 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: Aug. 29, 2017

Publication Date: Nov. 08, 2016 Notice of Allowance Date: Jan. 03, 2017

Mark Information

Mark Literal Elements: FANDUEL FD

Standard Character Claim: No

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

Description of Mark: The mark consists of a broken shield designed to look like the letters "F" and "D." To the right of the shield design is the word "FANDUEL".

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

Design Search Code(s): 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon

Related Properties Information

Claimed Ownership of US Registrations: 4146662

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 mobile application for fantasy sports contests

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2016

Use in Commerce: Aug. 01, 2016

For: Entertainment services in the nature of fantasy sports leagues; Providing a website that provides information regarding sports league player performance and statistics; Organizing, conducting and operating fantasy sport tournaments; Providing news and information in the field of sports

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2016

Use in Commerce: Aug. 01, 2016

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: FANDUEL GROUP, INC.

Owner Address: 300 PARK AVENUE SOUTH, 14TH FLOOR
NEW YORK, NEW YORK UNITED STATES 10010

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline L. Patt

Attorney Primary Email Address: docket@markerylaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JACQUELINE L. PATT
MARKERY LAW, LLC
P.O. BOX 84150
GAITHERSBURG, MARYLAND UNITED STATES 20883-4150

Phone: (202) 888-7786

Fax: (202) 803-7953

Correspondent e-mail: docket@markerylaw.com jackiepatt@markerylaw.com
[com taraday@markerylaw.com](mailto:com.taraday@markerylaw.com)

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jacqueline L. Patt

Phone: (202) 888-7786

Fax: (202) 803-7953

Domestic Representative e-mail: docket@markerylaw.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Aug. 29, 2022	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 18, 2020	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 29, 2017	REGISTERED-PRINCIPAL REGISTER	
Jul. 22, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 21, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 20, 2017	ASSIGNED TO EXAMINER	67512

Apr. 05, 2017	STATEMENT OF USE PROCESSING COMPLETE	71906
Mar. 22, 2017	USE AMENDMENT FILED	71906
Apr. 04, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
Mar. 22, 2017	TEAS STATEMENT OF USE RECEIVED	
Jan. 03, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 08, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 08, 2016	PUBLISHED FOR OPPOSITION	
Oct. 19, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 27, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 27, 2016	ASSIGNED TO EXAMINER	74662
Jun. 25, 2016	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jun. 24, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 23, 2016	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: Jul. 21, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: FanDuel Limited

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6890/0260](#)

Pages: 4

Date Recorded: Mar. 12, 2020

Supporting Documents: [assignment-tm-6890-0260.pdf](#)

Assignor

Name: [FANDUEL LIMITED](#)

Execution Date: Mar. 10, 2020

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: SCOTLAND

Assignee

Name: [FANDUEL GROUP, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 300 PARK AVENUE SOUTH, 14TH FLOOR
NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: JACQUELINE L. PATT

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