

ESTTA Tracking number: **ESTTA1262837**

Filing date: **01/30/2023**

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	Red Bull GmbH
Granted to date of previous extension	01/29/2023
Address	AM BRUNNEN 1 FUSCHL AM SEE, 5330 AUSTRIA
Attorney information	TYWANDA HARRIS LORD KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET NE, SUITE 2800 ATLANTA, GA 30309 UNITED STATES Primary email: tlord@ktslaw.com Secondary email(s): totey@ktslaw.com, jrossington@ktslaw.com, kteilhaber@ktslaw.com, tmadmin@ktslaw.com 4048156500
Docket no.	

**Applicant information**

Application no.	90011007	Publication date	08/02/2022
Opposition filing date	01/30/2023	Opposition period ends	01/29/2023
Applicant	Nick Tonsich 2500 VIA CABRILLO MARINA, SUITE 300 SAN PEDRO, CA 90731 UNITED STATES		

**Goods/services affected by opposition**

Class 032. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Non-alcoholic beverages, namely, water and carbonated beverages; flavored waters; carbonated waters; lemonades; carbonated water and lemonade blends; carbonated water and tea blends consisting primarily of carbonated water flavored with tea; carbonated water and lemonade blends flavored with tea extracts; carbonated water with herbal extracts; carbonated water with chamomile extracts; carbonated water and lemonade blends with herbal extracts; carbonated water and lemonade blends with chamomile extracts; Non-alcoholic beverages flavored with tea; bottled water; non-alcoholic beverages with tea flavor
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**Grounds for opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

## Marks cited by opposer as basis for opposition

U.S. registration no.	3092197	Application date	12/31/2003
Register	Principal		
Registration date	05/16/2006	Foreign priority date	NONE
Word mark	RED BULL		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: Jan 31, 1987 First Use In Commerce: Jan 31, 1987 Non-alcoholic beverages, namely energy drinks and hypertonic drinks Class 033. First use: First Use: Jul 23, 2002 First Use In Commerce: Jul 23, 2002 [ Alcoholic beverages, namely, vodka ]		

U.S. registration no.	3197810	Application date	08/10/1995
Register	Principal		
Registration date	01/16/2007	Foreign priority date	02/14/1995
Word mark	RED BULL		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: None First Use In Commerce: None [ Mineral waters and aerated waters and other non-alcoholic beverages, namely, flavored waters; ] soft drinks; [ fruit drinks and fruit juices; powders and syrups for making soft drinks, fruit drinks, fruit juices; ] and sports drinks		


U.S. registration no.	2946045	Application date	12/31/2003
Register	Principal		
Registration date	05/03/2005	Foreign priority date	NONE
Word mark	NONE		
Design mark			
Description of mark	The mark consists of Two Opposing or Charging Bulls, with a circular, globe or sun background.		

Goods/services	Class 032. First use: First Use: Jan 31, 1987 First Use In Commerce: Jan 31, 1987 Non-alcoholic beverages, namely energy drinks and hypertonic drinks		
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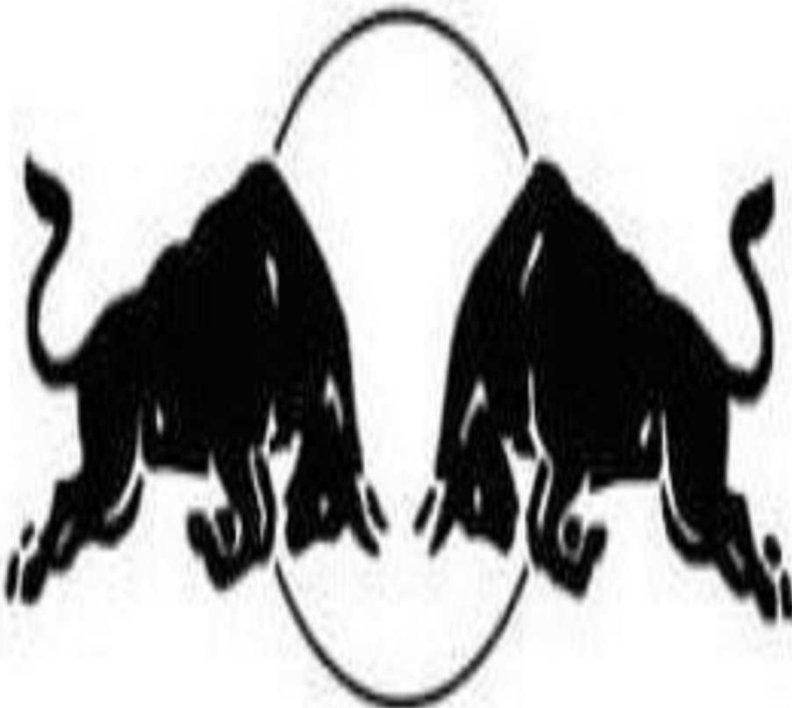
U.S. registration no.	3838170	Application date	04/30/1999
Register	Principal		
Registration date	08/24/2010	Foreign priority date	NONE
Word mark	NONE		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Aug 31, 2001 First Use In Commerce: Aug 31, 2001 (( Footwear; )) clothing, namely, shirts,(( pants,) ) t-shirts, (( sweat shirts, shorts, )) [ blouses, jumpers, ] hats, caps; (( outerwear, namely, jackets; active wear, namely, visors; bandannas, sweaters )) Class 032. First use: First Use: Jan 31, 1987 First Use In Commerce: Jan 31, 1987 Soft drinks, and sports drinks		

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	RED BULL		
Goods/services	identified in Registration No. 3092197 and first use date identified in Registration No. 3092197 and energy drinks and sports drinks; carbonated beverages, soft drinks; and various other products and services related or complementary thereto		


U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		

Mark	<h1 style="text-align: center;">Red Bull</h1> 
Goods/services	identified in Registration No. 3197810 and first use date identified in Registration No. 3197810 and energy drinks and sports drinks; carbonated beverages, soft drinks; and various other products and services related or complementary thereto

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		

Mark	
Goods/services	identified in Registration No. 2946045 and first use date identified in Registration No. 2946045 and energy drinks and sports drinks; carbonated beverages, soft drinks; and various other products and services related or complementary thereto

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		

Mark	
Goods/services	identified in Registration No. 3838170 and first use date identified in Registration No. 3838170 and energy drinks and sports drinks; carbonated beverages, soft drinks; and various other products and services related or complementary thereto

Attachments	74713796#TMSN.png( bytes ) RED BULL & TWO BULLS LOGO.jpg TWO BULLS LOGO.jpg Single Bull Logo.jpg 2023.01.30 Notice of Opposition_9011007_Exhibits.pdf(428518 bytes )
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Signature	/Tiffani D. Otey/
Name	Tiffani D. Otey
Date	01/30/2023

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

*In re* Application Serial No. 90/011,007  
Filed: June 19, 2020  
Published: August 2, 2022, in the *Official Gazette*  
For: BLUE COW

RED BULL, GMBH

Opposer,

vs.

NICK TONSICH,

Applicant.

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

**NOTICE OF OPPOSITION**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, Virginia 22313-1451

Dear Sir or Madam:

Red Bull GmbH (“**Opposer**”) believes that it will be damaged by the registration of the mark shown in Application Serial No. 90/011,007, (the “**Application**”) in Class 32, and hereby opposes registration of the mark for the goods identified in Class 32 only. Having timely filed a request for extension of time to oppose the Application, Opposer now timely files this Notice of Opposition.

As grounds for its opposition, Opposer alleges as follows:

**The Parties and the Applications**

1. Opposer Red Bull GmbH is a limited liability company organized and existing under the laws of Austria, with its principal place of business at Am Brunnen 1, 5330 Fuschl am See, Austria.

2. According to the information included in the Application, the applicant Nick Tonsich (“**Applicant**”), is an individual and a United States citizen. The Applicant has an address at 2500 Via Cabrillo Marina, Suite 300, San Pedro, California 90731.

3. On June 19, 2020, Applicant filed the Application, Application Serial No. 90/011,007, to register the word mark BLUE COW for, among other goods, “Non-alcoholic beverages, namely, water and carbonated beverages; flavored waters; carbonated waters; lemonades; carbonated water and lemonade blends; carbonated water and tea blends consisting primarily of carbonated water flavored with tea; carbonated water and lemonade blends flavored with tea extracts; carbonated water with herbal extracts; carbonated water with chamomile extracts; carbonated water and lemonade blends with herbal extracts; carbonated water and lemonade blends with chamomile extracts; Non-alcoholic beverages flavored with tea; bottled water; non-alcoholic beverages with tea flavor,” in Class 32, all of which are collectively referred to herein as **Applicant’s Goods**, on the basis of Applicant’s alleged intent-to-use the mark in commerce in the United States pursuant to Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b).

#### **Opposer and Its Famous Marks**

4. Opposer is now and has for many years been engaged in the development, marketing, advertising, distribution and sale of various products and services including, beverages, such as energy drinks and sports drinks; carbonated beverages, soft drinks; and various other products and services related or complementary thereto (collectively “**Opposer’s Goods and Services**”).

5. Opposer is the owner of the corporate name, trade name and trademark RED BULL, in use continuously in interstate commerce on and in connection with Opposer’s Goods and Services since long before the filing date of the Application or any earlier priority date that



Applicant can rely on in the United States.

6. Opposer is also the owner of various United States trademark registrations and

**Red Bull**

common law rights in and to the trademarks RED BULL,  (RED BULL &

Double Bulls Logo),



(Double Bulls Logo),



(Single Bull

Logo), and other marks for or incorporating the design of a bull or bovine animal for various goods and services, all of which are collectively referred to herein as the “RED BULL Marks”.

7. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 3,092,197 for the RED BULL word mark, which was registered on the Principal Register on May 16, 2006, and covers the goods and services shown therein, including Opposer’s Goods and Services. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-1.

8. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 3,197,810 for the mark RED BULL & Double Bull Device (shown below), which was registered on the Principal Register on January 16, 2007, and covers the goods and services shown therein, including Opposer’s Goods and Services. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-2.

**Red Bull**



9. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 2,946,045 for the mark Double Bull Device (shown below), which was registered on the Principal Register on May 5, 2005, and covers the goods and services shown therein, including Opposer's Goods and Services. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-3.



10. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 3,838,170 for the mark Single Bull Device (shown below), which was registered on the Principal Register on August 24, 2010, and covers the goods and services shown therein, including Opposer's Goods and Services. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-4.



11. Opposer's various RED BULL Marks have been used continuously in interstate commerce on and in connection with Opposer's Goods and Services, including, but not limited to, beverages, since long before the filing date of the Application, or any earlier priority date on which Applicant can rely.

12. Opposer's RED BULL Marks have become valuable assets of Opposer, such that consumers have come to recognize the RED BULL Marks as identifying Opposer's Goods and Services, and distinguishing Opposer's Goods and Services, including, but not limited to beverages, from the goods and services of others.

13. Opposer's RED BULL Marks also have been extensively advertised in the United States and throughout the world, and have appeared on or in relation to products, product packaging, point-of-sale displays and other promotional materials for products sold, offered, and advertised, and have been used in connection with Opposer's Goods and Services, advertised, offered, conducted, and promoted in the United States and throughout the world.

14. In 2022, Opposer's worldwide sales of its energy drinks, beverages, sports drinks, soft drinks, and carbonated beverages exceeded 11.5 billion units, with significant sales in the United States. As a result of the enormous success and sales of Opposer's Goods and Services, and of the extensive advertising and promotion of Opposer's RED BULL Marks and products in the United States and throughout the world, Opposer's RED BULL Marks are famous marks, and are recognized in the United States and elsewhere as such. For example, Interbrand ranked Red Bull #64 on its 2022 Best Global Brands report. Moreover, the Trademark Trial and Appeal Board has previously found Opposer's trademarks to be famous for energy drinks for purposes of its likelihood of confusion analysis. *See Red Bull GmbH v. Morganti Flavio Innovaciones Gastronomicas, S.L.*, Opp. No. 91223317 (T.T.A.B. Jan. 18, 2019) (Board found RED BULL Marks famous and sustained opposition against PINK COW and Device in Class 32) and *Red Bull GmbH v. Bullred Clothing, Inc.*, Opp. No. 91216739 (T.T.A.B. Jan. 12, 2016).

**Applicant and Its Confusingly Similar Mark**

15. The Applicant seeks registration of the mark shown in the Application for use in connection with Applicant's Goods, all of which are identical and closely related to Opposer's

Goods and Services and the goods and services for which Opposer both uses its RED BULL Marks and owns registrations.

16. On information and belief, Applicant was aware of Opposer and one or more of the RED BULL Marks before filing the Application.

17. Applicant's BLUE COW mark is highly similar in appearance, meaning and overall commercial impression to one or more of the RED BULL Marks.

18. Applicant's mark, particularly when used in connection with beverages, is confusingly similar in appearance and overall commercial impression to one or more of the RED BULL Marks.

19. Applicant's mark, when used in connection with the beverages listed in the Application, are intended to call to the mind of the consumer the Opposer and its RED BULL Marks.

**FIRST CLAIM FOR RELIEF**  
**(Likelihood of Confusion With Registered Trademark)**

20. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 19 above, as though fully set forth herein.

21. The mark shown in the Application so resembles Opposer's RED BULL Marks as to be likely, when used on or in connection with the goods identified in Class 32 in the Application, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under § 2(d) of the United States Trademark Act, 15 U.S.C. §1052(d).

22. Opposer will be damaged by registration of the mark shown in the Opposed Application because such registration will give Applicant *prima facie* evidence of the validity of its confusingly similar mark and the exclusive nationwide right to use its confusingly-similar mark in commerce in connection with the goods identified in Class 32 in the Application, in

derogation of Opposer's rights in the RED BULL Marks.

**SECOND CLAIM FOR RELIEF**  
**(Likelihood of Confusion With Opposer's Previously-Used and Famous Marks)**

23. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 22 above, as though fully set forth herein.

24. The mark shown in the Application so resembles Opposer's famous RED BULL Marks previously used in the United States and not abandoned as to be likely, when used on or in connection with the goods identified in Class 32 of the Application, to cause confusion, to cause mistake, and to deceive, and Applicant's mark is thus unregistrable under § 2(d) of the United States Trademark Act, 15 U.S.C. §1052(d), as amended.

25. Opposer will be damaged by registration of the mark shown in the Application because registration of the mark would give Applicant *prima facie* evidence of its ownership of, and exclusive right to use in commerce, a mark that is confusingly similar to Opposer's famous previously used and not abandoned marks.

**THIRD CLAIM FOR RELIEF**  
**(Dilution of Famous Marks)**

26. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 25 above, as though fully set forth herein.

27. Opposer's marks are famous in the United States and became famous in the United States long before the filing date of the Application, or any earlier priority date upon which Applicant can rely, and use of Applicant's mark is likely to cause dilution by blurring in that Applicant's target customers are likely to associate Applicant's goods with Opposer and Opposer's famous RED BULL Marks even if they are not confused as to the different origins of these goods.

28. Accordingly, the Application must be refused registration in Class 32 under Section 43(c) of the United States Trademark Act, 15 U.S.C. §1125(c), as amended.

**PRAYER FOR RELIEF**

WHEREFORE, Opposer Red Bull GmbH prays that this Opposition be sustained, and that registration of the mark in Class 32 in the Application be refused. Please direct all notices, pleadings and process regarding this matter to the below.

Dated: January 30, 2023

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

By: /Tiffani D. Otey/

Tywanda Harris Lord

Tiffani D. Otey

Jenine Rossington

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*Attorneys for Opposer Red Bull GmbH*

## **EXHIBIT A-1**

Generated on: This page was generated by TSDR on 2023-01-30 12:18:30 EST

Mark: RED BULL

RED BULL

US Serial Number: 78347152

Application Filing Date: Dec. 31, 2003

US Registration Number: 3092197

Registration Date: May 16, 2006

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 17, 2016

Publication Date: Nov. 01, 2005

## Mark Information

Mark Literal Elements: RED BULL

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: 1541794, 1935272, 2852235 and others

## Goods and Services

### Note:

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

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

For: Non-alcoholic beverages, namely energy drinks and hypertonic drinks

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 31, 1987

Use in Commerce: May 31, 1996

For: [ Alcoholic beverages, namely, vodka ]

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)



First Use: Jul. 23, 2002

Use in Commerce: Aug. 15, 2002

## 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: RED BULL GMBH

Owner Address: AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country AUSTRIA  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Anthony Malutta

Docket Number: 1358132

Attorney Primary Email Address: [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Anthony Malutta  
KILPATRICK TOWNSEND & STOCKTON LLP  
Two Embarcadero Center, Suite 1900  
San Francisco, CALIFORNIA UNITED STATES 94111

Phone: 415-576-0200

Fax: 415-576-0300

Correspondent e-mail: [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com) [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) [bkandela@kilpatricktownsend.com](mailto:bkandela@kilpatricktownsend.com) [cjohnson@kilpatricktownsend.com](mailto:cjohnson@kilpatricktownsend.com) [slee@kilpatricktownsend.com](mailto:slee@kilpatricktownsend.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative

Domestic Representative Name: Anthony Malutta

Phone: 415-576-0200

Fax: 415-576-0300

Domestic Representative e-mail: [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

Domestic Representative e-mail Authorized: Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 10, 2021	COUNTERCLAIM OPP. NO. 999999	268316
Mar. 04, 2020	NOTICE OF SUIT	
Dec. 16, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 16, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 24, 2019	NOTICE OF SUIT	

Nov. 06, 2018	NOTICE OF SUIT	
Sep. 26, 2018	NOTICE OF SUIT	
Jul. 24, 2018	NOTICE OF SUIT	
Jun. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 05, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 22, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 17, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 17, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Feb. 17, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Feb. 02, 2016	TEAS SECTION 8 & 9 RECEIVED	
May 16, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 24, 2012	NOTICE OF SUIT	
Mar. 10, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 10, 2012	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Jan. 24, 2012	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	67603
Mar. 10, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Jan. 24, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jul. 11, 2011	NOTICE OF SUIT	
Mar. 30, 2010	NOTICE OF SUIT	
Dec. 30, 2009	NOTICE OF SUIT	
Jul. 07, 2009	NOTICE OF SUIT	
Jul. 07, 2009	NOTICE OF SUIT	
Aug. 05, 2008	NOTICE OF SUIT	
Jun. 10, 2008	NOTICE OF SUIT	
Jun. 10, 2008	NOTICE OF SUIT	
Jan. 14, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 16, 2006	REGISTERED-PRINCIPAL REGISTER	
Apr. 01, 2006	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Nov. 23, 2005	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 01, 2005	PUBLISHED FOR OPPOSITION	
Oct. 12, 2005	NOTICE OF PUBLICATION	
Sep. 08, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Sep. 02, 2005	ASSIGNED TO LIE	76985
Aug. 26, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 26, 2005	AMENDMENT FROM APPLICANT ENTERED	88888
Aug. 23, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
Aug. 23, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 07, 2005	FINAL REFUSAL MAILED	
Mar. 04, 2005	FINAL REFUSAL WRITTEN	74309
Jan. 28, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	76869
Jan. 25, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76869
Jan. 25, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 04, 2004	AMENDMENT FROM APPLICANT ENTERED	76532
Jul. 28, 2004	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	76532
Jul. 29, 2004	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	
Jul. 26, 2004	NON-FINAL ACTION MAILED	
Jul. 21, 2004	NON-FINAL ACTION MAILED	
Jul. 19, 2004	ASSIGNED TO EXAMINER	74309
Jan. 08, 2004	NEW APPLICATION ENTERED	

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## TM Staff and Location Information

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<b>TM Staff Information - None</b>
<b>File Location</b>

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Feb. 17, 2016

## **EXHIBIT A-2**

Generated on: This page was generated by TSDR on 2023-01-30 12:19:20 EST

Mark: RED BULL



US Serial Number: 74713796

Application Filing Date: Aug. 10, 1995

US Registration Number: 3197810

Registration Date: Jan. 16, 2007

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

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: Apr. 18, 2022

Publication Date: Mar. 21, 2006

## Mark Information

Mark Literal Elements: RED BULL

Standard Character Claim: No

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

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

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Calves; Bulls; Steers; Oxen

Code(s): 26.01.03 - Incomplete circles (more than semi-circles); Circles, incomplete (more than semi-circles)

## Foreign Information

Priority Claimed: Yes

Foreign Application Number: 395066565

Foreign Application Filing Date: Feb. 14, 1995

Foreign Registration Number: 395066565

Foreign Registration Date: Jul. 25, 1995

Foreign Application/Registration Country: GERMANY

Foreign Expiration Date: Feb. 28, 2015

## 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: [ Mineral waters and aerated waters and other non-alcoholic beverages, namely, flavored waters; ] soft drinks; [ fruit drinks and fruit juices; powders and syrups for making soft drinks, fruit drinks, fruit juices; ] and sports drinks

**International Class(es):** 032 - Primary Class

**U.S Class(es):** 045, 046, 048

**Class Status:** ACTIVE

**Basis:** 44(e)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** Yes

**Currently 44E:** Yes

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** RED BULL GMBH

**Owner Address:** AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Anthony Malutta

**Docket Number:** 1358138

**Attorney Primary Email Address:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Anthony Malutta  
KILPATRICK TOWNSEND & STOCKTON LLP  
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San Francisco, CALIFORNIA UNITED STATES 94111

**Phone:** 415-576-0200

**Fax:** 415-576-0300

**Correspondent e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com) [tadmin@kilpatricktownsend.com](mailto:tadmin@kilpatricktownsend.com) [bkandela@kilpatricktownsend.com](mailto:bkandela@kilpatricktownsend.com) [d.com](mailto:d.com) [cjohnson@kilpatricktownsend.com](mailto:cjohnson@kilpatricktownsend.com) [slee@kilpatricktownsend.com](mailto:slee@kilpatricktownsend.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Domestic Representative Name:** Anthony Malutta

**Phone:** 415-576-0200

**Fax:** 415-576-0300

**Domestic Representative e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 18, 2022	TTAB RELEASE CASE TO TRADEMARKS	76894
Apr. 18, 2022	CANCELLATION TERMINATED NO. 999999	76894

Feb. 02, 2022	CANCELLATION DENIED NO. 999999	76894
Apr. 15, 2021	CANCELLATION INSTITUTED NO. 999999	76894
Mar. 04, 2020	NOTICE OF SUIT	
Dec. 16, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 16, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 24, 2019	NOTICE OF SUIT	
Nov. 06, 2018	NOTICE OF SUIT	
Sep. 26, 2018	NOTICE OF SUIT	
Jul. 24, 2018	NOTICE OF SUIT	
Jun. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 05, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 20, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 20, 2016	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Dec. 20, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Dec. 20, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Nov. 22, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 11, 2016	TEAS SECTION 8 & 9 RECEIVED	
Oct. 11, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 16, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 13, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 11, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 11, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Jun. 05, 2012	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 21, 2012	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	64591
Mar. 21, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Feb. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jan. 16, 2007	REGISTERED-PRINCIPAL REGISTER	
Jan. 14, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 04, 2006	1(B) BASIS DELETED; PROCEED TO REGISTRATION	65362
Nov. 14, 2006	NOTICE OF ALLOWANCE CANCELLED	65362
Nov. 14, 2006	TEAS DELETE 1(B) BASIS RECEIVED	
Sep. 19, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 04, 2006	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 26, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 19, 2006	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 21, 2006	PUBLISHED FOR OPPOSITION	
Mar. 01, 2006	NOTICE OF PUBLICATION	
Feb. 06, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Feb. 06, 2006	ASSIGNED TO LIE	73787
Jan. 24, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Dec. 05, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Dec. 05, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 06, 2005	INQUIRY AS TO SUSPENSION MAILED	
Jun. 06, 2005	SUSPENSION INQUIRY WRITTEN	68309
Dec. 01, 2004	LETTER OF SUSPENSION MAILED	
Nov. 30, 2004	SUSPENSION LETTER WRITTEN	68309
Oct. 21, 2004	SUSPENSION CHECKED - TO ATTORNEY FOR ACTION	73787
Aug. 30, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	73787
Jul. 07, 2003	CASE FILE IN TICRS	
Jul. 07, 2003	CASE FILE IN TICRS	
Mar. 30, 2000	ASSIGNED TO EXAMINER	68309
Oct. 01, 1999	ASSIGNED TO EXAMINER	70734
Apr. 28, 1999	ASSIGNED TO EXAMINER	76468

Nov. 13, 1997 LETTER OF SUSPENSION MAILED  
 Jul. 15, 1997 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 Jan. 13, 1997 NON-FINAL ACTION MAILED  
 Oct. 30, 1996 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 May 01, 1996 NON-FINAL ACTION MAILED  
 Apr. 05, 1996 ASSIGNED TO EXAMINER  
 Mar. 22, 1996 ASSIGNED TO EXAMINER

70734  
 72147

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Dec. 20, 2016

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 2

**Registrant:** RED BULL GMBH

### Assignment 1 of 2

**Conveyance:** NUNC PRO TUNC ASSIGNMENT EFFECTIVE 01152001

**Reel/Frame:** [3354/0959](#)

**Pages:** 4

**Date Recorded:** Jul. 25, 2006

**Supporting Documents:** [assignment-tm-3354-0959.pdf](#)

#### Assignor

**Name:** [RED BULL GMBH](#)

**Execution Date:** Dec. 22, 2005

**Legal Entity Type:** LTD LIAB JT ST CO

**State or Country Where Organized:** GERMANY

#### Assignee

**Name:** [RED BULL GMBH](#)

**Legal Entity Type:** LTD LIAB JT ST CO

**State or Country Where Organized:** AUSTRIA

**Address:** AM BRUNNEN 1  
 FUSCHL AM SEE, AUSTRIA A-5330

#### Correspondent

**Correspondent Name:** TECHMARK A LAW CORPORATION

**Correspondent Address:** 4820 HARWOOD ROAD, 2ND FLOOR  
 ATTN: MARTIN R. GREENSTEIN  
 SAN JOSE, CA 95124-5273

#### Domestic Representative

**Domestic Representative Name:** TECHMARK A LAW CORPORATION

**Domestic Representative Address:** 4820 HARWOOD ROAD, SUITE 200  
 ATTN: MARTIN R. GREENSTEIN  
 SAN JOSE, CA 95124-5273

### Assignment 2 of 2

**Conveyance:** CORRECTIVE ASSIGNMENT TO CORRECT THE ERRORS IN THE ENTITY TYPES OF ASSIGNOR AND ASSIGNEE PREVIOUSLY RECORDED ON REEL 003354 FRAME 0959. ASSIGNOR(S) HEREBY CONFIRMS THE ENTITY TYPE OF BOTH, ASSIGNEE AND ASSIGNOR, IS LIMITED LIABILITY COMPANY AS SHOWN IN THE ATTACHED ASSIGNMENT DOCUMENT.

**Reel/Frame:** [4795/0568](#)

**Pages:** 8

**Date Recorded:** Jun. 05, 2012

**Supporting Documents:** [assignment-tm-4795-0568.pdf](#)

#### Assignor

Name: [RED BULL GMBH](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Dec. 22, 2005  
State or Country Where Organized: GERMANY

#### Assignee

Name: [RED BULL GMBH](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: AUSTRIA

Address: AM BRUNNEN 1  
FUSCHL AM SEE, AUSTRIA A-5330

#### Correspondent

Correspondent Name: TECHMARK A LAW CORPORATION

Correspondent Address: 4820 HARWOOD ROAD, 2ND FLOOR  
ATTN: MARTIN R. GREENSTEIN  
SAN JOSE, CA 95124

#### Domestic Representative

Domestic Representative Name: TECHMARK A LAW CORPORATION

Domestic Representative Address: 4820 HARWOOD ROAD, 2ND FLOOR  
ATTN: MARTIN R. GREENSTEIN  
SAN JOSE, CA 95124-5273

## Proceedings

#### Summary

Number of Proceedings: 6

#### Type of Proceeding: Opposition

Proceeding Number: [91270829](#)

Filing Date: Aug 02, 2021

Status: Terminated

Status Date: Aug 11, 2022

Interlocutory Attorney: GEOFFREY MCNUTT

#### Defendant

Name: Flying Bull Beer Company, Inc. DBA Flying Bull Brewery

Correspondent Address: DEBORAH R GERHARDT  
MICHAEL BEST & FRIEDRICH LLP  
2501 BLUE RIDGE RD STE 390  
RALEIGH NC UNITED STATES , 27607

Correspondent e-mail: [mkeipdocket@michaelbest.com](mailto:mkeipdocket@michaelbest.com) , [drgerhardt@michaelbest.com](mailto:drgerhardt@michaelbest.com) , [emhaas@michaelbest.com](mailto:emhaas@michaelbest.com) , [dsternig@michaelbest.com](mailto:dsternig@michaelbest.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
FLYING BULL	Abandoned - After Inter-Partes Decision	<a href="#">88922071</a>	

#### Plaintiff(s)

Name: Red Bull GmbH

Correspondent Address: TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE SUITE 2800  
ATLANTA GA UNITED STATES , 30309

Correspondent e-mail: [lord@ktslaw.com](mailto:lord@ktslaw.com) , [totev@ktslaw.com](mailto:totev@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">74589654</a>	<a href="#">1935272</a>
RED BULL	REGISTERED AND RENEWED	<a href="#">77686056</a>	<a href="#">4099363</a>



RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
GIVES YOU WINGS	REGISTERED AND RENEWED	<a href="#">77318511</a>	<a href="#">3585402</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
21	TERMINATED	Aug 11, 2022	
20	BD DECISION: OPP DISMISSED	Aug 11, 2022	
19	W/DRAW OF APPLICATION W/ CONSENT	Aug 11, 2022	
18	SUSPENDED	Jul 05, 2022	
17	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 05, 2022	
16	SUSPENDED	Jun 10, 2022	
15	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 10, 2022	
14	EXTENSION OF TIME GRANTED	Jun 01, 2022	
13	P MOT FOR EXT W/ CONSENT	Jun 01, 2022	
12	SUSPENDED	Mar 11, 2022	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 11, 2022	
10	SUSPENDED	Dec 22, 2021	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 22, 2021	
8	TRIAL DATES REMAIN AS SET	Sep 15, 2021	
7	ANSWER	Sep 09, 2021	
6	D CHANGE OF CORRESP ADDRESS	Sep 09, 2021	
5	RESPONSE DUE	Sep 02, 2021	
4	D APPEARANCE / POWER OF ATTORNEY	Aug 30, 2021	
3	INSTITUTED	Aug 02, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 02, 2021	Sep 11, 2021
1	FILED AND FEE	Aug 02, 2021	

### Type of Proceeding: Cancellation

<b>Proceeding Number:</b> <a href="#">92076894</a>	<b>Filing Date:</b> Apr 13, 2021
<b>Status:</b> Terminated	<b>Status Date:</b> Apr 18, 2022
<b>Interlocutory Attorney:</b> MARY CATHERINE FAINT	
<b>Defendant</b>	
<b>Name:</b> Red Bull GmbH	
<b>Correspondent Address:</b> TYWANDA HARRIS LORD KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET NE, SUITE 2800 ATLANTA UNITED KINGDOM , 30309	
<b>Correspondent e-mail:</b> <a href="mailto:lford@ktslaw.com">lford@ktslaw.com</a> , <a href="mailto:totey@ktslaw.com">totey@ktslaw.com</a> , <a href="mailto:kteilhaber@ktslaw.com">kteilhaber@ktslaw.com</a> , <a href="mailto:tmadmin@ktslaw.com">tmadmin@ktslaw.com</a>	

Associated marks			
Mark	Application Status	Serial Number	Registration Number
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>

<b>Plaintiff(s)</b>	
<b>Name:</b> Bison Products, LLC	
<b>Correspondent Address:</b> SAM SOKHANSANJ LAW OFFICE OF SAM SOKHANSANJ PLLC 2101 CEDAR SPRINGS RD., SUITE 1050 DALLAS TX UNITED STATES , 75201	
<b>Correspondent e-mail:</b> <a href="mailto:sam@attorneysam.com">sam@attorneysam.com</a>	

Associated marks			
Mark	Application Status	Serial	Registration

		Number	Number
BISON	Notice of Allowance - Issued	<a href="#">90081512</a>	
BISON	Notice of Allowance - Issued	<a href="#">90081540</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081580</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081586</a>	

#### Prosecution History

Entry Number	History Text	Date	Due Date
11	TERMINATED	Apr 18, 2022	
10	BD DECISION: CAN DENIED W/PREJ	Feb 02, 2022	
9	DELETE ENTRY	Feb 08, 2022	
8	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 12, 2021	
7	D REPLY IN SUPPORT OF MOTION	Jun 17, 2021	
6	D CHANGE OF CORRESP ADDRESS	Jun 01, 2021	
5	P OPP/RESP TO MOTION	May 28, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	May 25, 2021	
3	INSTITUTED	Apr 15, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 15, 2021	May 25, 2021
1	FILED AND FEE	Apr 13, 2021	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91268316](#)

**Filing Date:** Mar 23, 2021

**Status:** Terminated

**Status Date:** Aug 05, 2022

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Bison Products, LLC

**Correspondent Address:** SAM SOKHANSANJ  
LAW OFFICE OF SAM SOKHANSANJ PLLC  
2101 CEDAR SPRINGS RD SUITE 1050  
DALLAS TX UNITED STATES , 75201

**Correspondent e-mail:** [sam@attorneysam.com](mailto:sam@attorneysam.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BISON	Notice of Allowance - Issued	<a href="#">90081512</a>	
BISON	Notice of Allowance - Issued	<a href="#">90081540</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081580</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081586</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

**Correspondent Address:** TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE SUITE 2800  
ATLANTA GA UNITED STATES , 30309

**Correspondent e-mail:** [tlord@ktslaw.com](mailto:tlord@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
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30	TERMINATED	Aug 05, 2022	
29	BD DECISION: OPP DISMISSED	Aug 05, 2022	
28	W/DRAW OF APPLICATION W/ CONSENT	Aug 01, 2022	
27	EXTENSION OF TIME GRANTED	Jul 06, 2022	
26	P MOT FOR EXT W/ CONSENT	Jul 06, 2022	
25	EXTENSION OF TIME GRANTED	May 11, 2022	
24	P MOT FOR EXT W/ CONSENT	May 11, 2022	
23	EXTENSION OF TIME GRANTED	Apr 04, 2022	
22	P MOT FOR EXT W/ CONSENT	Apr 04, 2022	
21	SUSPENDED	Feb 09, 2022	
20	P REPLY IN SUPPORT OF MOTION	Oct 21, 2021	
19	D OPP/RESP TO MOTION	Oct 01, 2021	
18	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 30, 2021	
17	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Sep 13, 2021	
16	P CHANGE OF CORRESP ADDRESS	Sep 13, 2021	
15	TRIAL DATES RESET	Aug 10, 2021	
14	ANSWER AND COUNTERCLAIM ( FEE)	Aug 03, 2021	
13	D OPP/RESP TO MOTION	Jul 26, 2021	
12	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jul 26, 2021	
11	EXTENSION OF TIME GRANTED	Jun 30, 2021	
10	D MOT FOR EXT W/ CONSENT	Jun 30, 2021	
9	EXTENSION OF TIME GRANTED	May 28, 2021	
8	D MOT FOR EXT W/ CONSENT	May 28, 2021	
7	TRIAL DATES RESET	May 05, 2021	
6	P MOT TO AMEND PLEADING/AMENDED PLEADING	May 03, 2021	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 21, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	Apr 13, 2021	
3	INSTITUTED	Mar 23, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 23, 2021	May 02, 2021
1	FILED AND FEE	Mar 23, 2021	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91255948](#)

**Filing Date:** May 18, 2020

**Status:** Terminated

**Status Date:** Aug 18, 2020

**Interlocutory Attorney:** WINSTON T FOLMAR

**Defendant**

**Name:** Adversus, Llc

**Correspondent Address:** MARIA ELISEEVA  
PATENTBAR INTERNATIONAL PC  
1666 MASSACHUSETTS AVE , SUITE 12  
LEXINGTON MA UNITED STATES , 02420

**Correspondent e-mail:** [tm.docket@patentbar.com](mailto:tm.docket@patentbar.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BIZON	IR CANCELLED; US APPLICATION ABANDONED	<a href="#">79258484</a>	
BIZON	IR CANCELLED; US APPLICATION ABANDONED	<a href="#">79259190</a>	

**Plaintiff(s)**

**Name:** Red Bull GmbH

**Correspondent Address:** TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE , SUITE 2800  
ATLANTA GA UNITED STATES , 30309

**Correspondent e-mail:** [lford@ktslaw.com](mailto:lford@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [cminervino@ktslaw.com](mailto:cminervino@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

mail:

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>
	REGISTERED AND RENEWED	<a href="#">78702090</a>	<a href="#">3881732</a>
RED BULL ENERGY DRINK	REGISTERED AND RENEWED	<a href="#">77316470</a>	<a href="#">3479607</a>
	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85638459</a>	<a href="#">4409528</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
6	TERMINATED	Aug 18, 2020	
5	BD DECISION: OPP SUSTAINED	Aug 18, 2020	
4	NOTICE OF DEFAULT	Jul 10, 2020	
3	INSTITUTED	May 21, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 21, 2020	Jun 30, 2020
1	FILED AND FEE	May 18, 2020	

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [74713796](#)

**Filing Date:** Apr 18, 2006

**Status:** Terminated

**Status Date:** Aug 04, 2006

**Interlocutory Attorney:**

**Defendant**

**Name:** RED BULL GMBH

**Correspondent Address:** Martin R. Greenstein  
TechMark  
35 South Market Street Sixteenth Floor  
San Jose CA UNITED STATES , 95113

Mark	Application Status	Serial Number	Registration Number
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>

**Potential Opposer(s)**

**Name:** Mon Chong Loong Trading Corp.

**Correspondent Address:** Bernard Malina  
Malina & Associates, P.C.  
60 East 42nd Street, Suite 501  
New York NY UNITED STATES , 10165

**Correspondent e-mail:** [bmalina@malinalaw.com](mailto:bmalina@malinalaw.com)

**Name:** Foodmart International Corporation

**Correspondent Address:** Bernard Malina  
Malina & Associates, P.C.  
60 East 42nd Street, Suite 501  
New York NY UNITED STATES , 10165

**Correspondent e-mail:** [bmalina@malinalaw.com](mailto:bmalina@malinalaw.com)

**Prosecution History**

Entry Number	History Text	Date	Due Date
4	EXTENSION OF TIME GRANTED	Apr 19, 2006	
3	INCOMING - EXT TIME TO OPPOSE FILED	Apr 18, 2006	
2	EXTENSION OF TIME GRANTED	Apr 19, 2006	
1	INCOMING - EXT TIME TO OPPOSE FILED	Apr 18, 2006	

**Type of Proceeding: Opposition**

Proceeding [91123621](#)  
Number:

Filing Date: Feb 12, 2001

Status: Terminated

Status Date: Aug 31, 2007

Interlocutory ANDREW P BAXLEY  
Attorney:

#### Defendant

Name: GHRHARD WINKLER

Correspondent LISA M. MARTENS  
Address: FISH & RICHARDSON PC  
12390 EL CAMINO REAL  
SAN DIEGO CA UNITED STATES , 92130

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BLUE OX	Abandoned - After Inter-Partes Decision	<a href="#">75627515</a>	

#### Plaintiff(s)

Name: RED BULL GMBH

Correspondent RAYMOND A. KURZ  
Address: HOGAN & HARTSON L.L.P.  
555 THIRTEENTH STREET, N.W.  
WASHINGTON DC UNITED STATES , 20004

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>

#### Prosecution History

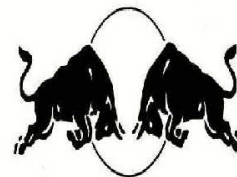
Entry Number	History Text	Date	Due Date
37	TERMINATED	Mar 17, 2006	
36	BD'S DECISION: DISMISSED W/O PREJUDICE	Jan 10, 2006	
35	P'S OPPOSITION/RESPONSE TO MOTION	Jan 03, 2006	
34	TERMINATED	Jan 10, 2006	
33	BD'S DECISION: DISMISSED W/O PREJUDICE	Jan 10, 2006	
32	WITHDRAWAL OF APPLICATION	Jan 09, 2006	
31	BOARD'S ORDER THE PARTIES ARE ALLOWED 30 DAYS TO INFORM THE BOARD OF THE STATUS OF THE CIVIL ACTION	Dec 09, 2005	
30	PL'S REPLY TO DEF'S RESPONSE TO PL'S MOTION TO JOIN DEF'S TO THE OPPOSITION PROCEEDINGS	Dec 28, 2004	
29	Def's request that Bd not consider pl's surreply	Jan 13, 2005	
28	Proceedings remain suspended pending final determination of case no. LACV03-6731 DDP SHSx	Jan 08, 2005	
27	P'S REPLY BRIEF TO MOTION TO JOIN	Dec 28, 2004	
26	D'S OPP TO MOT TO JOIN	Dec 13, 2004	
25	P's opp to mot to sub; mot to join G. Winkler KEG as D	Nov 18, 2004	
24	Notice of assignment	Oct 20, 2004	
23	Def's mot to substitute party	Nov 12, 2004	
22	D'S CHANGE OF CORRESPONDENCE ADDRESS	Aug 24, 2004	
21	P'S MOTION TO SUSP. GRANTED;PROC. SUSPENDED	Oct 09, 2003	
20	PROCEEDINGS SUSPENDED	Oct 01, 2003	
19	P'S MOTION TO SUSPEND	Sep 19, 2003	
18	PL'S NOTICE OF TEST DEP UPON WRITTEN QUESTIONS	Sep 22, 2003	
17	PREVIOUS TRIAL SCHEDULE VACATED;TRIAL DATES RESET	Aug 08, 2003	
16	BD'S 7/3/03 ORDER VACATED; PROC. RESUMED; TRIAL DATES RESET	Jul 10, 2003	
15	P'S ALLOWED 30 DAYS TO SHOW CAUSE	Jul 03, 2003	
14	P'S SUBSTITUTION OF COUNSEL	Dec 04, 2002	
13	TRIAL DATES RESET	Nov 27, 2002	
12	DELETE ENTRY	Nov 27, 2002	
11	STIPULATION FOR AN EXTENSION OF TIME	Oct 22, 2002	
10	GRANTED PL'S #9	Oct 04, 2002	

9	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 30, 2002	
8	CONSOLIDATED W/91150097; TRIAL DATES RES ET	Aug 20, 2002	
7	DELETE ENTRY	Aug 20, 2002	
6	MOTION TO CONSOLIDATE	Jul 15, 2002	
5	ANSWER	Oct 15, 2001	
4	D'S MOTION FOR AN EXTENSION OF TIME	Sep 20, 2001	
3	PENDING, INSTITUTED	Aug 01, 2001	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 01, 2001	Sep 10, 2001
1	FILED AND FEE	Feb 12, 2001	

## **EXHIBIT A-3**

Generated on: This page was generated by TSDR on 2023-01-30 12:19:59 EST

Mark:



US Serial Number: 78347148

Application Filing Date: Dec. 31, 2003

US Registration Number: 2946045

Registration Date: May 03, 2005

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 02, 2015

Publication Date: Nov. 30, 2004

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## Mark Information

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Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of Two Opposing or Charging Bulls, with a circular, globe or sun background.

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

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Calves; Bulls; Steers; Oxen  
03.07.21 - Stylized cows, buffalo, and other bovines  
26.01.01 - Circles as carriers or as single line borders

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## Related Properties Information

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Claimed Ownership of US Registrations: 2594767

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## Goods and Services

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**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:** Non-alcoholic beverages, namely energy drinks and hypertonic drinks

**International Class(es):** 032 - Primary Class

**U.S Class(es):** 045, 046, 048

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 31, 1987

**Use in Commerce:** May 31, 1996

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## Basis Information (Case Level)

<b>Filed Use:</b> Yes	<b>Currently Use:</b> Yes
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44E:</b> No
<b>Filed 44E:</b> No	<b>Currently 66A:</b> No
<b>Filed 66A:</b> No	<b>Currently No Basis:</b> No
<b>Filed No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** RED BULL GMBH  
**Owner Address:** AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Anthony Malutta  
**Attorney Primary Email Address:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)  
**Docket Number:** 1358076  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Anthony Malutta  
KILPATRICK TOWNSEND & STOCKTON LLP  
Two Embarcadero Center, Suite 1900  
San Francisco, CALIFORNIA UNITED STATES 94111  
**Phone:** 415-576-0200  
**Fax:** 415-576-0300  
**Correspondent e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com) [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) [bkandela@kilpatricktownsend.com](mailto:bkandela@kilpatricktownsend.com) [cjohnson@kilpatricktownsend.com](mailto:cjohnson@kilpatricktownsend.com) [slee@kilpatricktownsend.com](mailto:slee@kilpatricktownsend.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Domestic Representative Name:** Anthony Malutta  
**Phone:** 415-576-0200  
**Fax:** 415-576-0300  
**Domestic Representative e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)  
**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 04, 2020	NOTICE OF SUIT	
Dec. 16, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 16, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 24, 2019	NOTICE OF SUIT	
Nov. 06, 2018	NOTICE OF SUIT	
Sep. 26, 2018	NOTICE OF SUIT	

Jul. 24, 2018	NOTICE OF SUIT	
Jun. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 05, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 22, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 02, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 02, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 02, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
Jan. 02, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Dec. 10, 2014	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2011	NOTICE OF SUIT	
Jan. 13, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Jan. 12, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Dec. 08, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 30, 2010	NOTICE OF SUIT	
Dec. 30, 2009	NOTICE OF SUIT	
Sep. 01, 2009	NOTICE OF SUIT	
Jul. 07, 2009	NOTICE OF SUIT	
Jul. 07, 2009	NOTICE OF SUIT	
Dec. 30, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 05, 2008	NOTICE OF SUIT	
Jan. 14, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 18, 2005	AMENDMENT UNDER SECTION 7 Â- PROCESSED	
Nov. 18, 2005	ASSIGNED TO PARALEGAL	69471
Jul. 22, 2005	SEC 7 REQUEST FILED	
Jul. 22, 2005	PAPER RECEIVED	
May 03, 2005	REGISTERED-PRINCIPAL REGISTER	
Mar. 02, 2005	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jan. 07, 2005	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 30, 2004	PUBLISHED FOR OPPOSITION	
Nov. 10, 2004	NOTICE OF PUBLICATION	
Sep. 27, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	76869
Sep. 24, 2004	ASSIGNED TO LIE	76869
Sep. 21, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 10, 2004	AMENDMENT FROM APPLICANT ENTERED	76532
Aug. 31, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	76532
Sep. 10, 2004	AMENDMENT FROM APPLICANT ENTERED	76532
Aug. 31, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	76532
Sep. 01, 2004	EMAIL RECEIVED	
Sep. 01, 2004	EMAIL RECEIVED	
Jul. 22, 2004	NON-FINAL ACTION MAILED	
Jul. 19, 2004	ASSIGNED TO EXAMINER	74309
Jan. 08, 2004	NEW APPLICATION ENTERED	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jan. 02, 2015

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## Proceedings

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### Summary

**Number of Proceedings:** 6

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**Type of Proceeding: Opposition**

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Proceeding Number: [91270829](#)

Filing Date: Aug 02, 2021

Status: Terminated

Status Date: Aug 11, 2022

Interlocutory Attorney: GEOFFREY MCNUTT

#### Defendant

Name: Flying Bull Beer Company, Inc. DBA Flying Bull Brewery

Correspondent Address: DEBORAH R GERHARDT  
MICHAEL BEST & FRIEDRICH LLP  
2501 BLUE RIDGE RD STE 390  
RALEIGH NC UNITED STATES , 27607

Correspondent e-mail: [mkeipdocket@michaelbest.com](mailto:mkeipdocket@michaelbest.com) , [drgerhardt@michaelbest.com](mailto:drgerhardt@michaelbest.com) , [emhaas@michaelbest.com](mailto:emhaas@michaelbest.com) , [dsternig@michaelbest.com](mailto:dsternig@michaelbest.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
FLYING BULL	Abandoned - After Inter-Partes Decision	<a href="#">88922071</a>	

#### Plaintiff(s)

Name: Red Bull GmbH

Correspondent Address: TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE SUITE 2800  
ATLANTA GA UNITED STATES , 30309

Correspondent e-mail: [tlord@ktslaw.com](mailto:tlord@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">74589654</a>	<a href="#">1935272</a>
RED BULL	REGISTERED AND RENEWED	<a href="#">77686056</a>	<a href="#">4099363</a>
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
GIVES YOU WINGS	REGISTERED AND RENEWED	<a href="#">77318511</a>	<a href="#">3585402</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
21	TERMINATED	Aug 11, 2022	
20	BD DECISION: OPP DISMISSED	Aug 11, 2022	
19	W/DRAW OF APPLICATION W/ CONSENT	Aug 11, 2022	
18	SUSPENDED	Jul 05, 2022	
17	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 05, 2022	
16	SUSPENDED	Jun 10, 2022	
15	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 10, 2022	
14	EXTENSION OF TIME GRANTED	Jun 01, 2022	
13	P MOT FOR EXT W/ CONSENT	Jun 01, 2022	
12	SUSPENDED	Mar 11, 2022	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 11, 2022	
10	SUSPENDED	Dec 22, 2021	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 22, 2021	
8	TRIAL DATES REMAIN AS SET	Sep 15, 2021	
7	ANSWER	Sep 09, 2021	
6	D CHANGE OF CORRESP ADDRESS	Sep 09, 2021	
5	RESPONSE DUE	Sep 02, 2021	
4	D APPEARANCE / POWER OF ATTORNEY	Aug 30, 2021	
3	INSTITUTED	Aug 02, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 02, 2021	Sep 11, 2021

### Type of Proceeding: Opposition

**Proceeding Number:** [91268316](#)

**Filing Date:** Mar 23, 2021

**Status:** Terminated

**Status Date:** Aug 05, 2022

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Bison Products, LLC

**Correspondent Address:** SAM SOKHANSANJ  
LAW OFFICE OF SAM SOKHANSANJ PLLC  
2101 CEDAR SPRINGS RD SUITE 1050  
DALLAS TX UNITED STATES , 75201

**Correspondent e-mail:** [sam@attorneysam.com](mailto:sam@attorneysam.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BISON	Notice of Allowance - Issued	<a href="#">90081512</a>	
BISON	Notice of Allowance - Issued	<a href="#">90081540</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081580</a>	
BISON	Abandoned - After Inter-Partes Decision	<a href="#">90081586</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

**Correspondent Address:** TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE SUITE 2800  
ATLANTA GA UNITED STATES , 30309

**Correspondent e-mail:** [tlord@ktslaw.com](mailto:tlord@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
30	TERMINATED	Aug 05, 2022	
29	BD DECISION: OPP DISMISSED	Aug 05, 2022	
28	W/DRAW OF APPLICATION W/ CONSENT	Aug 01, 2022	
27	EXTENSION OF TIME GRANTED	Jul 06, 2022	
26	P MOT FOR EXT W/ CONSENT	Jul 06, 2022	
25	EXTENSION OF TIME GRANTED	May 11, 2022	
24	P MOT FOR EXT W/ CONSENT	May 11, 2022	
23	EXTENSION OF TIME GRANTED	Apr 04, 2022	
22	P MOT FOR EXT W/ CONSENT	Apr 04, 2022	
21	SUSPENDED	Feb 09, 2022	
20	P REPLY IN SUPPORT OF MOTION	Oct 21, 2021	
19	D OPP/RESP TO MOTION	Oct 01, 2021	
18	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 30, 2021	
17	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Sep 13, 2021	
16	P CHANGE OF CORRESP ADDRESS	Sep 13, 2021	
15	TRIAL DATES RESET	Aug 10, 2021	
14	ANSWER AND COUNTERCLAIM ( FEE)	Aug 03, 2021	

13	D OPP/RESP TO MOTION	Jul 26, 2021	
12	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jul 26, 2021	
11	EXTENSION OF TIME GRANTED	Jun 30, 2021	
10	D MOT FOR EXT W/ CONSENT	Jun 30, 2021	
9	EXTENSION OF TIME GRANTED	May 28, 2021	
8	D MOT FOR EXT W/ CONSENT	May 28, 2021	
7	TRIAL DATES RESET	May 05, 2021	
6	P MOT TO AMEND PLEADING/AMENDED PLEADING	May 03, 2021	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 21, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	Apr 13, 2021	
3	INSTITUTED	Mar 23, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 23, 2021	May 02, 2021
1	FILED AND FEE	Mar 23, 2021	

### Type of Proceeding: Cancellation

**Proceeding Number:** [92059220](#)

**Filing Date:** May 19, 2014

**Status:** Terminated

**Status Date:** Jul 15, 2015

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Stockmarket Burger Inc.

**Correspondent Address:** PAULO A DE ALMEIDA  
 PATEL & ALMEIDA PC  
 16830 VENTURA BLVD, SUITE 360  
 ENCINO CA UNITED STATES , 91436

**Correspondent e-mail:** [Paulo@PatelAlmeida.com](mailto:Paulo@PatelAlmeida.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
STOCKMARKET	Cancelled - Section 18	<a href="#">85678171</a>	<a href="#">4481899</a>

#### Plaintiff(s)

**Name:** Red Bull GmbH

**Correspondent Address:** MARTIN R GREENSTEIN  
 TECHMARK A LAW CORPORATION  
 4820 HARWOOD ROAD, 2ND FLOOR  
 SAN JOSE CA UNITED STATES , 95124

**Correspondent e-mail:** [MRG@TechMark.com](mailto:MRG@TechMark.com) , [LZH@TechMark.com](mailto:LZH@TechMark.com) , [AMR@TechMark.com](mailto:AMR@TechMark.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	Registered	<a href="#">76355425</a>	<a href="#">3051994</a>
RED BULL	SECTION 71 ACCEPTED	<a href="#">79047033</a>	<a href="#">3561283</a>
RED BULL ARENA	REGISTERED AND RENEWED	<a href="#">77569283</a>	<a href="#">4031959</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
15	TERMINATED	Jul 15, 2015	
14	COMMR ORDER CANCELLING REG	Jul 15, 2015	
13	BD DECISION: GRANTED	Jul 07, 2015	
12	D REPLY IN SUPPORT OF MOTION	Nov 20, 2014	
11	P OPP/RESP TO MOTION	Oct 31, 2014	
10	D MOT TO DISMISS: FRCP 12(B)	Oct 16, 2014	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
8	D REPLY IN SUPPORT OF MOTION	Jul 18, 2014	

7	SUSP PEND DISP OF OUTSTNDNG MOT	Jul 14, 2014	
6	P OPP/RESP TO MOTION	Jun 30, 2014	
5	D CHANGE OF CORRESP ADDRESS	Jun 27, 2014	
4	D MOTION TO SUSPEND PEND RELATED PROCEEDING	Jun 27, 2014	
3	PENDING, INSTITUTED	May 19, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 19, 2014	Jun 28, 2014
1	FILED AND FEE	May 19, 2014	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91214537](#) **Filing Date:** Jan 17, 2014  
**Status:** Terminated **Status Date:** Jan 12, 2016  
**Interlocutory Attorney:** MARY CATHERINE FAINT

**Defendant**

**Name:** Stockmarket Burger Inc.  
**Correspondent Address:** PAULO A DE ALMEIDA  
PATEL & ALMEIDA PC  
16830 VENTURA BLVD SUITE 360  
ENCINO CA UNITED STATES , 91436  
**Correspondent e-mail:** [Paulo@PatelAlmeida.com](mailto:Paulo@PatelAlmeida.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
STOCKMARKET	Abandoned - After Inter-Partes Decision	<a href="#">85969820</a>	

**Plaintiff(s)**

**Name:** Red Bull GmbH  
**Correspondent Address:** MARTIN R GREENSTEIN  
TECHMARK A LAW CORPORATION  
4820 HARWOOD ROAD 2ND FLOOR  
SAN JOSE CA UNITED STATES , 95124-5237  
**Correspondent e-mail:** [MRG@TechMark.com](mailto:MRG@TechMark.com) , [AMR@TechMark.com](mailto:AMR@TechMark.com) , [LZH@TechMark.com](mailto:LZH@TechMark.com) , [DMP@TechMark.com](mailto:DMP@TechMark.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	Registered	<a href="#">76355425</a>	<a href="#">3051994</a>
RED BULL	SECTION 71 ACCEPTED	<a href="#">79047033</a>	<a href="#">3561283</a>
RED BULL ARENA	REGISTERED AND RENEWED	<a href="#">77569283</a>	<a href="#">4031959</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
10	TERMINATED	Jan 12, 2016	
9	BD DECISION: SUSTAINED	Jan 12, 2016	
8	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
7	CONSOLIDATED - CHILD OF 91210282	Mar 13, 2014	
6	D CHANGE OF CORRESP ADDRESS	Feb 26, 2014	
5	ANSWER	Feb 26, 2014	
4	P MOT TO CONSOLIDATE	Jan 21, 2014	
3	PENDING, INSTITUTED	Jan 17, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 17, 2014	Feb 26, 2014
1	FILED AND FEE	Jan 17, 2014	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91198362](#) **Filing Date:** Jan 26, 2011  
**Status:** Terminated **Status Date:** Dec 12, 2014

Interlocutory BENJAMIN U OKEKE  
Attorney:

**Defendant**

**Name:** Bulls Eye Beverage Company

**Correspondent Address:** PIERRE GAMA  
BULLS EYE BEVERAGES COMPANY  
11503 JONES MALTSBERGER, SUITE 1149  
SAN ANTONIO TX UNITED STATES , 78216

**Correspondent e-mail:** [bullseyebbev83@yahoo.com](mailto:bullseyebbev83@yahoo.com) , [impact3@yahoo.com](mailto:impact3@yahoo.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BULLS EYE ENERGY DRINK HIT THE BULLSEYE!	Abandoned - After Inter-Partes Decision	<a href="#">76693938</a>	

**Plaintiff(s)**

**Name:** Red Bull GmbH

**Correspondent Address:** BRIGETTE B CHAPUT  
IP ATTORNEY THE AMERICAS  
12100 OLYMPIC BLVD SUITE 200  
LOS ANGELES CA UNITED STATES , 90064

**Correspondent e-mail:** [IntellectualProperty@us.redbull.com](mailto:IntellectualProperty@us.redbull.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
RED BULL ENERGY DRINK	REGISTERED AND RENEWED	<a href="#">77316470</a>	<a href="#">3479607</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
29	TERMINATED	Dec 12, 2014	
28	BD DECISION: DISMISSED W/O PREJ	Dec 12, 2014	
27	W/DRAW OF APPLICATION W/ CONSENT	Dec 01, 2014	
26	D UNDELIVERABLE MAIL	Jun 27, 2014	
25	SUSPENDED	Jun 18, 2014	
24	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 13, 2014	
23	SUSPENDED	Mar 13, 2014	
22	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 04, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Feb 03, 2014	Mar 05, 2014
20	SUSPENDED PENDING DISP OF CIVIL ACTION	Feb 01, 2013	
19	PLS RESPONSE TO BOARDS ORDER	Jan 24, 2013	
18	RESPONSE DUE 30 DAYS (DUE DATE)	Dec 27, 2012	Jan 26, 2013
17	SUSPENDED PENDING DISP OF CIVIL ACTION	Dec 22, 2011	
16	P'S MOTION TO SUSPEND W/CON	Dec 13, 2011	
15	SUSPENDED	Sep 28, 2011	
14	SUSPENDED	Sep 28, 2011	
13	SUSPENDED	Sep 28, 2011	
12	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2011	
11	SUSPENDED	Jun 17, 2011	
10	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Jun 13, 2011	
9	TRIAL DATES REMAIN AS PREVIOUSLY SET	May 18, 2011	
8	ANSWER	May 16, 2011	
7	EXTENSION OF TIME GRANTED	Apr 20, 2011	
6	BOARD'S ORDER	Mar 09, 2011	
5	BOARD'S ORDER	Mar 09, 2011	
4	D'S MOTION FOR AN EXTENSION OF TIME	Mar 07, 2011	
3	PENDING, INSTITUTED	Jan 26, 2011	

2 NOTICE AND TRIAL DATES SENT; ANSWER DUE: Jan 26, 2011 Mar 07, 2011  
 1 FILED AND FEE Jan 26, 2011

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [78347148](#) **Filing Date:** Dec 30, 2004  
**Status:** Terminated **Status Date:** Mar 02, 2005  
**Interlocutory Attorney:**

**Defendant**

**Name:** RED BULL GMBH  
**Correspondent Address:** Martin R Greenstein  
 TechMark a Law Corporation  
 55 So. Market St., Sixteenth Floor  
 San Jose, C CA UNITED STATES , 95113-2327

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>

**Potential Opposer(s)**

**Name:** T.C. PHARMACEUTICAL INDUSTRIES CO., LTD.  
**Correspondent Address:** HERBERT I. CANTOR  
 CROWELL & MORING LLP  
 P.O. BOX 14300  
 WASHINGTON DC UNITED STATES , 20044-4300

**Prosecution History**

Entry Number	History Text	Date	Due Date
2	EXTENSION OF TIME GRANTED	Jan 10, 2005	
1	INCOMING - EXT TIME TO OPPOSE FILED	Dec 30, 2004	



## **EXHIBIT A-4**

Generated on: This page was generated by TSDR on 2023-01-30 12:20:33 EST

Mark:



US Serial Number: 75694927

Application Filing Date: Apr. 30, 1999

US Registration Number: 3838170

Registration Date: Aug. 24, 2010

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 07, 2020

Publication Date: Oct. 16, 2007 Notice of Allowance Date: Jan. 08, 2008

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## Mark Information

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Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Steers; Bulls; Oxen; Calves

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## Related Properties Information

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Claimed Ownership of US Registrations: 3197810

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## Foreign Information

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Foreign Registration Number: 179129

Foreign Registration Date: Nov. 23, 1998

Foreign Application/Registration Country: AUSTRIA

Foreign Expiration Date: Nov. 30, 2008

Foreign Registration Renewal Date: Feb. 26, 2008

Foreign Registration Renewal Expiration Date: Nov. 30, 2018

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## Goods and Services

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**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:** (( Footwear; )) clothing, namely, shirts,(( pants,)) t-shirts, (( sweat shirts, shorts, )) [ blouses, jumpers, ] hats, caps; (( outerwear, namely, jackets; active wear, namely, visors; bandannas, sweaters ))

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

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

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Aug. 31, 2001

**Use in Commerce:** Aug. 31, 2001

**For:** Soft drinks, and sports drinks

**International Class(es):** 032 - Primary Class

**U.S Class(es):** 045, 046, 048

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Jan. 31, 1987

**Use in Commerce:** May 31, 1996

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** Yes

**Filed 44E:** Yes

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Red Bull GmbH

**Owner Address:** AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Anthony Malutta

**Docket Number:** 1358059

**Attorney Primary Email Address:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Anthony Malutta  
KILPATRICK TOWNSEND & STOCKTON LLP  
Two Embarcadero Center, Suite 1900  
San Francisco, CALIFORNIA UNITED STATES 94111

**Phone:** 415-576-0200

**Fax:** 415-576-0300

**Correspondent e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com) [tmadmin@kilpatricktownsend.com](mailto:tmadmin@kilpatricktownsend.com) [bkandela@kilpatricktownsend.com](mailto:bkandela@kilpatricktownsend.com) [cjohnson@kilpatricktownsend.com](mailto:cjohnson@kilpatricktownsend.com) [slee@kilpatricktownsend.com](mailto:slee@kilpatricktownsend.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**Domestic Representative Name:** Anthony Malutta

**Phone:** 415-576-0200

**Fax:** 415-576-0300

**Domestic Representative e-mail:** [amalutta@kilpatricktownsend.com](mailto:amalutta@kilpatricktownsend.com)

**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 10, 2021	COUNTERCLAIM OPP. NO. 999999	268316
Aug. 07, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 07, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Aug. 07, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74886
Aug. 05, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Jun. 08, 2020	TEAS SECTION 8 & 9 RECEIVED	
Dec. 16, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 16, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 24, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 08, 2016	SEC. 15 ACKNOWLEDGEMENT - MAILED	
Aug. 08, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 - MAILED	
Aug. 08, 2016	REGISTERED - SEC. 15 ACKNOWLEDGED	75184
Aug. 08, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED	75184
Aug. 05, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 05, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 06, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Aug. 05, 2016	TEAS SECTION 15 RECEIVED	
Aug. 05, 2016	TEAS SECTION 8 RECEIVED	
Jul. 11, 2011	NOTICE OF SUIT	
Aug. 24, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 23, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 22, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Jul. 20, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Jul. 20, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Jul. 20, 2010	ASSIGNED TO LIE	70997
Jul. 20, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 16, 2010	STATEMENT OF USE PROCESSING COMPLETE	70565
Jul. 01, 2010	USE AMENDMENT FILED	70565
Jul. 16, 2010	REVIEW OF CORRESPONDENCE COMPLETE	70565
Jul. 02, 2010	TEAS POST PUBLICATION AMENDMENT RECEIVED	
Jul. 01, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 06, 2010	SOU EXTENSION 4 GRANTED	70565
Dec. 28, 2009	SOU EXTENSION 4 FILED	70565
Dec. 28, 2009	TEAS EXTENSION RECEIVED	
Jul. 28, 2009	SOU EXTENSION 3 GRANTED	70565
Jul. 03, 2009	SOU EXTENSION 3 FILED	70565
Jul. 28, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jul. 03, 2009	TEAS EXTENSION RECEIVED	
Dec. 31, 2008	SOU EXTENSION 2 GRANTED	98765
Dec. 31, 2008	SOU EXTENSION 2 FILED	98765
Dec. 31, 2008	TEAS EXTENSION RECEIVED	
Jul. 02, 2008	SOU EXTENSION 1 GRANTED	98765
Jul. 02, 2008	SOU EXTENSION 1 FILED	98765
Jul. 02, 2008	TEAS EXTENSION RECEIVED	
Jan. 08, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 16, 2007	PUBLISHED FOR OPPOSITION	

Sep. 26, 2007	NOTICE OF PUBLICATION	
Sep. 10, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Sep. 10, 2007	ASSIGNED TO LIE	67215
Aug. 02, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 17, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 16, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 16, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 09, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 09, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 24, 2007	NON-FINAL ACTION E-MAILED	6325
Jan. 24, 2007	NON-FINAL ACTION WRITTEN	76508
Jan. 14, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 24, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 31, 2006	ASSIGNED TO EXAMINER	76508
Jan. 24, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	73787
Apr. 05, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	73787
Aug. 09, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 21, 2003	CASE FILE IN TICRS	
Jun. 27, 2000	LETTER OF SUSPENSION MAILED	
Apr. 10, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 07, 1999	NON-FINAL ACTION MAILED	
Sep. 20, 1999	ASSIGNED TO EXAMINER	76468
Sep. 16, 1999	ASSIGNED TO EXAMINER	75596

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Aug. 07, 2020

## Proceedings

### Summary

**Number of Proceedings:** 5

### Type of Proceeding: Opposition

**Proceeding Number:** [91270829](#)

**Filing Date:** Aug 02, 2021

**Status:** Terminated

**Status Date:** Aug 11, 2022

**Interlocutory Attorney:** GEOFFREY MCNUTT

#### Defendant

**Name:** Flying Bull Beer Company, Inc. DBA Flying Bull Brewery

**Correspondent Address:** DEBORAH R GERHARDT

MICHAEL BEST & FRIEDRICH LLP  
2501 BLUE RIDGE RD STE 390  
RALEIGH NC UNITED STATES , 27607

**Correspondent e-mail:** [mkeipdocket@michaelbest.com](mailto:mkeipdocket@michaelbest.com) , [drgerhardt@michaelbest.com](mailto:drgerhardt@michaelbest.com) , [emhaas@michaelbest.com](mailto:emhaas@michaelbest.com) , [dsternig@michaelbest.com](mailto:dsternig@michaelbest.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
FLYING BULL	Abandoned - After Inter-Partes Decision	<a href="#">88922071</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

**Correspondent** TYWANDA HARRIS LORD

**Address:** KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE SUITE 2800  
ATLANTA GA UNITED STATES , 30309

**Correspondent e-mail:** [flord@ktslaw.com](mailto:flord@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tadmin@ktslaw.com](mailto:tadmin@ktslaw.com)

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">74589654</a>	<a href="#">1935272</a>
RED BULL	REGISTERED AND RENEWED	<a href="#">77686056</a>	<a href="#">4099363</a>
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
GIVES YOU WINGS	REGISTERED AND RENEWED	<a href="#">77318511</a>	<a href="#">3585402</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
21	TERMINATED	Aug 11, 2022	
20	BD DECISION: OPP DISMISSED	Aug 11, 2022	
19	W/DRAW OF APPLICATION W/ CONSENT	Aug 11, 2022	
18	SUSPENDED	Jul 05, 2022	
17	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 05, 2022	
16	SUSPENDED	Jun 10, 2022	
15	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 10, 2022	
14	EXTENSION OF TIME GRANTED	Jun 01, 2022	
13	P MOT FOR EXT W/ CONSENT	Jun 01, 2022	
12	SUSPENDED	Mar 11, 2022	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 11, 2022	
10	SUSPENDED	Dec 22, 2021	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 22, 2021	
8	TRIAL DATES REMAIN AS SET	Sep 15, 2021	
7	ANSWER	Sep 09, 2021	
6	D CHANGE OF CORRESP ADDRESS	Sep 09, 2021	
5	RESPONSE DUE	Sep 02, 2021	
4	D APPEARANCE / POWER OF ATTORNEY	Aug 30, 2021	
3	INSTITUTED	Aug 02, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 02, 2021	Sep 11, 2021
1	FILED AND FEE	Aug 02, 2021	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91268316](#)

**Filing Date:** Mar 23, 2021

**Status:** Terminated

**Status Date:** Aug 05, 2022

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Bison Products, LLC

**Correspondent Address:** SAM SOKHANSANJ  
LAW OFFICE OF SAM SOKHANSANJ PLLC  
2101 CEDAR SPRINGS RD SUITE 1050  
DALLAS TX UNITED STATES , 75201

**Correspondent e-mail:** [sam@attorneysam.com](mailto:sam@attorneysam.com)

Mark	Application Status	Serial Number	Registration Number
BISON	Notice of Allowance - Issued	<a href="#">90081512</a>	

BISON Notice of Allowance - Issued [90081540](#)  
 BISON Abandoned - After Inter-Partes Decision [90081580](#)  
 BISON Abandoned - After Inter-Partes Decision [90081586](#)

**Plaintiff(s)**

**Name:** Red Bull GmbH

**Correspondent Address:** TYWANDA HARRIS LORD  
 KILPATRICK TOWNSEND & STOCKTON LLP  
 1100 PEACHTREE STREET NE SUITE 2800  
 ATLANTA GA UNITED STATES , 30309

**Correspondent e-mail:** [lford@ktslaw.com](mailto:lford@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">78347148</a>	<a href="#">2946045</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
30	TERMINATED	Aug 05, 2022	
29	BD DECISION: OPP DISMISSED	Aug 05, 2022	
28	W/DRAW OF APPLICATION W/ CONSENT	Aug 01, 2022	
27	EXTENSION OF TIME GRANTED	Jul 06, 2022	
26	P MOT FOR EXT W/ CONSENT	Jul 06, 2022	
25	EXTENSION OF TIME GRANTED	May 11, 2022	
24	P MOT FOR EXT W/ CONSENT	May 11, 2022	
23	EXTENSION OF TIME GRANTED	Apr 04, 2022	
22	P MOT FOR EXT W/ CONSENT	Apr 04, 2022	
21	SUSPENDED	Feb 09, 2022	
20	P REPLY IN SUPPORT OF MOTION	Oct 21, 2021	
19	D OPP/RESP TO MOTION	Oct 01, 2021	
18	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 30, 2021	
17	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Sep 13, 2021	
16	P CHANGE OF CORRESP ADDRESS	Sep 13, 2021	
15	TRIAL DATES RESET	Aug 10, 2021	
14	ANSWER AND COUNTERCLAIM ( FEE)	Aug 03, 2021	
13	D OPP/RESP TO MOTION	Jul 26, 2021	
12	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jul 26, 2021	
11	EXTENSION OF TIME GRANTED	Jun 30, 2021	
10	D MOT FOR EXT W/ CONSENT	Jun 30, 2021	
9	EXTENSION OF TIME GRANTED	May 28, 2021	
8	D MOT FOR EXT W/ CONSENT	May 28, 2021	
7	TRIAL DATES RESET	May 05, 2021	
6	P MOT TO AMEND PLEADING/AMENDED PLEADING	May 03, 2021	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 21, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	Apr 13, 2021	
3	INSTITUTED	Mar 23, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 23, 2021	May 02, 2021
1	FILED AND FEE	Mar 23, 2021	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91255948](#)

**Filing Date:** May 18, 2020

**Status:** Terminated

**Status Date:** Aug 18, 2020

**Interlocutory** WINSTON T FOLMAR

**Attorney:****Defendant****Name:** Adversus, Llc**Correspondent Address:** MARIA ELISEEVA  
PATENTBAR INTERNATIONAL PC  
1666 MASSACHUSETTS AVE , SUITE 12  
LEXINGTON MA UNITED STATES , 02420**Correspondent e-mail:** [tm.docket@patentbar.com](mailto:tm.docket@patentbar.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BIZON	IR CANCELLED; US APPLICATION ABANDONED	<a href="#">79258484</a>	
BIZON	IR CANCELLED; US APPLICATION ABANDONED	<a href="#">79259190</a>	

**Plaintiff(s)****Name:** Red Bull GmbH**Correspondent Address:** TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE , SUITE 2800  
ATLANTA GA UNITED STATES , 30309**Correspondent e-mail:** [tlord@ktslaw.com](mailto:tlord@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [cminervino@ktslaw.com](mailto:cminervino@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tmadmin@ktslaw.com](mailto:tmadmin@ktslaw.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL	Cancellation Terminated - See TTAB Records	<a href="#">74713796</a>	<a href="#">3197810</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>
	REGISTERED AND RENEWED	<a href="#">78702090</a>	<a href="#">3881732</a>
RED BULL ENERGY DRINK	REGISTERED AND RENEWED	<a href="#">77316470</a>	<a href="#">3479607</a>
	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85638459</a>	<a href="#">4409528</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
6	TERMINATED	Aug 18, 2020	
5	BD DECISION: OPP SUSTAINED	Aug 18, 2020	
4	NOTICE OF DEFAULT	Jul 10, 2020	
3	INSTITUTED	May 21, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 21, 2020	Jun 30, 2020
1	FILED AND FEE	May 18, 2020	

**Type of Proceeding: Opposition****Proceeding Number:** [91255311](#)**Filing Date:** Apr 15, 2020**Status:** Terminated**Status Date:** Oct 16, 2020**Interlocutory Attorney:** WENDY COHEN**Defendant****Name:** Ahmed Mahmoud Roshdy Kilany Dakroury**Correspondent Address:** LAWRENCE E ABELMAN  
ABELMAN FRAYNE & SCHWAB  
10TH FLOOR 666 THIRD AVENUE  
NEW YORK NY UNITED STATES , 10017-5621**Correspondent e-mail:** [tferranella@lawabel.com](mailto:tferranella@lawabel.com) , [docket@lawabel.com](mailto:docket@lawabel.com) , [ehalstead@lawabel.com](mailto:ehalstead@lawabel.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
COKDATE THE COLA BULLS	Abandoned - After Inter-Partes Decision	<a href="#">88192486</a>	



**Plaintiff(s)****Name:** Red Bull GmbH**Correspondent Address:** TYWANDA HARRIS LORD  
KILPATRICK TOWNSEND & STOCKTON LLP  
1100 PEACHTREE STREET NE, SUITE 2800  
ATLANTA GA UNITED STATES , 30309**Correspondent e-mail:** [lford@ktslaw.com](mailto:lford@ktslaw.com) , [totey@ktslaw.com](mailto:totey@ktslaw.com) , [cminervino@ktslaw.com](mailto:cminervino@ktslaw.com) , [kteilhaber@ktslaw.com](mailto:kteilhaber@ktslaw.com) , [tadmin@ktslaw.com](mailto:tadmin@ktslaw.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
RED BULL	REGISTERED AND RENEWED	<a href="#">78347152</a>	<a href="#">3092197</a>
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>
	REGISTERED AND RENEWED	<a href="#">78702090</a>	<a href="#">3881732</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
10	TERMINATED	Oct 16, 2020	
9	BD DECISION: OPP SUSTAINED	Oct 16, 2020	
8	NOTICE OF DEFAULT	Sep 02, 2020	
7	EXTENSION OF TIME GRANTED	Jun 23, 2020	
6	D MOT FOR EXT W/ CONSENT	Jun 23, 2020	
5	EXTENSION OF TIME GRANTED	May 29, 2020	
4	D MOT FOR EXT W/ CONSENT	May 26, 2020	
3	INSTITUTED	Apr 15, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 15, 2020	May 25, 2020
1	FILED AND FEE	Apr 15, 2020	

**Type of Proceeding: Cancellation****Proceeding Number:** [92056438](#)**Filing Date:** Nov 13, 2012**Status:** Terminated**Status Date:** Jul 11, 2013**Interlocutory Attorney:** JENNIFER KRISP**Defendant****Name:** Joaquin Rodriguez**Correspondent Address:** JOAQUIN RODRIGUEZ  
1702 DREXEL RD  
LANSING MI UNITED STATES , 48915**Correspondent e-mail:** [jbisdorf@jaffelaw.com](mailto:jbisdorf@jaffelaw.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
	Cancelled - Section 8	<a href="#">78759429</a>	<a href="#">3336642</a>

**Plaintiff(s)****Name:** Red Bull GmbH**Correspondent Address:** MARTIN R GREENSTEIN  
TECHMARK A LAW CORPORATION  
4820 HARWOOD ROAD, 2ND FLOOR  
SAN JOSE CA UNITED STATES , 95124**Correspondent e-mail:** [LZH@TechMark.com](mailto:LZH@TechMark.com) , [MRG@TechMark.com](mailto:MRG@TechMark.com) , [MPV@TechMark.com](mailto:MPV@TechMark.com) , [AMR@TechMark.com](mailto:AMR@TechMark.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
	REGISTERED AND RENEWED	<a href="#">75694927</a>	<a href="#">3838170</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
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14	TERMINATED	Jul 11, 2013	
13	BD DECISION: DISMISSED W/O PREJ	Jul 11, 2013	
12	P RESP TO BD ORDER/INQUIRY	Jun 03, 2013	
11	RESPONSE DUE 30 DAYS (DUE DATE)	May 27, 2013	Jun 26, 2013
10	P RESP TO BD ORDER/INQUIRY	May 13, 2013	
9	RESPONSE DUE 30 DAYS (DUE DATE)	May 13, 2013	Jun 12, 2013
8	AMENDMENT TO REGIS; STIP W/D OF CANG	Apr 15, 2013	
7	EXTENSION OF TIME GRANTED	Feb 18, 2013	
6	P MOT FOR EXT W/ CONSENT	Feb 18, 2013	
5	EXTENSION OF TIME GRANTED	Dec 19, 2012	
4	P MOT FOR EXT W/ CONSENT	Dec 19, 2012	
3	PENDING, INSTITUTED	Nov 14, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2012	Dec 24, 2012
1	FILED AND FEE	Nov 13, 2012	