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Filing date: **12/04/2023**

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	KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.		
Entity	Corporation	Incorporated or registered in	Mexico
Address	AV. AMÁRICAS #1297 FLOOR 03-15, CIRCUNVALACION AMÁRICAS GUADALAJARA, 44630 MEXICO		

Attorney information	CAITLIN R. BYCZKO BARNES & THORNBURG LLP 11 S. MERIDIAN ST. INDIANAPOLIS, IN 46204 UNITED STATES Primary email: cbyczko@btlaw.com Secondary email(s): ipdocket@btlaw.com, adegler@btlaw.com, jfroemel@btlaw.com No phone number provided		
Docket no.	84880-100		

Applicant information

Application no.	97667275	Publication date	11/07/2023
Opposition filing date	12/04/2023	Opposition period ends	12/07/2023
Applicant	Llapingacho LLC 230 NW 24TH STREET, UNIT 601 MIAMI, FL 33127 UNITED STATES		

Goods/services affected by opposition

Class 036. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Electronic foreign exchange payment processing; Electronic payment services involving electronic processing and subsequent transmission of bill payment data; Merchant services, namely, payment transaction processing services; Providing an internet website portal in the field of financial transaction and payment processing services
Class 042. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Application service provider (ASP) featuring e-commerce software for use as a payment gateway that authorizes processing of credit cards or direct payments for merchants; Application service provider featuring application programming interface (API) software for accepting and sending payments via credit cards, debit cards, wire transfer and cash

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b), 44(e) or 66(a)
Other	Likelihood of confusion based on opposer's common law rights

Marks cited by opposer as basis for opposition

U.S. registration no.	6565422	Application date	08/20/2020
Register	Principal		
Registration date	11/23/2021	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	The mark consists of the stylized words "kueski", in color blue with just the superscript dot over the "i" in color green. To the left of the word "kueski" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.		
Goods/services	Class 042. First use: First Use: None First Use In Commerce: None Application service provider (ASP), namely, hosting computer software applications of others; Consulting in the field of information technology; Development of computer platforms; Information technology consulting services; Platform as a service (PAAS) featuring computer software platforms for financial information and financial services; Providing temporary use of on-line non-downloadable software and applications for obtaining financial information and financial services; Providing temporary use of on-line non-downloadable software for allowing users to access various programs; Software as a service (SAAS) services featuring software for financial information and financial services		

U.S. registration no.	6352537	Application date	08/18/2020
Register	Principal		
Registration date	05/18/2021	Foreign priority date	NONE
Word mark	KUESKI CASH		
Design mark			
Description of mark	NONE		
Goods/services	Class 036. First use: First Use: None First Use In Commerce: None Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services		

U.S. registration no.	6352536	Application date	08/18/2020
Register	Principal		
Registration date	05/18/2021	Foreign priority date	NONE
Word mark	KUESKI PAY		
Design mark			

Description of mark	The mark consists of the stylized words "kueski Pay" with the word "kueski" in blue with a green dot over the "i", and the word "Pay" fades vertically from orange down to pink. To the left of the words "kueski Pay" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.
Goods/services	Class 036. First use: First Use: None First Use In Commerce: None Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services

U.S. registration no.	6000277	Application date	04/22/2019
Register	Principal		
Registration date	03/03/2020	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	The mark consists of the stylized words "kueski", in color blue with just the superscript dot over the "i" in color green. To the left of the word "kueski" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.		
Goods/services	Class 036. First use: First Use: None First Use In Commerce: None Financing services		

U.S. application no.	97610700	Application date	09/28/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	NONE		
Goods/services	Class 042. First use: First Use: None First Use In Commerce: None IT consulting services relating to installation, maintenance and repair of computer software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; IT consulting services relating to installation, maintenance and repair of computer software for communicating with financial analysts and financial consultants; IT consulting services relating to installation, maintenance and repair of computer software for payment processing; IT consulting services relating to installation, maintenance and repair of computer software for electronic processing of payments through a global computer network; Development of computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Development of computer software platforms for communicating with financial analysts and financial consultants; Development of computer software platforms for payment processing; Development of computer software platforms for electronic processing of payments through a global computer network; Platform as a service (PAAS) featuring computer soft-		

ware platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Platform as a service (PAAS) featuring computer software platforms for communicating with financial analysts and financial consultants; Platform as a service (PAAS) featuring computer software platforms for payment processing; Platform as a service (PAAS) featuring computer software platforms for electronic processing of payments through a global computer network; Software as a service (SAAS) services featuring software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Software as a service (SAAS) services featuring software for communicating with financial analysts and financial consultants; Software as a service (SAAS) services featuring software for payment processing; Software as a service (SAAS) services featuring software for electronic processing of payments through a global computer network; Providing online nondownloadable software for accessing records of online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software for accessing records of communications with financial analysts and financial consultants; Providing online nondownloadable software for accessing payment processing records; Providing online nondownloadable software for accessing records of electronic processing of payments through a global computer network; Providing online nondownloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable computer application software for communicating with financial analysts and financial consultants; Providing online nondownloadable computer application software for payment processing; Providing online nondownloadable computer application software for electronic processing of payments through a global computer network; Providing temporary use of online nondownloadable software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing temporary use of online nondownloadable software for communicating with financial analysts and financial consultants; Providing temporary use of online nondownloadable software for payment processing; Providing temporary use of online nondownloadable software for electronic processing of payments through a global computer network; Providing online nondownloadable software applications for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software applications for communicating with financial analysts and financial consultants; Providing online nondownloadable software applications for payment processing; Providing online nondownloadable software applications for electronic processing of payments through a global computer network; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services,

	home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Updating, installation, maintenance and rental of software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Updating, installation, maintenance and rental of software for communicating with financial analysts and financial consultants; Updating, installation, maintenance and rental of software for payment processing; Updating, installation, maintenance and rental of software for electronic processing of payments through a global computer network
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U.S. application no.	97610694	Application date	09/28/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	NONE		
Goods/services	Class 036. First use: First Use: None First Use In Commerce: None Financial transaction services, namely, providing secure commercial transactions and payment options for online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Financial analysis; Financial consulting; Payment processing services in the field of loan payments; Electronic payment processing services in the field of loan payments provided through a global computer network; Financing of loans; Loan financing		

U.S. application no.	97610689	Application date	09/28/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	NONE		
Goods/services	Class 035. First use: First Use: None First Use In Commerce: None Advertising services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network; Customer loyalty services for commercial, promotional or advertising purposes, namely, loyalty services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network		

U.S. application no.	97610685	Application date	09/28/2022
Registration date	NONE	Foreign priority date	NONE
Word mark	KUESKI		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: None First Use In Commerce: None</p> <p>Downloadable software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable software for communicating with financial analysts and financial consultants; Downloadable software for payment processing; Downloadable software for electronic processing of payments through a global computer network; Electronic payment terminal devices for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for communicating with financial analysts and financial consultants; Downloadable internet of things (IoT) computer application software for payment processing; Downloadable internet of things (IoT) computer application software for electronic processing of payments through a global computer network; Downloadable mobile application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable mobile application software for communicating with financial analysts and financial consultants; Downloadable mobile application software for payment processing; Downloadable mobile application software for electronic processing of payments through a global computer network; Downloadable server software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable server software for communicating with financial analysts and financial consultants; Downloadable server software for payment processing; Downloadable server software for electronic processing of payments through a global computer network; Downloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer application software for communicating with financial analysts and financial consultants; Downloadable computer application software for payment processing; Downloadable computer application software for electronic processing of payments through a global computer network; Downloadable computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer software platforms for communicating with financial analysts and financial consultants; Downloadable computer software platforms for payment processing; Downloadable computer software platforms for electronic processing of payments through a global computer network; Magnetically encoded credit cards and debit cards for use in online financial transactions, namely, electronic money transfers, fin-</p>		


	ancial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Electronic ID cards for use in connection with payment for services, namely, credit cards and debit cards with electronic chips for use in online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans
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Related proceedings	91288552; 91283229; 91272072
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Attachments	NOO Kushki Mundial.pdf(600633 bytes)
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Signature	/cbyczko/
Name	Caitlin R. Byczko
Date	12/04/2023

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

<p>Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R., a Mexican Company, Opposer, v. Llapingacho LLC, a Massachusetts Limited Liability Company, Applicant.</p>	<p>Opposition No.:</p> <p>Mark: </p> <p>U.S. Serial No.: 97667275</p>
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NOTICE OF OPPOSITION




Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R., a company duly organized and existing under the laws of the country of Mexico, (“Opposer” or “Kueski”), believes that it will be damaged by

registration of the mark  (the “Applicant’s Mark”) that is the subject of United States Trademark Application Serial No. 97667275 (the “Application”), filed in the name of Llapingacho LLC (“Applicant”), and, therefore, opposes such registration pursuant to Section 13 of the Lanham Act, 15 U.S.C. § 1063. In support of its opposition, Opposer states as follows:

1. Founded in 2012, Opposer is one of the largest “buy now, pay later” and online consumer lending companies in Latin America.
2. Opposer provides financial services to consumers through innovative products—KUESKI PAY (buy now, pay later services), KUESKI CASH (personal loans), and KUESKI UP (salary

advances). Opposer leverages the use of sophisticated technology to expand access to traditional financial products to consumers.

3. In addition to its common-law rights in the KUESKI and KUESKI variation trademarks, Opposer owns multiple U.S. federal trademark registrations for KUESKI and KUESKI variation trademarks, as reflected in the following registrations (“Kueski Registrations”) and applications (“Applications”):

<u>Mark</u>	<u>Reg. /App. No.</u>	<u>Goods/Services</u>	<u>Registration Date</u>
	6565422	Application service provider (ASP), namely, hosting computer software applications of others; Consulting in the field of information technology; Development of computer platforms; Information technology consulting services; Platform as a service (PAAS) featuring computer software platforms for financial information and financial services; Providing temporary use of on-line non-downloadable software and applications for obtaining financial information and financial services; Providing temporary use of on-line non-downloadable software for allowing users to access various programs; Software as a service (SAAS) services featuring software for financial information and financial services in International Class 42	November 23, 2021 Filing date: August 20, 2020
KUESKI CASH	6352537	Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services in International Class 36	May 18, 2021 Filing date: August 18, 2020
	6352536	Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services in International Class 36	May 18, 2021 Filing date: August 18, 2020
	6000277	Financing services in International Class 36	March 3, 2020 Filing date: April 22, 2019
KUESKI	97610700	IT consulting services relating to installation, maintenance and repair of computer software	Filing date: Sep. 28, 2022

		<p>for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; IT consulting services relating to installation, maintenance and repair of computer software for communicating with financial analysts and financial consultants; IT consulting services relating to installation, maintenance and repair of computer software for payment processing; IT consulting services relating to installation, maintenance and repair of computer software for electronic processing of payments through a global computer network; Development of computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Development of computer software platforms for communicating with financial analysts and financial consultants; Development of computer software platforms for payment processing; Development of computer software platforms for electronic processing of payments through a global computer network; Platform as a service (PAAS) featuring computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Platform as a service (PAAS) featuring computer software platforms for communicating with financial analysts and financial consultants; Platform as a service (PAAS) featuring computer software platforms for payment processing; Platform as a service (PAAS) featuring computer software platforms for electronic processing of payments through a global computer network; Software as a service (SAAS) services featuring software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Software as a service (SAAS)</p>	
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		<p>services featuring software for communicating with financial analysts and financial consultants; Software as a service (SAAS) services featuring software for payment processing; Software as a service (SAAS) services featuring software for electronic processing of payments through a global computer network; Providing online nondownloadable software for accessing records of online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software for accessing records of communications with financial analysts and financial consultants; Providing online nondownloadable software for accessing payment processing records; Providing online nondownloadable software for accessing records of electronic processing of payments through a global computer network; Providing online nondownloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable computer application software for communicating with financial analysts and financial consultants; Providing online nondownloadable computer application software for payment processing; Providing online nondownloadable computer application software for electronic processing of payments through a global computer network; Providing temporary use of online nondownloadable software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing temporary use of online nondownloadable software for communicating with financial analysts and financial consultants; Providing temporary use of online nondownloadable software for payment processing; Providing temporary use of online nondownloadable</p>	
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	<p>software for electronic processing of payments through a global computer network; Providing online nondownloadable software applications for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software applications for communicating with financial analysts and financial consultants; Providing online nondownloadable software applications for payment processing; Providing online nondownloadable software applications for electronic processing of payments through a global computer network; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Updating, installation, maintenance and rental of software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by</p>	
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		means of loans; Updating, installation, maintenance and rental of software for communicating with financial analysts and financial consultants; Updating, installation, maintenance and rental of software for payment processing; Updating, installation, maintenance and rental of software for electronic processing of payments through a global computer network in International Class 42	
KUESKI	97610694	Financial transaction services, namely, providing secure commercial transactions and payment options for online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Financial analysis; Financial consulting; Payment processing services in the field of loan payments; Electronic payment processing services in the field of loan payments provided through a global computer network; Financing of loans; Loan financing in International Class 36	Filing date: Sep. 28, 2022
KUESKI	97610689	Advertising services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network; Customer loyalty services for commercial, promotional or advertising purposes, namely, loyalty services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network in International Class 35	Filing date: Sep. 28, 2022
KUESKI	97610685	Downloadable software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan	Filing date: Sep. 28, 2022

		<p>services, home loan payment collections, financing of sales by means of loans; Downloadable software for communicating with financial analysts and financial consultants; Downloadable software for payment processing; Downloadable software for electronic processing of payments through a global computer network; Electronic payment terminal devices for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for communicating with financial analysts and financial consultants; Downloadable internet of things (IoT) computer application software for payment processing; Downloadable internet of things (IoT) computer application software for electronic processing of payments through a global computer network; Downloadable mobile application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable mobile application software for communicating with financial analysts and financial consultants; Downloadable mobile application software for payment processing; Downloadable mobile application software for electronic processing of payments through a global computer network; Downloadable server software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable server software for communicating with financial analysts and financial consultants; Downloadable server</p>	
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		<p>software for payment processing; Downloadable server software for electronic processing of payments through a global computer network; Downloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer application software for communicating with financial analysts and financial consultants; Downloadable computer application software for payment processing; Downloadable computer application software for electronic processing of payments through a global computer network; Downloadable computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer software platforms for communicating with financial analysts and financial consultants; Downloadable computer software platforms for payment processing; Downloadable computer software platforms for electronic processing of payments through a global computer network; Magnetically encoded credit cards and debit cards for use in online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Electronic ID cards for use in connection with payment for services, namely, credit cards and debit cards with electronic chips for use in online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans in International Class 9</p>
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These Kueski Registrations and Applications are valid, subsisting and in full force and effect.

See printouts from the USPTO’s Trademark Status & Document Retrieval database, attached

hereto as **Exhibit A**, showing the current status and title for each of the foregoing Kueski Registrations and Applications. Opposer’s common-law rights in the unregistered KUESKI trademark, along with the marks set forth in the KUESKI Registrations and Applications listed above are collectively referred to as the “Kueski Marks.” The services outlined in the above chart and paragraphs 1-3 shall be referred to as the “Opposer’s Services.”

4. Opposer has marketed and rendered Opposer’s Services in the United States under a KUESKI and/or KUESKI variation mark since at least as early as August 2021.
5. Opposer’s KUESKI Marks are distinctive to the consuming public and among the most recognizable in Opposer’s industry.
6. Notwithstanding Opposer’s rights in the KUESKI Marks, on October 21, 2022, Applicant filed



an Application to register the mark  in connection with:

Electronic foreign exchange payment processing; Electronic payment services involving electronic processing and subsequent transmission of bill payment data; Merchant services, namely, payment transaction processing services; Providing an internet website portal in the field of financial transaction and payment processing services in International Class 36; and

Application service provider (ASP) featuring e-commerce software for use as a payment gateway that authorizes processing of credit cards or direct payments for merchants; Application service provider featuring application programming interface (API) software for accepting and sending payments via credit cards, debit cards, wire transfer and cash in International Class 42


(“Applicant’s Services”).¹

¹ Applicant’s application states:

The mark consists of a green circle with a white underlined check mark inside followed by the word “KUSHKI.” The stem of the K is navy blue. The arm of the K is green. The leg of the K is green and extends longer than the stem. The U S H K and I are navy blue. Below “KUSHKI” is the word “MUNDIAL” in green.... The colors green, white, and navy blue are claimed as a feature of the mark....The

7. The Application was filed on an intent-to-use basis and no allegation of use has been filed.
8. At the time it filed its application, Applicant had both actual and constructive knowledge of Opposer's rights in and to its KUESKI Marks by virtue of the Registrations and Applications set forth in Exhibit A, as well as pending Opposition No. 91272072 (filed on October 1, 2021) filed by Opposer against Applicant's application Serial No. 90199163 for the mark KUSHKI.
9. Opposer has also filed Opposition No. 91283229 (filed on February 3, 2023) against Applicant's application Serial No. 90785521 for the mark KUSHKI.²
10. While the proceedings noted in paragraphs 8 and 9 are currently in the discovery period with significant written discovery having been exchanged, Applicant has not provided documents or other data supporting its bona fide use of the KUSHKI mark in U.S. commerce for any services or goods.
11. Opposer's earliest filing date in the USPTO for its registered KUESKI Marks is April 22, 2019.
12. Applicant's application was subsequently filed on November 8, 2022. Inasmuch as Applicant's application was filed more than three and a half years after Opposer's April 22, 2019 priority date, at the time of filing this notice of opposition, Opposer has priority.



13. The KUESKI Marks and Applicant's  mark are similar in appearance, sound, meaning, and commercial impression.
14. Opposer's Services include: *banking and financing services, as well as platform as a service (PAAS) featuring computer software platforms for financial information and financial services, and application service provider (ASP) services, namely hosting computer software*


"MUNDIAL" is disclaimed....The English translation of MUNDIAL in the mark is world.

² Those proceedings have been consolidated with Opposition No. 91272072 which has been designated as the parent case. See Board's order of April 17, 2023 entered in Opposition Nos. 91272072 and 91283229.


applications of others. Applicant's Services include: merchant services, namely, payment transaction processing services, providing an internet website portal in the field of financial transaction and payment processing services, and application service provided (ASP) featuring e-commerce software for use as a payment gateway that authorizes processing of credit cards or direct payment for merchants, application service provider featuring application programming interface (API) software for accepting and sending payments via credit cards, debit cards, wire transfer and cash. Applicant's Services are highly related to Opposer's Services.

15. Opposer's Services offered under the KUESKI Marks and Applicant's Services are, and likely will continue to be, marketed to similar or overlapping classes of purchasers, through similar or overlapping channels of trade.

16. The use and registration of Applicant's  mark, when used in connection with Applicant's Services, is likely to cause confusion, to cause mistake, and to deceive the

trade and public, who, upon seeing the  mark in connection with Applicant's Services, will believe such services originate with, are approved, sponsored, or endorsed by, or have some connection or affiliation with Opposer in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

17. Upon information and belief, Applicant has made no bona fide use of the

 mark in the United States in connection with Applicant's Services at any time.

18. Upon information and belief, Applicant has no bona fide intent to use the



mark in the United States in connection with Applicant's Services at any time and did not have a bona fide intent to use the mark in the United States when filing.

19. By reason of the foregoing, Opposer will be damaged by the registration of Applicant's



WHEREFORE, it is respectfully requested that this opposition be sustained and the registration sought by Application Serial No. 97667275 be refused.

Respectfully submitted,

Date: December 4, 2023

By: /s/ Caitlin R. Byczko

BARNES & THORNBURG LLP

11 S. Meridian St.

Indianapolis, IN 46204

Caitlin R. Byczko

Jonathan P. Froemel

Alexis N. Degler

Caitlin.byczko@btlaw.com

jfroemel@btlaw.com

alexis.degler@btlaw.com

ipdocket@btlaw.com

(T) 317-231-1313

Attorneys for Opposer Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above Notice of Opposition was filed with ESTTA on December 4, 2023.

By: /s/ Caitlin R. Byczko

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-04 09:53:23 EST

Mark: KUESKI



US Serial Number: 90128000

Application Filing Date: Aug. 20, 2020

US Registration Number: 6565422

Registration Date: Nov. 23, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Nov. 23, 2021

Publication Date: Jun. 08, 2021

Mark Information

Mark Literal Elements: KUESKI

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized words "kueski", in color blue with just the superscript dot over the "i" in color green. To the left of the word "kueski" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) green and blue is/are claimed as a feature of the mark.

Design Search Code(s): 05.13.07 - Containers of flowers; Flower pots, With plants or flowers; Plant stands containing vegetation; Pots, flower, containing plants; Urns, filled with flowers; Vases, filled with plants/flowers
27.03.01 - Geometric figures forming letters, numerals or punctuation

Related Properties Information

Claimed Ownership of US Registrations: 6000277

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 2408126

Foreign Application Filing Date: Aug. 20, 2020

Foreign Registration Number: 2166949

Foreign Registration Date: Oct. 29, 2020

Application/Registration
Country: Foreign MEXICO

Foreign Expiration Date: Aug. 20, 2030

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: Application service provider (ASP), namely, hosting computer software applications of others; Consulting in the field of information technology; Development of computer platforms; Information technology consulting services; Platform as a service (PAAS) featuring computer software platforms for financial information and financial services; Providing temporary use of on-line non-downloadable software and applications for obtaining financial information and financial services; Providing temporary use of on-line non-downloadable software for allowing users to access various programs; Software as a service (SAAS) services featuring software for financial information and financial services

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Floor 03-15, Circunvalacion Américas
Av. Américas #1297
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: sapi de cv

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin R. Byczko

Docket Number: 84880-365960

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin R. Byczko
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, INDIANA UNITED STATES 46204

Phone: 3172311313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com tmindocket@btlaw.com [Rach el.Nielsen@btlaw.com](mailto:el.Nielsen@btlaw.com)

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin R. Byczko

Phone: 3172311313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2023	COUNTERCLAIM OPP. NO. 999999	283229
Jul. 20, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 20, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Jul. 20, 2022	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 20, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 20, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 23, 2021	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2021	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jun. 21, 2021	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 08, 2021	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 08, 2021	PUBLISHED FOR OPPOSITION	
May 19, 2021	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 05, 2021	ELECTRONIC RECORD REVIEW COMPLETE	
Apr. 30, 2021	ON HOLD - ELECTRONIC RECORD REVIEW REQUIRED	
Apr. 28, 2021	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 2021	TEAS/EMAIL CORRESPONDENCE ENTERED	
Apr. 28, 2021	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 20, 2021	ASSIGNED TO LIE	
Jan. 13, 2021	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 14, 2020	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	
Dec. 14, 2020	LETTER OF SUSPENSION E-MAILED	
Dec. 14, 2020	SUSPENSION LETTER WRITTEN	
Dec. 13, 2020	ASSIGNED TO EXAMINER	
Sep. 25, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 24, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Aug. 24, 2020	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 23, 2021

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91283229](#)

Filing Date: Feb 03, 2023

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: STACEY C FRIENDS
MORSE
480 TOTTEN POND ROAD 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: trademark2@morse.law

Associated marks			
Mark	Application Status	Serial Number	Registration Number

KUSHKI [90785521](#)

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R.

Correspondent Address: CAITLIN R BYCZKO
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , tmindocket@btlaw.com , Alexis.Degler@btlaw.com , jonathan.froemel@btlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

KUESKI [90128000](#) [6565422](#)
KUESKI [88396729](#) [6000277](#)
KUESKI PAY [90122626](#) [6352536](#)
KUESKI CASH [90122632](#) [6352537](#)

Prosecution History

Entry Number	History Text	Date	Due Date
13	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
12	PROCEEDINGS RESUMED	Aug 01, 2023	
11	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
10	D OPP/RESP TO MOTION	May 03, 2023	
9	CONSOLIDATED W/91272072; SUSP PENDING DISP OF OUTSTDNG MOT	Apr 17, 2023	
8	P MOT TO STRIKE PLEADING/AFFIRMATIVE DEFENSE	Apr 12, 2023	
7	TRIAL DATES RESET	Mar 15, 2023	
6	ANSWER AND COUNTERCLAIM (FEE)	Mar 10, 2023	
5	TRIAL DATES RESET	Feb 08, 2023	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 03, 2023	
3	INSTITUTED	Feb 03, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2023	Mar 15, 2023
1	FILED AND FEE	Feb 03, 2023	

Type of Proceeding: Opposition

Proceeding Number: [91272072](#)

Filing Date: Oct 01, 2021

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: PAIGE K. ZACHARAKIS
MORSE, BARNES-BROWN & PENDLETON, P.C.
480 TOTTEN POND ROAD, 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: pzacharakis@morse.law , sdetweiler@morse.law

Associated marks			
Mark	Application Status	Serial Number	Registration Number

KUSHKI [90199163](#)

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V. Sofom. E.N.R.

Correspondent Address: CAITLIN R. BYCZKO
BARNES & THORNBURG LLP
11 S. MERIDIAN ST.

INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , sharrell@btlaw.com , tmindocket@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537
KUESKI		88396729	6000277
KUESKI		90128000	

Prosecution History

Entry Number	History Text	Date	Due Date
27	TRIAL DATES REMAIN AS SET	Nov 20, 2023	
26	D APPEARANCE / POWER OF ATTORNEY	Nov 10, 2023	
25	D REQ TO W/DRAW AS ATTORNEY	Nov 10, 2023	
24	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
23	ANSWER AND COUNTERCLAIM (FEE)	Aug 21, 2023	
22	PROCEEDINGS RESUMED	Aug 01, 2023	
21	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
20	CONSOLIDATED W/91283229; SUSP PENDING DISP OF OUTSTNDNG MOT	Apr 17, 2023	
19	EXTENSION OF TIME GRANTED	Apr 11, 2023	
18	P MOT FOR EXT W/ CONSENT	Apr 11, 2023	
17	EXTENSION OF TIME GRANTED	Mar 04, 2023	
16	P MOT FOR EXT W/ CONSENT	Mar 04, 2023	
15	EXTENSION OF TIME GRANTED	Dec 19, 2022	
14	P MOT FOR EXT W/ CONSENT	Dec 19, 2022	
13	EXTENSION OF TIME GRANTED	Nov 02, 2022	
12	P MOT FOR EXT W/ CONSENT	Nov 02, 2022	
11	EXTENSION OF TIME GRANTED	Aug 04, 2022	
10	P MOT FOR EXT W/ CONSENT	Aug 04, 2022	
9	P APPEARANCE / POWER OF ATTORNEY	Jul 26, 2022	
8	EXTENSION OF TIME GRANTED	Jun 09, 2022	
7	D MOT FOR EXT W/ CONSENT	Jun 03, 2022	
6	P APPEARANCE / POWER OF ATTORNEY	Jun 02, 2022	
5	P APPEARANCE / POWER OF ATTORNEY	Jan 08, 2022	
4	ANSWER	Nov 10, 2021	
3	INSTITUTED	Oct 01, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 01, 2021	Nov 10, 2021
1	FILED AND FEE	Oct 01, 2021	

Type of Proceeding: Extension of Time

Proceeding Number: [90128000](#)

Filing Date: Jun 21, 2021

Status: Terminated

Status Date: Oct 17, 2021

Interlocutory Attorney:

Defendant

Name: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Correspondent Address: ADRIANO PACIFICI
INTELLECTUAL PROPERTY CONSULTING, LLC
400 POYDRAS STREET, SUITE 1400
NEW ORLEANS LA UNITED STATES , 70130

Correspondent e-mail: apacifici@iplawconsulting.com , creid@iplawconsulting.com , dario.cosio@vila.com.mx , rios.elias@vila.com.mx

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Potential Opposer(s)**Name:** Llapingacho LLC**Correspondent** STACEY FRIENDS**Address:** MORSE
480 TOTTEN POND RD., 4TH FL.
WALTHAM MA UNITED STATES , 02451**Correspondent e-mail:** trademark2@morse.law , sfriends@morse.law**Prosecution History**

Entry Number	History Text	Date	Due Date
4	EXT GRANTED	Jul 07, 2021	
3	ADD'L 60-DAY REQUEST TO EXT TIME TO OPPOSE	Jul 07, 2021	
2	EXT GRANTED	Jun 21, 2021	
1	FIRST 30-DAY REQUEST TO EXT TIME TO OPPOSE	Jun 21, 2021	

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Mark: KUESKI CASH

KUESKI CASH

US Serial Number: 90122632

Application Filing Date: Aug. 18, 2020

US Registration Number: 6352537

Registration Date: May 18, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: May 18, 2021

Publication Date: Mar. 02, 2021

Mark Information

Mark Literal Elements: KUESKI CASH

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CASH"

Related Properties Information

Claimed Ownership of US Registrations: 6000277

Foreign Information

Foreign Registration Number: 2087344

Foreign Registration Date: Mar. 04, 2019

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Mar. 04, 2029

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: Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Floor 03-15, Circunvalacion Américas
Av. Américas #1297
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: sapi de cv

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin R. Byczko

Docket Number: 84880-365961

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin R. Byczko
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, INDIANA UNITED STATES 46204

Phone: 3172311313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com Rachel.Nielsen@btlaw.com mindocket@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin R. Byczko

Phone: 3172311313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2023	COUNTERCLAIM OPP. NO. 999999	283229
Jul. 20, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 20, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Jul. 20, 2022	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 20, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 20, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 18, 2021	REGISTERED-PRINCIPAL REGISTER	
Mar. 02, 2021	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 02, 2021	PUBLISHED FOR OPPOSITION	

Feb. 10, 2021 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Jan. 22, 2021 ELECTRONIC RECORD REVIEW COMPLETE
Jan. 15, 2021 ON HOLD - ELECTRONIC RECORD REVIEW REQUIRED
Jan. 14, 2021 APPROVED FOR PUB - PRINCIPAL REGISTER
Jan. 13, 2021 TEAS/EMAIL CORRESPONDENCE ENTERED
Jan. 13, 2021 CORRESPONDENCE RECEIVED IN LAW OFFICE
Jan. 13, 2021 TEAS RESPONSE TO OFFICE ACTION RECEIVED
Dec. 17, 2020 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Dec. 17, 2020 NON-FINAL ACTION E-MAILED
Dec. 17, 2020 NON-FINAL ACTION WRITTEN
Dec. 13, 2020 ASSIGNED TO EXAMINER
Sep. 21, 2020 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Aug. 21, 2020 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 18, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [7228/0275](#)

Pages: 7

Date Recorded: Feb. 23, 2021

Supporting Documents: [assignment-tm-7228-0275.pdf](#)

Assignor

Name: [KUESKI, S.A.P.I. DE C.V., SOFOM, ENR](#)

Execution Date: Feb. 18, 2021

Legal Entity Type: COMPANY

State or Country Where Organized: MEXICO

Assignee

Name: [VICTORY PARK MANAGEMENT, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 150 NORTH RIVERSIDE PLAZA
SUITE 5200
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: LISA GUARNIERI C/O KATTEN MUCHIN

Correspondent Address: 525 WEST MONROE
CHICAGO, IL 60661

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91283229](#)

Filing Date: Feb 03, 2023

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: STACEY C FRIENDS
MORSE
480 TOTTEN POND ROAD 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: trademark2@morse.law

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUSHKI		90785521	

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R.

Correspondent Address: CAITLIN R BYCZKO
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , tmindocket@btlaw.com , Alexis.Degler@btlaw.com , jonathan.froemel@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUESKI		90128000	6565422
KUESKI		88396729	6000277
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537

Prosecution History

Entry Number	History Text	Date	Due Date
13	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
12	PROCEEDINGS RESUMED	Aug 01, 2023	
11	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
10	D OPP/RESP TO MOTION	May 03, 2023	
9	CONSOLIDATED W/91272072; SUSP PENDING DISP OF OUTSTDNG MOT	Apr 17, 2023	
8	P MOT TO STRIKE PLEADING/AFFIRMATIVE DEFENSE	Apr 12, 2023	
7	TRIAL DATES RESET	Mar 15, 2023	
6	ANSWER AND COUNTERCLAIM (FEE)	Mar 10, 2023	
5	TRIAL DATES RESET	Feb 08, 2023	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 03, 2023	
3	INSTITUTED	Feb 03, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2023	Mar 15, 2023
1	FILED AND FEE	Feb 03, 2023	

Type of Proceeding: Opposition

Proceeding Number: [91272072](#)

Filing Date: Oct 01, 2021

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: PAIGE K. ZACHARAKIS
MORSE, BARNES-BROWN & PENDLETON, P.C.
480 TOTTEN POND ROAD, 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: pzacharakis@morse.law , sdetweiler@morse.law

Mark	Application Status	Serial Number	Registration Number
KUSHKI		90199163	

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V. Sofom. E.N.R.

Correspondent Address: CAITLIN R. BYCZKO
BARNES & THORNBURG LLP
11 S. MERIDIAN ST.
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , sharrell@btlaw.com , tmindocket@btlaw.com

Mark	Application Status	Serial Number	Registration Number
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537
KUESKI		88396729	6000277
KUESKI		90128000	

Prosecution History

Entry Number	History Text	Date	Due Date
27	TRIAL DATES REMAIN AS SET	Nov 20, 2023	
26	D APPEARANCE / POWER OF ATTORNEY	Nov 10, 2023	
25	D REQ TO W/DRAW AS ATTORNEY	Nov 10, 2023	
24	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
23	ANSWER AND COUNTERCLAIM (FEE)	Aug 21, 2023	
22	PROCEEDINGS RESUMED	Aug 01, 2023	
21	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
20	CONSOLIDATED W/91283229; SUSP PENDING DISP OF OUTSTNDNG MOT	Apr 17, 2023	
19	EXTENSION OF TIME GRANTED	Apr 11, 2023	
18	P MOT FOR EXT W/ CONSENT	Apr 11, 2023	
17	EXTENSION OF TIME GRANTED	Mar 04, 2023	
16	P MOT FOR EXT W/ CONSENT	Mar 04, 2023	
15	EXTENSION OF TIME GRANTED	Dec 19, 2022	
14	P MOT FOR EXT W/ CONSENT	Dec 19, 2022	
13	EXTENSION OF TIME GRANTED	Nov 02, 2022	
12	P MOT FOR EXT W/ CONSENT	Nov 02, 2022	
11	EXTENSION OF TIME GRANTED	Aug 04, 2022	
10	P MOT FOR EXT W/ CONSENT	Aug 04, 2022	
9	P APPEARANCE / POWER OF ATTORNEY	Jul 26, 2022	
8	EXTENSION OF TIME GRANTED	Jun 09, 2022	
7	D MOT FOR EXT W/ CONSENT	Jun 03, 2022	
6	P APPEARANCE / POWER OF ATTORNEY	Jun 02, 2022	
5	P APPEARANCE / POWER OF ATTORNEY	Jan 08, 2022	
4	ANSWER	Nov 10, 2021	
3	INSTITUTED	Oct 01, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 01, 2021	Nov 10, 2021
1	FILED AND FEE	Oct 01, 2021	

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Mark: KUESKI PAY



US Serial Number: 90122626

Application Filing Date: Aug. 18, 2020

US Registration Number: 6352536

Registration Date: May 18, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: May 18, 2021

Publication Date: Mar. 02, 2021

Mark Information

Mark Literal Elements: KUESKI PAY

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized words "kueski Pay" with the word "kueski" in blue with a green dot over the "i", and the word "Pay" fades vertically from orange down to pink. To the left of the words "kueski Pay" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) green, blue, pink, and orange is/are claimed as a feature of the mark.

Disclaimer: "PAY"

Design Search Code(s): 05.13.07 - Containers of flowers; Flower pots, With plants or flowers; Plant stands containing vegetation; Pots, flower, containing plants; Urns, filled with flowers; Vases, filled with plants/flowers

Related Properties Information

Claimed Ownership of US Registrations: 6000277

Foreign Information

Foreign Registration Number: 1927249

Foreign Registration Date: Jun. 18, 2018

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Jun. 18, 2028

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: Financing services; Banking and financing services; Financial affairs and monetary affairs, namely, financial information, management and analysis services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Floor 03-15, Circunvalacion Américas
Av. Américas #1297
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: sapi de cv

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin R. Byczko

Docket Number: 84880-365962

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin R. Byczko
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, INDIANA UNITED STATES 46204

Phone: 3172311313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com tmindocket@btlaw.com Rachel.Nielsen@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin R. Byczko

Phone: 3172311313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2023	COUNTERCLAIM OPP. NO. 999999	283229

Jul. 20, 2022 TEAS CHANGE OF CORRESPONDENCE RECEIVED
 Jul. 20, 2022 TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS
 Jul. 20, 2022 TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS
 Jul. 20, 2022 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
 Jul. 20, 2022 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
 May 18, 2021 REGISTERED-PRINCIPAL REGISTER
 Mar. 02, 2021 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
 Mar. 02, 2021 PUBLISHED FOR OPPOSITION
 Feb. 10, 2021 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
 Jan. 22, 2021 ELECTRONIC RECORD REVIEW COMPLETE
 Jan. 15, 2021 ON HOLD - ELECTRONIC RECORD REVIEW REQUIRED
 Jan. 14, 2021 APPROVED FOR PUB - PRINCIPAL REGISTER
 Jan. 13, 2021 TEAS/EMAIL CORRESPONDENCE ENTERED
 Jan. 13, 2021 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jan. 13, 2021 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Dec. 15, 2020 NOTIFICATION OF NON-FINAL ACTION E-MAILED
 Dec. 15, 2020 NON-FINAL ACTION E-MAILED
 Dec. 15, 2020 NON-FINAL ACTION WRITTEN
 Dec. 13, 2020 ASSIGNED TO EXAMINER
 Sep. 22, 2020 NOTICE OF DESIGN SEARCH CODE E-MAILED
 Sep. 21, 2020 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Aug. 21, 2020 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 18, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [7228/0275](#)

Pages: 7

Date Recorded: Feb. 23, 2021

Supporting Documents: [assignment-tm-7228-0275.pdf](#)

Assignor

Name: [KUESKI, S.A.P.I. DE C.V., SOFOM, ENR](#)

Execution Date: Feb. 18, 2021

Legal Entity Type: COMPANY

State or Country Where Organized: MEXICO

Assignee

Name: [VICTORY PARK MANAGEMENT, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 150 NORTH RIVERSIDE PLAZA
SUITE 5200
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: LISA GUARNIERI C/O KATTEN MUCHIN

Correspondent Address: 525 WEST MONROE
CHICAGO, IL 60661

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91283229](#)

Filing Date: Feb 03, 2023

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: STACEY C FRIENDS
MORSE
480 TOTTEN POND ROAD 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: trademark2@morse.law

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUSHKI		90785521	

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R.

Correspondent Address: CAITLIN R BYCZKO
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , tmindocket@btlaw.com , Alexis.Degler@btlaw.com , jonathan.froemel@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUESKI		90128000	6565422
KUESKI		88396729	6000277
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537

Prosecution History

Entry Number	History Text	Date	Due Date
13	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
12	PROCEEDINGS RESUMED	Aug 01, 2023	
11	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
10	D OPP/RESP TO MOTION	May 03, 2023	
9	CONSOLIDATED W/91272072; SUSP PENDING DISP OF OUTSTDNG MOT	Apr 17, 2023	
8	P MOT TO STRIKE PLEADING/AFFIRMATIVE DEFENSE	Apr 12, 2023	
7	TRIAL DATES RESET	Mar 15, 2023	
6	ANSWER AND COUNTERCLAIM (FEE)	Mar 10, 2023	
5	TRIAL DATES RESET	Feb 08, 2023	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 03, 2023	
3	INSTITUTED	Feb 03, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2023	Mar 15, 2023
1	FILED AND FEE	Feb 03, 2023	

Type of Proceeding: Opposition

Proceeding [91272072](#)

Filing Date: Oct 01, 2021

Number: _____

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: PAIGE K. ZACHARAKIS
MORSE, BARNES-BROWN & PENDLETON, P.C.
480 TOTTEN POND ROAD, 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: pzacharakis@morse.law , sdetweiler@morse.law

Associated marks

Mark	Application Status	Serial Number	Registration Number
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KUSHKI		90199163	
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Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V. Sofom. E.N.R.

Correspondent Address: CAITLIN R. BYCZKO
BARNES & THORNBURG LLP
11 S. MERIDIAN ST.
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , sharrell@btlaw.com , tmindocket@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537
KUESKI		88396729	6000277
KUESKI		90128000	

Prosecution History

Entry Number	History Text	Date	Due Date
27	TRIAL DATES REMAIN AS SET	Nov 20, 2023	
26	D APPEARANCE / POWER OF ATTORNEY	Nov 10, 2023	
25	D REQ TO W/DRAW AS ATTORNEY	Nov 10, 2023	
24	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
23	ANSWER AND COUNTERCLAIM (FEE)	Aug 21, 2023	
22	PROCEEDINGS RESUMED	Aug 01, 2023	
21	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
20	CONSOLIDATED W/91283229; SUSP PENDING DISP OF OUTSTNDNG MOT	Apr 17, 2023	
19	EXTENSION OF TIME GRANTED	Apr 11, 2023	
18	P MOT FOR EXT W/ CONSENT	Apr 11, 2023	
17	EXTENSION OF TIME GRANTED	Mar 04, 2023	
16	P MOT FOR EXT W/ CONSENT	Mar 04, 2023	
15	EXTENSION OF TIME GRANTED	Dec 19, 2022	
14	P MOT FOR EXT W/ CONSENT	Dec 19, 2022	
13	EXTENSION OF TIME GRANTED	Nov 02, 2022	
12	P MOT FOR EXT W/ CONSENT	Nov 02, 2022	
11	EXTENSION OF TIME GRANTED	Aug 04, 2022	
10	P MOT FOR EXT W/ CONSENT	Aug 04, 2022	
9	P APPEARANCE / POWER OF ATTORNEY	Jul 26, 2022	
8	EXTENSION OF TIME GRANTED	Jun 09, 2022	
7	D MOT FOR EXT W/ CONSENT	Jun 03, 2022	
6	P APPEARANCE / POWER OF ATTORNEY	Jun 02, 2022	
5	P APPEARANCE / POWER OF ATTORNEY	Jan 08, 2022	
4	ANSWER	Nov 10, 2021	

3	INSTITUTED	Oct 01, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 01, 2021	Nov 10, 2021
1	FILED AND FEE	Oct 01, 2021	

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Mark: KUESKI



US Serial Number: 88396729

Application Filing Date: Apr. 22, 2019

US Registration Number: 6000277

Registration Date: Mar. 03, 2020

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 03, 2020

Publication Date: Dec. 17, 2019

Mark Information

Mark Literal Elements: KUESKI

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized words "kueski", in color blue with just the superscript dot over the "i" in color green. To the left of the word "kueski" there is a graphical representation of a potted plant, with the plant and top portion of the pot being in color green and the lower portion of the pot being in color blue. The potted plant is slightly shaded on its left side. The color white represents the background and is not a part of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) GREEN AND BLUE is/are claimed as a feature of the mark.

Design Search Code(s): 05.13.07 - Containers of flowers; Flower pots, With plants or flowers; Plant stands containing vegetation; Pots, flower, containing plants; Urns, filled with flowers; Vases, filled with plants/flowers

Foreign Information

Foreign Registration Number: 1352321

Foreign Registration Date: Mar. 04, 2013

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Oct. 24, 2022

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: Financing services

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: 22-01
AV. ADOLFO LOPEZ MATEOS NTE. #95
GUADALAJARA, JALISCO MEXICO 44648

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin R. Byczko

Docket Number: 84880-365963

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin R. Byczko
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, INDIANA UNITED STATES 46204

Phone: 3172311313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com Rachel.Nielsen@btlaw.com mindocket@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

 Domestic Representative Name: Caitlin R. Byczko

Phone: 3172311313

Fax: 317-231-7433

 Domestic Representative e-mail: cbyczko@btlaw.com

 Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2023	COUNTERCLAIM OPP. NO. 999999	283229
Jul. 20, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 20, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Jul. 20, 2022	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 20, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 20, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 03, 2020	REGISTERED-PRINCIPAL REGISTER	
Dec. 17, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Dec. 17, 2019 PUBLISHED FOR OPPOSITION
Nov. 27, 2019 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Nov. 14, 2019 ASSIGNED TO LIE
Nov. 08, 2019 APPROVED FOR PUB - PRINCIPAL REGISTER
Nov. 07, 2019 TEAS/EMAIL CORRESPONDENCE ENTERED
Nov. 07, 2019 CORRESPONDENCE RECEIVED IN LAW OFFICE
Nov. 07, 2019 TEAS RESPONSE TO OFFICE ACTION RECEIVED
Jun. 29, 2019 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Jun. 29, 2019 NON-FINAL ACTION E-MAILED
Jun. 29, 2019 NON-FINAL ACTION WRITTEN
Jun. 29, 2019 ASSIGNED TO EXAMINER
May 09, 2019 NOTICE OF DESIGN SEARCH CODE E-MAILED
May 08, 2019 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Apr. 25, 2019 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 03, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [7228/0275](#)

Pages: 7

Date Recorded: Feb. 23, 2021

Supporting Documents: [assignment-tm-7228-0275.pdf](#)

Assignor

Name: [KUESKI, S.A.P.I. DE C.V., SOFOM, ENR](#)

Execution Date: Feb. 18, 2021

Legal Entity Type: COMPANY

State or Country Where Organized: MEXICO

Assignee

Name: [VICTORY PARK MANAGEMENT, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 150 NORTH RIVERSIDE PLAZA
SUITE 5200
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: LISA GUARNIERI C/O KATTEN MUCHIN

Correspondent Address: 525 WEST MONROE
CHICAGO, IL 60661

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding: [91283229](#)

Filing Date: Feb 03, 2023

Number: _____

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: STACEY C FRIENDS
MORSE
480 TOTTEN POND ROAD 4TH FLOOR
WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: trademark2@morse.law

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUSHKI		90785521	

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V., SOFOM, E.N.R.

Correspondent Address: CAITLIN R BYCZKO
BARNES & THORNBURG LLP
11 S MERIDIAN ST
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , tmindocket@btlaw.com , Alexis.Degler@btlaw.com , jonathan.froemel@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUESKI		90128000	6565422
KUESKI		88396729	6000277
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537

Prosecution History

Entry Number	History Text	Date	Due Date
13	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
12	PROCEEDINGS RESUMED	Aug 01, 2023	
11	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
10	D OPP/RESP TO MOTION	May 03, 2023	
9	CONSOLIDATED W/91272072; SUSP PENDING DISP OF OUTSTDNG MOT	Apr 17, 2023	
8	P MOT TO STRIKE PLEADING/AFFIRMATIVE DEFENSE	Apr 12, 2023	
7	TRIAL DATES RESET	Mar 15, 2023	
6	ANSWER AND COUNTERCLAIM (FEE)	Mar 10, 2023	
5	TRIAL DATES RESET	Feb 08, 2023	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 03, 2023	
3	INSTITUTED	Feb 03, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2023	Mar 15, 2023
1	FILED AND FEE	Feb 03, 2023	

Type of Proceeding: Opposition

Proceeding Number: [91272072](#)

Filing Date: Oct 01, 2021

Status: Pending

Status Date: Aug 01, 2023

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Llapingacho LLC

Correspondent Address: PAIGE K. ZACHARAKIS
MORSE, BARNES-BROWN & PENDLETON, P.C.
480 TOTTEN POND ROAD, 4TH FLOOR

WALTHAM MA UNITED STATES , 02451

Correspondent e-mail: pzacharakis@morse.law , sdetweiler@morse.law

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUSHKI		90199163	

Plaintiff(s)

Name: Kueski, S.A.P.I. DE C.V. Sofom. E.N.R.

Correspondent Address: CAITLIN R. BYCZKO
BARNES & THORNBURG LLP
11 S. MERIDIAN ST.
INDIANAPOLIS IN UNITED STATES , 46204

Correspondent e-mail: cbyczko@btlaw.com , sharrell@btlaw.com , tmindocket@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KUESKI PAY		90122626	6352536
KUESKI CASH		90122632	6352537
KUESKI		88396729	6000277
KUESKI		90128000	

Prosecution History

Entry Number	History Text	Date	Due Date
27	TRIAL DATES REMAIN AS SET	Nov 20, 2023	
26	D APPEARANCE / POWER OF ATTORNEY	Nov 10, 2023	
25	D REQ TO W/DRAW AS ATTORNEY	Nov 10, 2023	
24	ANSWER TO COUNTERCLAIM	Aug 30, 2023	
23	ANSWER AND COUNTERCLAIM (FEE)	Aug 21, 2023	
22	PROCEEDINGS RESUMED	Aug 01, 2023	
21	P REPLY IN SUPPORT OF MOTION	May 16, 2023	
20	CONSOLIDATED W/91283229; SUSP PENDING DISP OF OUTSTNDNG MOT	Apr 17, 2023	
19	EXTENSION OF TIME GRANTED	Apr 11, 2023	
18	P MOT FOR EXT W/ CONSENT	Apr 11, 2023	
17	EXTENSION OF TIME GRANTED	Mar 04, 2023	
16	P MOT FOR EXT W/ CONSENT	Mar 04, 2023	
15	EXTENSION OF TIME GRANTED	Dec 19, 2022	
14	P MOT FOR EXT W/ CONSENT	Dec 19, 2022	
13	EXTENSION OF TIME GRANTED	Nov 02, 2022	
12	P MOT FOR EXT W/ CONSENT	Nov 02, 2022	
11	EXTENSION OF TIME GRANTED	Aug 04, 2022	
10	P MOT FOR EXT W/ CONSENT	Aug 04, 2022	
9	P APPEARANCE / POWER OF ATTORNEY	Jul 26, 2022	
8	EXTENSION OF TIME GRANTED	Jun 09, 2022	
7	D MOT FOR EXT W/ CONSENT	Jun 03, 2022	
6	P APPEARANCE / POWER OF ATTORNEY	Jun 02, 2022	
5	P APPEARANCE / POWER OF ATTORNEY	Jan 08, 2022	
4	ANSWER	Nov 10, 2021	
3	INSTITUTED	Oct 01, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 01, 2021	Nov 10, 2021
1	FILED AND FEE	Oct 01, 2021	

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Mark: KUESKI

KUESKI

US Serial Number: 97610700

Application Filing Date: Sep. 28, 2022

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Nov. 07, 2023

Publication Date: Nov. 07, 2023

Mark Information

Mark Literal Elements: KUESKI

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

Foreign Information

Foreign Registration Number: 2283145

Foreign Registration Date: Aug. 06, 2021

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Aug. 06, 2031

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: IT consulting services relating to installation, maintenance and repair of computer software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; IT consulting services relating to installation, maintenance and repair of computer software for communicating with financial analysts and financial consultants; IT consulting services relating to installation, maintenance and repair of computer software for payment processing; IT consulting services relating to installation, maintenance and repair of computer software for electronic processing of payments through a global computer network; Development of computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Development of computer software platforms for communicating with financial analysts and financial consultants; Development of computer software platforms for payment processing; Development of computer software platforms for electronic processing of payments through a global computer network; Platform as a service (PAAS) featuring computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Platform as a service (PAAS) featuring computer software platforms for communicating with financial analysts and financial consultants; Platform as a service (PAAS) featuring computer software platforms for payment processing; Platform as a service (PAAS) featuring computer software platforms for electronic processing of payments

through a global computer network; Software as a service (SAAS) services featuring software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Software as a service (SAAS) services featuring software for communicating with financial analysts and financial consultants; Software as a service (SAAS) services featuring software for payment processing; Software as a service (SAAS) services featuring software for electronic processing of payments through a global computer network; Providing online nondownloadable software for accessing records of online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software for accessing records of communications with financial analysts and financial consultants; Providing online nondownloadable software for accessing payment processing records; Providing online nondownloadable software for accessing records of electronic processing of payments through a global computer network; Providing online nondownloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable computer application software for communicating with financial analysts and financial consultants; Providing online nondownloadable computer application software for payment processing; Providing online nondownloadable computer application software for electronic processing of payments through a global computer network; Providing temporary use of online nondownloadable software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing temporary use of online nondownloadable software for communicating with financial analysts and financial consultants; Providing temporary use of online nondownloadable software for payment processing; Providing temporary use of online nondownloadable software for electronic processing of payments through a global computer network; Providing online nondownloadable software applications for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Providing online nondownloadable software applications for communicating with financial analysts and financial consultants; Providing online nondownloadable software applications for payment processing; Providing online nondownloadable software applications for electronic processing of payments through a global computer network; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Computer software design consulting on software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Computer software design consulting on software for communicating with financial analysts and financial consultants; Computer software design consulting on software for payment processing; Computer software design consulting on software for electronic processing of payments through a global computer network; Computer software design services; Updating, installation, maintenance and rental of software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Updating, installation, maintenance and rental of software for communicating with financial analysts and financial consultants; Updating, installation, maintenance and rental of software for payment processing; Updating, installation, maintenance and rental of software for electronic processing of payments through a global computer network

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Av. Américas #1297
Floor 03-15, Circunvalacion Américas
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin Byczko

Docket Number: 84880-372679

Attorney Primary cbyczko@btlaw.com

Attorney Email Yes

Email Address: _____

Authorized:

Correspondent

Correspondent Name/Address: Caitlin Byczko
BARNES & THORNBURG LLP
11 SOUTH MERIDIAN STREET
INDIANAPOLIS, INDIANA UNITED STATES 46204

Phone: 317-231-1313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com Alexis.Degler@btlaw.com [Ra chel.Nielsen@btlaw.com](mailto:Rachel.Nielsen@btlaw.com) TMINDocket@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin Byczko

Phone: 317-231-1313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Nov. 07, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 07, 2023	PUBLISHED FOR OPPOSITION	
Oct. 18, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 05, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	
Oct. 04, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 04, 2023	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 12, 2023	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION WRITTEN	
Jul. 12, 2023	ASSIGNED TO EXAMINER	
Oct. 15, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Oct. 01, 2022	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: STANWOOD, STEPHEN D

Law Office Assigned: LAW OFFICE 115

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 05, 2023

Generated on: This page was generated by TSDR on 2023-12-04 09:57:05 EST

Mark: KUESKI

KUESKI

US Serial Number: 97610694

Application Filing Date: Sep. 28, 2022

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Nov. 07, 2023

Publication Date: Nov. 07, 2023

Mark Information

Mark Literal Elements: KUESKI

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

Foreign Information

Foreign Registration Number: 2283144

Foreign Registration Date: Aug. 06, 2021

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Aug. 06, 2031

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: Financial transaction services, namely, providing secure commercial transactions and payment options for online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Financial analysis; Financial consulting; Payment processing services in the field of loan payments; Electronic payment processing services in the field of loan payments provided through a global computer network; Financing of loans; Loan financing

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No
Filed ITU: No
Filed 44D: No
Filed 44E: Yes
Filed 66A: No
Filed No Basis: No

Currently Use: No
Currently ITU: No
Currently 44E: Yes
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Av. Américas #1297
Floor 03-15, Circunvalacion Américas
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin Byczko

Docket Number: 84880-372678

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin Byczko
BARNES & THORNBURG LLP
11 SOUTH MERIDIAN STREET
INDIANAPOLIS, INDIANA UNITED STATES 46204

Phone: 317-231-1313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com TMINDocket@btlaw.com RaChel.Nielsen@btlaw.com Alexis.Degler@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin Byczko

Phone: 317-231-1313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Nov. 07, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 07, 2023	PUBLISHED FOR OPPOSITION	
Oct. 18, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 04, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	
Oct. 04, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 04, 2023	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 12, 2023	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION WRITTEN	
Jul. 12, 2023	ASSIGNED TO EXAMINER	
Oct. 15, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Oct. 01, 2022	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: STANWOOD, STEPHEN D

Law Office Assigned: LAW OFFICE 115

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 05, 2023

Generated on: This page was generated by TSDR on 2023-12-04 09:57:27 EST

Mark: KUESKI

KUESKI

US Serial Number: 97610689

Application Filing Date: Sep. 28, 2022

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Nov. 21, 2023

Publication Date: Nov. 21, 2023

Mark Information

Mark Literal Elements: KUESKI

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

Foreign Information

Foreign Registration Number: 2293940

Foreign Registration Date: Aug. 06, 2021

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Aug. 06, 2031

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: Advertising services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network; Customer loyalty services for commercial, promotional or advertising purposes, namely, loyalty services related to online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans, financial analysis, financial consulting, payment processing, and payment processing through a global computer network

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No	Currently Use: No
Filed ITU: No	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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Av. Américas #1297
Floor 03-15, Circunvalacion Américas
Guadalajara, Jalisco MEXICO 44630

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

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin Byczko	Docket Number: 84880-372677
Attorney Primary Email Address: cbyczko@btlaw.com	Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin Byczko BARNES & THORNBURG LLP 11 SOUTH MERIDIAN STREET INDIANAPOLIS, INDIANA UNITED STATES 46204	Phone: 317-231-1313	Fax: 317-231-7433
Correspondent e-mail: cbyczko@btlaw.com Alexis.Degler@btlaw.com Rachel.Nielsen@btlaw.com TMINDocket@btlaw.com	Correspondent e-mail Authorized: Yes	

Domestic Representative

&nbsp;Domestic Representative Name: Caitlin Byczko	Phone: 317-231-1313
Fax: 317-231-7433	
&nbsp;Domestic Representative e-mail: cbyczko@btlaw.com	&nbsp;Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 21, 2023	PUBLISHED FOR OPPOSITION	
Nov. 01, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 13, 2023	ELECTRONIC RECORD REVIEW COMPLETE	
Oct. 06, 2023	ON HOLD - ELECTRONIC RECORD REVIEW REQUIRED	
Oct. 04, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	
Oct. 04, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 04, 2023	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 12, 2023	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION WRITTEN	
Jul. 12, 2023	ASSIGNED TO EXAMINER	
Oct. 15, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: STANWOOD, STEPHEN D

Law Office Assigned: LAW OFFICE 115

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 13, 2023

Generated on: This page was generated by TSDR on 2023-12-04 09:57:41 EST

Mark: KUESKI

KUESKI

US Serial Number: 97610685

Application Filing Date: Sep. 28, 2022

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Nov. 07, 2023

Publication Date: Nov. 07, 2023

Mark Information

Mark Literal Elements: KUESKI

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

Foreign Information

Foreign Registration Number: 2283143

Foreign Registration Date: Aug. 06, 2021

Foreign Application/Registration Country: MEXICO

Foreign Expiration Date: Aug. 06, 2031

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 software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable software for communicating with financial analysts and financial consultants; Downloadable software for payment processing; Downloadable software for electronic processing of payments through a global computer network; Electronic payment terminal devices for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable internet of things (IoT) computer application software for communicating with financial analysts and financial consultants; Downloadable internet of things (IoT) computer application software for payment processing; Downloadable internet of things (IoT) computer application software for electronic processing of payments through a global computer network; Downloadable mobile application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable mobile application software for communicating with financial analysts and financial consultants; Downloadable mobile application software for payment processing; Downloadable mobile application software for

electronic processing of payments through a global computer network; Downloadable server software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable server software for communicating with financial analysts and financial consultants; Downloadable server software for payment processing; Downloadable server software for electronic processing of payments through a global computer network; Downloadable computer application software for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer application software for communicating with financial analysts and financial consultants; Downloadable computer application software for payment processing; Downloadable computer application software for electronic processing of payments through a global computer network; Downloadable computer software platforms for processing online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Downloadable computer software platforms for communicating with financial analysts and financial consultants; Downloadable computer software platforms for payment processing; Downloadable computer software platforms for electronic processing of payments through a global computer network; Magnetically encoded credit cards and debit cards for use in online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans; Electronic ID cards for use in connection with payment for services, namely, credit cards and debit cards with electronic chips for use in online financial transactions, namely, electronic money transfers, financial loans, installment loans, personal loan financing, commercial loan services, home loan payment collections, financing of sales by means of loans

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

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: KUESKI, S.A.P.I. DE C.V., SOFOM, E.N.R.

Owner Address: Av. Américas #1297
Floor 03-15, Circunvalacion Américas
Guadalajara, Jalisco MEXICO 44630

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Caitlin Byczko

Docket Number: 84880-372676

Attorney Primary Email Address: cbyczko@btlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Caitlin Byczko
BARNES & THORNBURG LLP
11 SOUTH MERIDIAN STREET
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Phone: 317-231-1313

Fax: 317-231-7433

Correspondent e-mail: cbyczko@btlaw.com Alexis.Degler@btlaw.com chel.Nielsen@btlaw.com TMINDocket@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** Caitlin Byczko

Phone: 317-231-1313

Fax: 317-231-7433

** Domestic Representative e-mail:** cbyczko@btlaw.com

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

Prosecution History

Date	Description	Proceeding Number
Nov. 07, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 07, 2023	PUBLISHED FOR OPPOSITION	
Oct. 18, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 04, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	
Oct. 04, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 04, 2023	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 12, 2023	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION E-MAILED	
Jul. 12, 2023	NON-FINAL ACTION WRITTEN	
Jul. 12, 2023	ASSIGNED TO EXAMINER	
Oct. 15, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Oct. 01, 2022	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information

TM Attorney: STANWOOD, STEPHEN D

Law Office Assigned: LAW OFFICE 115

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 05, 2023