

ESTTA Tracking number: **ESTTA1327641**
Filing date: **12/11/2023**

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 | Antares Audio Technologies, LLC |
| Granted to date of previous extension | 12/09/2023 |
| Address | 2460 17TH AVENUE #1064 SANTA CRUZ, CA 95062 UNITED STATES |
| Attorney information | STEPHEN JADIE COATES COATES IP LLP 3213 W WHEELER ST 362 SEATTLE, WA 98199 UNITED STATES Primary email: steve@coatesip.com Secondary email(s): 4857-3390-2984@mail.vault.netdocuments.com, thea@coatesip.com, trademarks@coatesip.com 206-466-6607 |
| Docket no. | 09514 |

Applicant information

| | | | |
|------------------------|--|------------------------|------------|
| Application no. | 97673876 | Publication date | 10/10/2023 |
| Opposition filing date | 12/11/2023 | Opposition period ends | 12/09/2023 |
| Applicant | eBrands Innovations LLC 919 NORTH MARKET STREET, SUITE 950 WILMINGTON, DE 19801 UNITED STATES | | |

Goods/services affected by opposition

Class 042. First Use: None First Use In Commerce: None

All goods and services in the class are opposed, namely: Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope, namely, providing a system and method for scrolling of ebooks, documents, and webpages; Software as a service (SAAS) services featuring software for the custom design and development of firmware which is used to monitor, access, and use a devices gyroscope; Software as a service (SAAS) services featuring software for managing communications and data exchange between computers and electronic devices; Software as a service (SAAS) services featuring software for recording, organizing, transmitting, manipulating, reviewing and receiving data, including data relating to the position, orientation, velocity or movement of an object or person; Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope

Grounds for opposition

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

Marks cited by opposer as basis for opposition

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|-----------------------|---|-----------------------|------------|
| U.S. registration no. | 2996904 | Application date | 10/03/2002 |
| Register | Principal | | |
| Registration date | 09/20/2005 | Foreign priority date | NONE |
| Word mark | AUTO-TUNE | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | Class 009. First use: First Use: Sep 1, 1996 First Use In Commerce: Sep 1, 1996 Computer software which detects and corrects in real time the pitch of a vocalist or other pitched monophonic audio signal | | |

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|-----------------------|---|-----------------------|------------|
| U.S. registration no. | 7070993 | Application date | 03/22/2021 |
| Register | Principal | | |
| Registration date | 06/06/2023 | Foreign priority date | NONE |
| Word mark | AUTO-TUNE | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: Sep 1, 1996 First Use In Commerce: Sep 1, 1996</p> <p>Downloadable software for use in music and audio production; Downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording; integrated circuits; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic equipment, namely, microphone preamps; karaoke machines; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording</p> <p>Class 038. First use: First Use: Jan 25, 1999 First Use In Commerce: Jan 25, 1999</p> <p>Electronic transmission of audio and audiovisual database information via telecommunications networks; broadcasting of audio and audiovisual database information via global computer information networks</p> <p>Class 041. First use: First Use: Jan 25, 1999 First Use In Commerce: Jan 25, 1999</p> <p>Entertainment services, namely, production of music and audio programs; providing online non-downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; providing in-</p> | | |

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| | <p>formation about music and audio production via a website; providing a website featuring educational videos in the fields of music and audio production and software</p> <p>Class 042. First use: First Use: Jan 25, 1999 First Use In Commerce: Jan 25, 1999</p> <p>Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording; providing information about software design via a website</p> |
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|----------------------|---|-----------------------|------------|
| U.S. application no. | 90816656 | Application date | 07/07/2021 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | AUTO-TUNE | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 016. First use: First Use: Sep 1, 1996 First Use In Commerce: Sep 1, 1996</p> <p>Pens; Printed manuals in the field of computer software and hardware for audio production and audio recording; Printed computer program manuals for audio production and audio recording; Printed educational publications, namely, training manuals in the field of computer software and hardware for audio production and audio recording; Printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of computer software and hardware for audio production and audio recording; Printed publications, namely, brochures, booklets, and teaching materials in the field of computer software and hardware for audio production and audio recording</p> | | |

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|----------------------|---|-----------------------|------------|
| U.S. application no. | 90787022 | Application date | 06/22/2021 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | AUTO-TUNE SLICE | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: Sep 29, 2021 First Use In Commerce: Sep 29, 2021</p> <p>Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors</p> <p>Class 042. First use: First Use: Sep 29, 2021 First Use In Commerce: Sep 29, 2021</p> <p>Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording</p> | | |

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|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 7071138 | Application date | 07/09/2021 |
| Register | Principal | | |
| Registration date | 06/06/2023 | Foreign priority date | NONE |
| Word mark | AUTO-TUNE UNLIMITED | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: Aug 31, 2020 First Use In Commerce: Aug 31, 2020</p> <p>Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording</p> <p>Class 042. First use: First Use: Aug 31, 2020 First Use In Commerce: Aug 31, 2020</p> <p>Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording</p> | | |

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|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 7227697 | Application date | 04/27/2022 |
| Register | Principal | | |
| Registration date | 11/28/2023 | Foreign priority date | NONE |
| Word mark | AUTO-TUNE SOUNDSOAP | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: Dec 31, 2002 First Use In Commerce: Dec 31, 2002</p> <p>Downloadable software for use in music and audio production; Downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production</p> <p>Class 042. First use: First Use: Dec 31, 2002 First Use In Commerce: Dec 31, 2002</p> <p>Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording</p> | | |

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|----------------------|-------------------|-----------------------|------------|
| U.S. application no. | 90820444 | Application date | 07/09/2021 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | AUTO-TUNE CREATOR | | |

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| Design mark | |
| Description of mark | NONE |
| Goods/services | <p>Class 009. First use: First Use: None First Use In Commerce: None Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording</p> <p>Class 042. First use: First Use: None First Use In Commerce: None Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording</p> |

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|----------------------|---|-----------------------|------------|
| U.S. application no. | 97583632 | Application date | 09/08/2022 |
| Registration date | NONE | Foreign priority date | NONE |
| Word mark | AUTO-TUNE IGNITE | | |
| Design mark | | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: None First Use In Commerce: None Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording; integrated circuits; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic equipment, namely, microphone preamps; karaoke machines; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors</p> <p>Class 042. First use: First Use: None First Use In Commerce: None Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording</p> | | |

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| Attachments | <p>2023-12-11 Notice of Opposition - AUTOTURN.pdf(729215 bytes) 2023-12-11 - Ex A - 1 - 78170798.pdf(208129 bytes) 2023-12-11 Ex A - 2 - 90594975.pdf(147359 bytes) 2023-12-11 Ex A - 3 - 90816656.pdf(141109 bytes) 2023-12-11 Ex A - 4 - 90787022.pdf(143889 bytes) 2023-12-11 Ex A - 5 - 90820448.pdf(141704 bytes) 2023-12-11 Ex A - 6 -97385032.pdf(140108 bytes) 2023-12-11 Ex A - 7 -90820444.pdf(143456 bytes) 2023-12-11 Ex A - 8 -97583632.pdf(112964 bytes) 2023-12-11 Ex B - 97673876.pdf(145183 bytes)</p> |
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| Signature | /Stephen Jadie Coates/ |
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|------|----------------------|
| Name | STEPHEN JADIE COATES |
| Date | 12/11/2023 |

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

| | | |
|---------------------------------|---|-----------------------------|
| Antares Audio Technologies, LLC | § | |
| Opposer, | § | Mark: AUTOTURN |
| | § | Serial App. No.: 97/673876 |
| v. | § | Published: October 10, 2023 |
| | § | |
| EBRANDS INNOVATIONS LLC | § | |
| Applicant. | § | |
| | § | |
| | § | Opposition No.: _____ |
| | § | |

NOTICE OF OPPOSITION

Antares Audio Technologies, LLC (“Opposer” or “Antares”) located at 2460 17th Avenue #1064, Santa Cruz, California, a Delaware limited liability company, and the owner of the AUTO-TUNE trademarks (“AUTO-TUNE Marks”) believes that it will be damaged by the registration of the confusingly similar mark, AUTOTURN mark (the “Applicant’s Mark” or the “AUTOTURN mark”), under Application Serial No. 97/673876 in Class 42 (the “Application”), which is owned by Ebrands Innovations LLC (“Ebrands”). Antares has done its best to attempt to resolve its issues amicably with Ebrands, but it has not received a response. The counsel of record for the Application informed Antares that Ebrands has terminated representation, but that attorney is still listed as counsel of record.

As grounds for opposition, Antares alleges:

1. Antares was founded in 1990 as Jupiter Systems by Dr. Harold (Andy) Hildebrand. From 1976 through 1989, Dr. Hildebrand worked as a research scientist in the geophysical industry. Dr. Hildebrand later left the geophysical industry and began studying music composition at the Shepard School of Music at Rice University.
2. After graduating, Dr. Hildebrand invented a looping technique utilising digital signal processing (DSP) technology drawn from the geophysical industry which he later called “Infinity”. Following the success of Infinity, Dr. Hildebrand next turned his attention to the emerging market

for software plug-ins. He developed and introduced MDT (Multiband Dynamics Tool), one of the first successful Pro Tools plug-ins. This was followed by JVP (Jupiter Voice Processor), SST (Spectral Shaping Tool) and, in 1997, a program named AUTO-TUNE that corrected pitch problems in vocals and other solo instruments. AUTO-TUNE became an instant phenomenon, firmly establishing Antares as a developer of cutting-edge products using DSP technology.

3. Antares has since developed further innovative audio tools including Kantos 1.0 Audio Controlled Synthesizer, Filter Quad Rhythmic Multimode Filters, Tube Analog Tube Modeler as well as newer and more powerful versions of AUTO-TUNE.

4. Over the course of its 33-year history, Antares has set the music industry standard for pitch correction and vocal effects and has become a forerunner in innovative DSP-based audio hardware and software products.

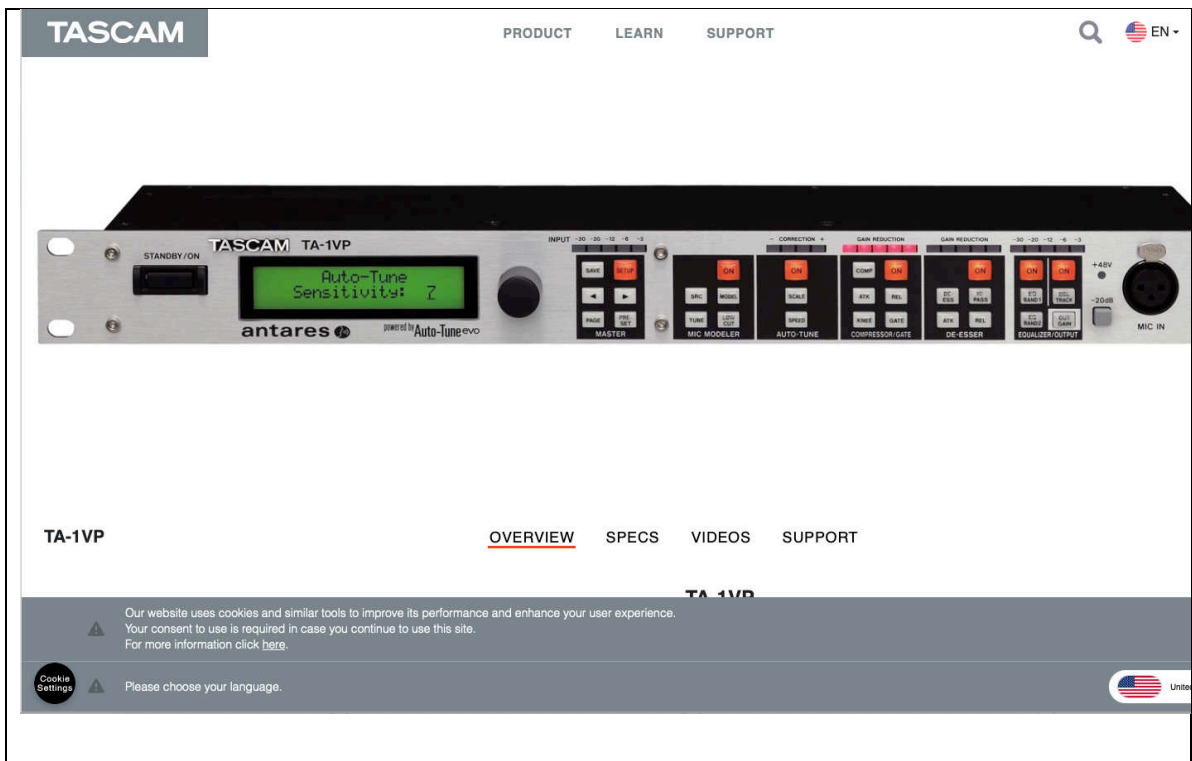
5. Mr. Hildebrand received the prestigious Special Merit Award along with the artists Nirvana, The Supremes and Bobby McFerrin by the Grammy Academy for his invention of the “*ground breaking AUTO-TUNE software program.*” The award was presented to Mr. Hildebrand at the 65th Grammy Awards in 2022.

6. Antares and its founder, Dr. Andy Hildebrand, invented and developed Opposer’s AUTO-TUNE pitch correction software in September 1997. It later launched a range of compatible hardware audio equipment bearing the AUTO-TUNE Mark including vocal processors, pedals, production boards, audio mixers, amplifiers, preamps and karaoke machines.

7. Mr. Hildebrand built the AUTO-TUNE software through applying his mathematical model of autocorrelation- which, in the geophysical industry, maps the Earth’s surface by sending sound waves and recording their reflection. When applied to an audio recording, Mr. Hildebrand discovered that the model could also detect sonic pitch. Antares later developed hardware equipment designed to enhance the overall user experience for those using the pitch correction software bearing the AUTO-TUNE Mark.

8. It is common for users to use the AUTO-TUNE pitch correction software in combination with Antares’ AUTO-TUNE hardware equipment. Users typically purchase vocal processors under the

AUTO-TUNE Mark which include as part of the unit a microphone preamp, compression, microphone and tube modelling in addition to the pre-installed AUTO-TUNE pitch correction software. The consolidated unit allows users to manipulate vocals with ease and efficiency without the need to purchase multiple pieces of equipment. Below is a screenshot of the product page for a vocal processor jointly developed by Tascam and Antares which discloses further information on the vocal processor that seamlessly integrates software and hardware components bearing the AUTO-TUNE Mark for a better user experience.



9. Antares adopted and began using the AUTO-TUNE trademark at least as early as 1997, and claims common law trademark rights in the AUTO-TUNE mark since that time.

10. Antares and its founder, Dr. Andy Hildebrand, invented and developed Antares' AUTO-TUNE pitch correction software in the United States in the 1990s. As a set of novel and unique music production tools, AUTO-TUNE quickly became a music software industry leader.

11. Antares has been advertising, offering, and selling its products under the AUTO-TUNE Mark continuously since at least 1997 and via its antarestech.com website since 1998. The

Antares also owns the domain names auto-tune.com and autotune.com, amongst others, all redirecting to antarestech.com, where Antares advertises, offers, and sells its AUTO-TUNE branded software and products.

12. During this time, the flagship AUTO-TUNE brand has been used in connection with numerous AUTO-TUNE branded products offered by the Antares, each offering distinct capabilities, including without limitation: AUTO-TUNE PRO X; AUTO-TUNE ARTIST; AUTO-TUNE EFX+; AUTO-TUNE ACCESS; AUTO-TUNE VOCAL EQ; AUTO-TUNE SLICE; AUTO-TUNE VOCODIST; AUTO-TUNE HYBRID; AUTO-TUNE SOUNDSOAP; and AUTO-TUNE PRODUCER.

13. Antares is the owner of various AUTO-TUNE marks in the US in Classes 9, 16, 38, 42, including the U.S. registrations and applications below outlined. The goods and services listed in the below table are referred to hereinafter as the “Antares Goods and Services.”

| Trademark | Goods/Services |
|---|--|
| AUTO-TUNE Reg. No. 2996904 Reg. Date: Sept 20, 2005 | Class 9: Computer software which detects and corrects in real time the pitch of a vocalist or other pitched monophonic audio signal |
| AUTO-TUNE Reg. No. 7070993 Reg. Date: June 6, 2023 | Class 9: Computer software which detects and corrects in real time the pitch of a vocalist or other pitched monophonic audio signal Class 38: Electronic transmission of audio and audiovisual database information via telecommunications networks; broadcasting of audio and audiovisual database information via global computer information networks Class 41: Entertainment services, namely, production of music and audio programs; providing online non-downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; providing information about music and audio production via a website; providing a website featuring educational videos in the fields of music and audio production and software Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording; providing information about software design via a website |
| AUTO-TUNE App. No. 90816656 | Class 16: Pens; Printed manuals in the field of computer software and hardware for audio production and audio recording; Printed computer program manuals for audio production and audio recording; Printed educational publications, namely, training manuals in the field of computer software and hardware for audio production and audio |

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| App. Date: June, 22, 2021 | recording; Printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of computer software and hardware for audio production and audio recording; Printed publications, namely, brochures, booklets, and teaching materials in the field of computer software and hardware for audio production and audio recording |
| AUTO-TUNE SLICE App. No. 90787022 App. Date: June 22, 2021 | Class 9: Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording |
| AUTO-TUNE UNLIMITED Reg. No. 7071138 Reg. Date: June 6, 2023 | Class 9: Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording |
| AUTO-TUNE SOUNDSOAP Reg. No. 7227697 Reg. Date: Nov 28, 2023 | Class 9: Downloadable software for use in music and audio production; Downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording |
| AUTO-TUNE CREATOR Serial No. 90820444 App. Date: July 9, 2021 | Class 9: Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording |
| AUTO-TUNE IGNITE App. Serial No. 97583632 App. Date: Sept. 8, 2022 | Class 9: Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording; integrated circuits; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic equipment, namely, microphone preamps; karaoke machines; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors |

| | |
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| | Class 42: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording |
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13. Collectively, these applications and registrations, together with Antares’ common law rights in the AUTO-TUNE Mark are hereinafter referred to as “AUTO-TUNE Marks.” Attached as **Exhibit A** are printouts from the electronic database of the U.S. Patent and Trademark Office showing the current status of these marks.

14. The AUTO-TUNE Marks are inherently distinctive as applied to the Antares Goods and Services.

15. The AUTO-TUNE Marks are widely recognized by the general consuming public of the United States as a designation of source of the Antares Goods and Services, especially for software and hardware devices.

16. The AUTO-TUNE Marks are well-known by the general consuming public.

17. Upon information and belief, Applicant, Ebrands Innovations LLC, is a Delaware limited liability company with an address at 919 North Market Street, Suite 950, Wilmington, DE 19801.

18. The filing particulars of Ebrands’ Application are as follows:

| | |
|-------------------|---|
| Mark: | AUTOTURN |
| Serial App. No.: | 97/673,876 |
| Filing Date: | November 11, 2022 |
| Filing Basis: | 1(b) |
| Publication Date: | October 10, 2023 |
| Services: | Class 42: Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope, namely, providing a system and method for scrolling of ebooks, documents, and webpages; Software as a service (SAAS) services featuring software for the custom design and development of firmware which is used to monitor, access, and use a devices gyroscope; Software as a service (SAAS) services featuring software for managing communications and data exchange between computers and electronic devices; Software as a service (SAAS) services |

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| | featuring software for recording, organizing, transmitting, manipulating, reviewing and receiving data, including data relating to the position, orientation, velocity or movement of an object or person; Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope |
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Attached as **Exhibit B** is a printout from the electronic database of the U.S. Patent and Trademark Office showing the current status and title of the Application.

19. Ebrands filed the Application on November 11, 2022. All of the AUTO-TUNE Marks were filed before November 11, 2022.
20. Antares' AUTO-TUNE Marks predate and are senior to Ebrands' Application date.
21. Antares' AUTO-TUNE Marks are first in time, and there are no issues as to priority or seniority.
22. Ebrands' AUTOTURN Mark is highly similar to the AUTO-TUNE Marks in overall commercial impression, connotation, appearance and sound.
23. The first and dominant element of Ebrands' AUTOTURN Mark – "AUTO" followed by "TU." This is identical to the first and dominant element of Antares' AUTO-TUNE Mark.
24. The only visual difference between the AUTOTURN Mark and the AUTO-TUNE Marks is that one ends in "RN" and the other "NE."
25. Pronunciation of the AUTOTURN Mark and AUTO-TUNE Marks is highly similar, with only a slightly different in the "n" sound.
26. The software services in Ebrands' AUTOTURN Application are identical or highly related to the Antares Goods and Services covered under the AUTO-TUNE Marks. Specifically, the item "software as a service (SAAS) services featuring software for managing communications and data exchange between computers and electronic devices" is identical to the services that Antares provides under the AUTO-TUNE Marks.

27. Consumers familiar with the AUTO-TUNE Marks will incorrectly assume that Antares is the origin of Ebrands' services, or that Ebrands' use of the AUTOTURN Mark is somehow licensed or otherwise endorsed by Antares or its affiliates, which it is not.

28. The Application places no restrictions on trade channels or in some cases the items for which it will provide its services. Therefore, it is possible that the Antares Goods and Services and Ebrands' services will be marketed to overlapping classes of consumers and potential consumers and through overlapping or related channels of trade.

29. Ebrands' use and registration of the AUTOTURN Mark in connection with the services identified in Ebrands' Application is likely to cause consumers to become confused, mistaken or deceived and to falsely suggest a connection with Antares and/or the AUTO-TUNE Marks, within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

30. Ebrands' use and registration of the AUTOTURN Mark will cause or is likely to cause dilution of the distinctive quality of the AUTO-TUNE Marks within the meaning of Section 43(c) of the Trademark Act, 15 U.S.C. § 1125(c).

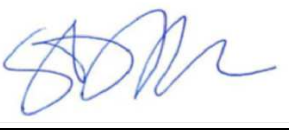
31. By reason of the foregoing, Antares will be damaged by the registration of Ebrands' AUTOTURN Mark and in view of Antares' prior rights in and fame associated with the AUTO-TUNE Marks, Ebrands is not entitled to registration of the AUTOTURN Mark pursuant to the Trademark Act.

32. Ebrands' Application was published for purposes of opposition in the Official Gazette on October 10, 2023. Antares requested and received an extension of time to oppose the Application, extending Antares' deadline to oppose to Saturday December 9, 2023 (and effectively Monday December 11). The filing of the Notice of Opposition is therefore timely pursuant to 37 C.F.R. § 2.196.

For the foregoing reasons, among others, Antares respectfully requests the Board to grant its Opposition and deny registration of Ebrands' AUTOTURN Mark.

This Notice of Opposition is being filed electronically, so no duplicate copy is in order. The fee required by 37 C.F.R. § 2.6(a)(17) will be paid simultaneously with filing.

Respectfully submitted,
Antares Audio Technologies, LLC

/s/ 

Date: December 11, 2023

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Attorneys for Opposer, Antares Audio
Technologies, LLC

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:41:44 EST

Mark: AUTO-TUNE

AUTO-TUNE

US Serial Number: 78170798

Application Filing Date: Oct. 03, 2002

US Registration Number: 2996904

Registration Date: Sep. 20, 2005

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Oct. 05, 2015

Publication Date: Jun. 28, 2005

Mark Information

Mark Literal Elements: AUTO-TUNE

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

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

Goods and Services

Note:

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

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

For: Computer software which detects and corrects in real time the pitch of a vocalist or other pitched monophonic audio signal

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 1996

Use in Commerce: Sep. 01, 1996

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ANTARES AUDIO TECHNOLOGIES, LLC

Owner Address: 2843 Mission Street
Santa Cruz, CALIFORNIA UNITED STATES 95060

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen J. Coates

Docket Number: 02230

Attorney Primary steve@coatesip.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Stephen J. Coates
Name/Address: Coates IP
3213 W Wheeler 362
Seattle, WASHINGTON UNITED STATES 98199

Phone: 206-466-6607

Correspondent e- trademarks@coatesip.com tibbs@coatesip.com st
mail: eve@coatesip.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Jun. 18, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | |
| Jun. 18, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Jun. 18, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Jun. 18, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Jun. 18, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Jan. 25, 2021 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | |
| Jan. 25, 2021 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Jan. 25, 2021 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Jan. 25, 2021 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Jan. 25, 2021 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Mar. 01, 2017 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Oct. 05, 2015 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Oct. 05, 2015 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | |
| Oct. 05, 2015 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Oct. 05, 2015 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | |
| Sep. 04, 2015 | TEAS SECTION 8 & 9 RECEIVED | |
| Oct. 06, 2011 | NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED | |
| Oct. 06, 2011 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | |
| Oct. 06, 2011 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | |
| Sep. 20, 2011 | TEAS SECTION 8 & 15 RECEIVED | |
| Aug. 04, 2010 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED | |
| Aug. 04, 2010 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED | |
| Nov. 23, 2009 | CORRECTION UNDER SECTION 7 ? PROCESSED | |
| Nov. 23, 2009 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | |
| Oct. 20, 2009 | TEAS SECTION 7 REQUEST RECEIVED | |
| Oct. 15, 2009 | FAX RECEIVED | |
| Nov. 14, 2007 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Dec. 07, 2006 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| Sep. 20, 2005 | REGISTERED-PRINCIPAL REGISTER | |
| Jun. 28, 2005 | PUBLISHED FOR OPPOSITION | |
| Jun. 08, 2005 | NOTICE OF PUBLICATION | |

Mar. 14, 2005 LAW OFFICE PUBLICATION REVIEW COMPLETED
 Mar. 11, 2005 ASSIGNED TO LIE
 Mar. 04, 2005 APPROVED FOR PUB - PRINCIPAL REGISTER
 Oct. 07, 2004 AMENDMENT FROM APPLICANT ENTERED
 Sep. 24, 2004 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 24, 2004 PAPER RECEIVED
 Apr. 29, 2004 FINAL REFUSAL E-MAILED
 Sep. 29, 2003 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 29, 2003 PAPER RECEIVED
 Mar. 27, 2003 NON-FINAL ACTION E-MAILED
 Mar. 11, 2003 ASSIGNED TO EXAMINER

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 05, 2015

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Auburn Audio Technologies, Inc.

Assignment 1 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5982/0239](#)

Pages: 4

Date Recorded: Feb. 06, 2017

Supporting Documents: [assignment-tm-5982-0239.pdf](#)

Assignor

Name: [AUBURN AUDIO TECHNOLOGIES, INC.](#)

Execution Date: Oct. 18, 2016

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [ANTARES AUDIO TECHNOLOGIES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 231 TECHNOLOGY CIRCLE
SCOTTS VALLEY, CALIFORNIA 95066

Correspondent

Correspondent Name: ARNOLD V. MINA

Correspondent Address: STRADLING YOCCA CARLSON & RAUTH
660 NEWPORT CENTER DRIVE, SUITE 1600
NEWPORT BEACH, CA 92660

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [5983/0214](#)

Pages: 7

Date Recorded: Feb. 06, 2017

Supporting Documents: [assignment-tm-5983-0214.pdf](#)

Assignor

Name: [ANTARES AUDIO TECHNOLOGIES LLC](#)

Execution Date: Oct. 18, 2016

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CORBEL STRUCTURED EQUITY PARTNERS, L.P., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Address: 12400 WILSHIRE BLVD., SUITE 645
LOS ANGELES, CALIFORNIA 90025

Correspondent

Correspondent Name: ARNOLD V. MINA

Correspondent Address: STRADLING YOCCA CARLSON & RAUTH
660 NEWPORT CENTER DRIVE, SUITE 1600
NEWPORT BEACH, CA 92660

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6638/0087](#)

Pages: 6

Date Recorded: Apr. 29, 2019

Supporting Documents: [assignment-tm-6638-0087.pdf](#)

Assignor

Name: [CORBEL STRUCTURED EQUITY PARTNERS, L.P.](#)

Execution Date: Apr. 26, 2019

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: DELAWARE

Assignee

Name: [ANTARES AUDIO TECHNOLOGIES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 231 TECHNOLOGY CIRCLE
SCOTTS VALLEY, CALIFORNIA 95066

Correspondent

Correspondent Name: JENNIFER CARUSONE

Correspondent Address: 101 N. TRYON ST., SUITE 1900
ROBINSON, BRADSHAW & HINSON, P.A.
CHARLOTTE, NC 28246

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91195298](#)

Filing Date: Jun 15, 2010

Status: Terminated

Status Date: Sep 27, 2010

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: Steamboat Mountain Designs, LLC

Correspondent Address: STEAMBOAT MOUNTAIN DESIGNS, LLC
PO BOX 1261
LYONS CO UNITED STATES , 80540

Correspondent e-mail: jeffm@fifengr.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

AUTOTUNER [77830459](#)

Plaintiff(s)

Name: Auburn Audio Technologies, Inc. DBA Antares Audio Technologies

Correspondent Address: SALLY M. ABEL
 FENWICK & WEST LLP
 801 CALIFORNIA STREET
 MOUNTAIN VIEW CA UNITED STATES , 64041

Correspondent e-mail: trademarks@fenwick.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

AUTO-TUNE [78170798](#) [2996904](#)

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 6 | TERMINATED | Sep 27, 2010 | |
| 5 | BOARD'S DECISION: SUSTAINED | Sep 27, 2010 | |
| 4 | NOTICE OF DEFAULT | Aug 11, 2010 | |
| 3 | PENDING, INSTITUTED | Jun 16, 2010 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jun 16, 2010 | Jul 26, 2010 |
| 1 | FILED AND FEE | Jun 15, 2010 | |

Exhibit A

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Mark: AUTO-TUNE

AUTO-TUNE

US Serial Number: 90594975

Application Filing Date: Mar. 22, 2021

US Registration Number: 7070993

Registration Date: Jun. 06, 2023

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jun. 06, 2023

Publication Date: Mar. 21, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Downloadable software for use in music and audio production; Downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording; integrated circuits; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic equipment, namely, microphone preamps; karaoke machines; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 1996

Use in Commerce: Sep. 01, 1996

For: Electronic transmission of audio and audiovisual database information via telecommunications networks; broadcasting of audio and audiovisual database information via global computer information networks

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 25, 1999

Use in Commerce: Jan. 25, 1999

For: Entertainment services, namely, production of music and audio programs; providing online non-downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; providing information about music and audio production via a website; providing a website featuring educational videos in the fields of music and audio production and software

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 25, 1999

Use in Commerce: Jan. 25, 1999

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording; providing information about software design via a website

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 25, 1999

Use in Commerce: Jan. 25, 1999

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Antares Audio Technologies, LLC

Owner Address: 2460 17th Avenue #1064
Santa Cruz, CALIFORNIA UNITED STATES 95062

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Jadie Coates

Docket Number: 02421

Attorney Primary Email Address: steve@coatesip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Jadie Coates
COATES IP
3213 W WHEELER ST. #362
SEATTLE, WASHINGTON UNITED STATES 98199

Phone: 206-466-6607

Correspondent e-mail: thea@coatesip.com alli@coatesip.com steve@coatesip.com erina@coatesip.com erin@coatesip.com [4871-8877-9264@](tel:4871-8877-9264)
mail.vault.netdocuments.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Jun. 06, 2023 | NOTICE OF REGISTRATION CONFIRMATION EMAILED | |
| Jun. 06, 2023 | REGISTERED-PRINCIPAL REGISTER | |

Mar. 21, 2023 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
 Mar. 21, 2023 PUBLISHED FOR OPPOSITION
 Mar. 01, 2023 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
 Feb. 14, 2023 APPROVED FOR PUB - PRINCIPAL REGISTER
 Feb. 14, 2023 EXAMINER'S AMENDMENT ENTERED
 Feb. 14, 2023 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED
 Feb. 14, 2023 EXAMINERS AMENDMENT E-MAILED
 Feb. 14, 2023 EXAMINERS AMENDMENT -WRITTEN
 Jan. 10, 2023 TEAS/EMAIL CORRESPONDENCE ENTERED
 Jan. 09, 2023 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jan. 09, 2023 TEAS REQUEST FOR RECONSIDERATION RECEIVED
 Jul. 10, 2022 NOTIFICATION OF FINAL REFUSAL EMAILED
 Jul. 10, 2022 FINAL REFUSAL E-MAILED
 Jul. 10, 2022 FINAL REFUSAL WRITTEN
 Apr. 01, 2022 TEAS/EMAIL CORRESPONDENCE ENTERED
 Mar. 31, 2022 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Mar. 31, 2022 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Nov. 01, 2021 NOTIFICATION OF NON-FINAL ACTION E-MAILED
 Nov. 01, 2021 NON-FINAL ACTION E-MAILED
 Nov. 01, 2021 NON-FINAL ACTION WRITTEN
 Oct. 25, 2021 ASSIGNED TO EXAMINER
 Jun. 18, 2021 APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
 Jun. 18, 2021 TEAS CHANGE OF CORRESPONDENCE RECEIVED
 Jun. 18, 2021 TEAS CHANGE OF OWNER ADDRESS RECEIVED
 Jun. 25, 2021 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Mar. 25, 2021 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 06, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:43:40 EST

Mark: AUTO-TUNE

AUTO-TUNE

US Serial Number: 90816656

Application Filing Date: Jul. 07, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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. 28, 2023

Publication Date: Nov. 28, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Pens; Printed manuals in the field of computer software and hardware for audio production and audio recording; Printed computer program manuals for audio production and audio recording; Printed educational publications, namely, training manuals in the field of computer software and hardware for audio production and audio recording; Printed matter, namely, paper signs, books, manuals, curricula, newsletters, informational cards and brochures in the field of computer software and hardware for audio production and audio recording; Printed publications, namely, brochures, booklets, and teaching materials in the field of computer software and hardware for audio production and audio recording

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 1996

Use in Commerce: Sep. 01, 1996

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Antares Audio Technologies, LLC

Owner Address: 2460 17th Avenue #1064
Santa Cruz, CALIFORNIA UNITED STATES 95062

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen J. Coates

Attorney Primary Email Address: steve@coatesip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen J. Coates
COATES IP
3213 W WHEELER ST. NO. 362
SEATTLE, WASHINGTON UNITED STATES 98199

Phone: 206-466-6607

Correspondent e-mail: 4854-9447-7056@mail.vault.netdocuments.com | hea@coatesip.com | steve@coatesip.com | alli@coatesip.com | jose@coatesip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Nov. 28, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Nov. 28, 2023 | PUBLISHED FOR OPPOSITION | |
| Nov. 08, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Oct. 19, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Oct. 13, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Oct. 13, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Oct. 12, 2023 | ASSIGNED TO LIE | |
| May 17, 2023 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Feb. 17, 2023 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | |
| Feb. 17, 2023 | NON-FINAL ACTION E-MAILED | |
| Feb. 17, 2023 | NON-FINAL ACTION WRITTEN | |
| Jan. 19, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Jan. 13, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jan. 13, 2023 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Jul. 15, 2022 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Jul. 15, 2022 | FINAL REFUSAL E-MAILED | |
| Jul. 15, 2022 | FINAL REFUSAL WRITTEN | |
| Apr. 28, 2022 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Apr. 28, 2022 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 28, 2022 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Nov. 01, 2021 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | |
| Nov. 01, 2021 | NON-FINAL ACTION E-MAILED | |
| Nov. 01, 2021 | NON-FINAL ACTION WRITTEN | |
| Oct. 25, 2021 | ASSIGNED TO EXAMINER | |
| Sep. 15, 2021 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED | |

TM Staff and Location Information

TM Staff Information

TM Attorney: MCPHERSON RAYBURN, SHA

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 26, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:44:18 EST

Mark: AUTO-TUNE SLICE

AUTO-TUNE SLICE

US Serial Number: 90787022

Application Filing Date: Jun. 22, 2021

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

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

Status: A Statement of Use has been forwarded to the examining attorney for examination.

Status Date: Oct. 31, 2023

Publication Date: Mar. 28, 2023 **Notice of Allowance Date:** May 23, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE SLICE

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

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: As to "AUTO-TUNE"

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 use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

First Use: Sep. 29, 2021

Use in Commerce: Sep. 29, 2021

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

First Use: Sep. 29, 2021

Use in Commerce: Sep. 29, 2021

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Antares Audio Technologies, LLC

Owner Address: 2460 17th Avenue #1064
Santa Cruz, CALIFORNIA UNITED STATES 95062

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Jadie Coates

Attorney Primary Email Address: Steve@coatesip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Jadie Coates
3213 W WHEELER ST 362
SEATTLE, WASHINGTON United States 98199

Correspondent e-mail: Steve@coatesip.com alli@coatesip.com thea@coatesip.com 4860-3134-7968@mail.vault.netdocuments.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Oct. 31, 2023 | STATEMENT OF USE PROCESSING COMPLETE | |
| Oct. 18, 2023 | USE AMENDMENT FILED | |
| Oct. 31, 2023 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | |
| Oct. 18, 2023 | TEAS STATEMENT OF USE RECEIVED | |
| May 23, 2023 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Mar. 28, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Mar. 28, 2023 | PUBLISHED FOR OPPOSITION | |
| Mar. 08, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Feb. 17, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 24, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Jan. 13, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jan. 13, 2023 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Jul. 15, 2022 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Jul. 15, 2022 | FINAL REFUSAL E-MAILED | |
| Jul. 15, 2022 | FINAL REFUSAL WRITTEN | |
| Apr. 28, 2022 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Apr. 28, 2022 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 28, 2022 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |

Oct. 29, 2021 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION WRITTEN
Oct. 25, 2021 ASSIGNED TO EXAMINER
Sep. 07, 2021 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jun. 25, 2021 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information

TM Attorney: MCPHERSON RAYBURN, SHA

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Oct. 31, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:45:03 EST

Mark: AUTO-TUNE UNLIMITED

AUTO-TUNE UNLIMITED

US Serial Number: 90820448

Application Filing Date: Jul. 09, 2021

US Registration Number: 7071138

Registration Date: Jun. 06, 2023

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jun. 06, 2023

Publication Date: Mar. 21, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE UNLIMITED

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

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: As to "AUTO-TUNE"

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 use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 2020

Use in Commerce: Aug. 31, 2020

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class(es):**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Aug. 31, 2020**Use in Commerce:** Aug. 31, 2020**Basis Information (Case Level)****Filed Use:** Yes**Currently Use:** Yes**Filed ITU:** No**Currently ITU:** No**Filed 44D:** No**Currently 44E:** No**Filed 44E:** No**Currently 66A:** No**Filed 66A:** No**Currently No Basis:** No**Filed No Basis:** No**Current Owner(s) Information****Owner Name:** Antares Audio Technologies, LLC**Owner Address:** 2460 17th Avenue #1064
Santa Cruz, CALIFORNIA UNITED STATES 95062**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country** DELAWARE
Where Organized:**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Stephen J. Coates**Docket Number:** 03899**Attorney Primary** steve@coatesip.com
Email Address:**Attorney Email** Yes
Authorized:**Correspondent****Correspondent** Stephen J. Coates
Name/Address: COATES IP
3213 W WHEELER ST. NO. 362
SEATTLE, WASHINGTON UNITED STATES 98199**Phone:** 206-466-6607**Correspondent e-** steve@coatesip.com alli@coatesip.com erin@coatesip.com
mail: tesip.com thea@coatesip.com 4865-8499-6096 @
mail.vault.netdocuments.com**Correspondent e-** Yes
mail Authorized:**Domestic Representative - Not Found****Prosecution History**

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jun. 06, 2023 | NOTICE OF REGISTRATION CONFIRMATION EMAILED | |
| Jun. 06, 2023 | REGISTERED-PRINCIPAL REGISTER | |
| Mar. 21, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Mar. 21, 2023 | PUBLISHED FOR OPPOSITION | |
| Mar. 01, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Feb. 16, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 19, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Jan. 14, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jan. 14, 2023 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Jul. 15, 2022 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Jul. 15, 2022 | FINAL REFUSAL E-MAILED | |
| Jul. 15, 2022 | FINAL REFUSAL WRITTEN | |
| Apr. 28, 2022 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Apr. 28, 2022 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 28, 2022 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |

Oct. 29, 2021 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION WRITTEN
Oct. 25, 2021 ASSIGNED TO EXAMINER
Sep. 16, 2021 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jul. 13, 2021 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 06, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:46:02 EST

Mark: AUTO-TUNE SOUNDSOAP

AUTO-TUNE SOUNDSOAP

US Serial Number: 97385032

Application Filing Date: Apr. 27, 2022

US Registration Number: 7227697

Registration Date: Nov. 28, 2023

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Nov. 28, 2023

Publication Date: Sep. 12, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE SOUNDSOAP

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Downloadable software for use in music and audio production; Downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2002

Use in Commerce: Dec. 31, 2002

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2002

Use in Commerce: Dec. 31, 2002

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: Antares Audio Technologies LLC
Owner Address: 2843 Mission Street
Santa Cruz, CALIFORNIA UNITED STATES 95060
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Jadie Coates
Attorney Primary Email Address: steve@coatesip.com
Docket Number: 06611
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Jadie Coates
COATES IP LLP
3213 W WHEELER ST. #362
ATTN: TRADEMARKS
SEATTLE, WASHINGTON UNITED STATES 98199
Phone: 206-466-6607
Correspondent e-mail: steve@coatesip.com thea@coatesip.com trademarks@coatesip.com 4886-6438-8637@mail.vault.net etdocuments.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Nov. 28, 2023 | NOTICE OF REGISTRATION CONFIRMATION EMAILED | |
| Nov. 28, 2023 | REGISTERED-PRINCIPAL REGISTER | |
| Sep. 12, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 12, 2023 | PUBLISHED FOR OPPOSITION | |
| Aug. 23, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 05, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jul. 11, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Jul. 10, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jul. 10, 2023 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Jun. 08, 2023 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Jun. 08, 2023 | FINAL REFUSAL E-MAILED | |
| Jun. 08, 2023 | FINAL REFUSAL WRITTEN | |
| May 05, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Apr. 28, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 28, 2023 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Feb. 18, 2023 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | |
| Feb. 18, 2023 | NON-FINAL ACTION E-MAILED | |
| Feb. 18, 2023 | NON-FINAL ACTION WRITTEN | |
| Feb. 14, 2023 | ASSIGNED TO EXAMINER | |
| May 03, 2022 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED | |

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 28, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:46:36 EST

Mark: AUTO-TUNE CREATOR

AUTO-TUNE CREATOR

US Serial Number: 90820444

Application Filing Date: Jul. 09, 2021

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

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

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

Status Date: Oct. 18, 2023

Publication Date: Mar. 21, 2023 **Notice of Allowance Date:** May 16, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE CREATOR

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

Acquired Distinctiveness Claim: In part

Distinctiveness Limitation Statement: As to "AUTO-TUNE"

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 use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: Antares Audio Technologies, LLC

Owner Address: 2460 17th Avenue #1064
Santa Cruz, CALIFORNIA UNITED STATES 95062

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen J. Coates

Docket Number: 03900

Attorney Primary Email Address: steve@coatesip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen J. Coates
COATES IP
3213 W WHEELER ST. NO. 362
SEATTLE, WASHINGTON United States 98199

Phone: 206-466-6607

Correspondent e-mail: steve@coatesip.com 4868-5343-1552@mail.vault.netdocuments.com thea@coatesip.com alli@coatesip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Oct. 20, 2023 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Oct. 18, 2023 | SOU EXTENSION 1 GRANTED | |
| Oct. 18, 2023 | SOU EXTENSION 1 FILED | |
| Oct. 18, 2023 | SOU TEAS EXTENSION RECEIVED | |
| May 16, 2023 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Mar. 21, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Mar. 21, 2023 | PUBLISHED FOR OPPOSITION | |
| Mar. 01, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Feb. 16, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 19, 2023 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Jan. 14, 2023 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Jan. 14, 2023 | TEAS REQUEST FOR RECONSIDERATION RECEIVED | |
| Jul. 15, 2022 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Jul. 15, 2022 | FINAL REFUSAL E-MAILED | |
| Jul. 15, 2022 | FINAL REFUSAL WRITTEN | |
| Apr. 28, 2022 | TEAS/EMAIL CORRESPONDENCE ENTERED | |
| Apr. 27, 2022 | CORRESPONDENCE RECEIVED IN LAW OFFICE | |
| Apr. 27, 2022 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |

Oct. 29, 2021 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION E-MAILED
Oct. 29, 2021 NON-FINAL ACTION WRITTEN
Oct. 25, 2021 ASSIGNED TO EXAMINER
Sep. 16, 2021 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jul. 13, 2021 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information

TM Attorney: MCPHERSON RAYBURN, SHA

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 16, 2023

Exhibit A

Generated on: This page was generated by TSDR on 2023-12-11 12:47:15 EST

Mark: AUTO-TUNE IGNITE

AUTO-TUNE IGNITE

US Serial Number: 97583632

Application Filing Date: Sep. 08, 2022

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

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

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Jun. 27, 2023

Mark Information

Mark Literal Elements: AUTO-TUNE IGNITE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Downloadable software for use in music and audio production; downloadable computer software for use in the measurement, manipulation and alteration of digital audio information, audio performances and audio recording; computer hardware for use in music and audio production; computer hardware for use in the measurement and alteration of audio, audio performances and audio recording; integrated circuits; downloadable electronic publications in the nature of manuals in the fields of software, audio production, and audio recording; audio mixers; amplifiers; electronic equipment, namely, microphone preamps; karaoke machines; electronic products for the manipulation of the frequency, time, and amplitude characteristics of audiosignals, namely, audio processors

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Providing temporary use of online non-downloadable software for use in music and audio production; providing temporary use of online non-downloadable computer software for use in the measurement and alteration of digital audio information, audio performances and audio recording

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: Antares Audio Technologies, LLC
Owner Address: 2843 Mission Street
Santa Cruz, CALIFORNIA UNITED STATES 95060
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stephen Jadie Coates
Attorney Primary Email Address: steve@coatesip.com
Docket Number: 07165
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Stephen Jadie Coates
COATES IP LLP
3213 W WHEELER ST. #362
ATTN: TRADEMARKS
SEATTLE, WASHINGTON United States 98199
Phone: 206-466-6607
Correspondent e-mail: steve@coatesip.com 4880-9470-3922@mail.vault.netdocuments.com trademarks@coatesip.com th_ea@coatesip.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Sep. 25, 2023 | APPLICATION EXTENSION GRANTED/RECEIPT PROVIDED | |
| Sep. 25, 2023 | APPLICATION EXTENSION TO RESPONSE PERIOD - RECEIVED | |
| Jun. 27, 2023 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | |
| Jun. 27, 2023 | NON-FINAL ACTION E-MAILED | |
| Jun. 27, 2023 | NON-FINAL ACTION WRITTEN | |
| Jun. 22, 2023 | ASSIGNED TO EXAMINER | |
| Sep. 23, 2022 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED | |
| Sep. 12, 2022 | NEW APPLICATION ENTERED | |

TM Staff and Location Information

TM Staff Information

TM Attorney: LEARNED, GLEN D
Law Office Assigned: LAW OFFICE 305

File Location

Current Location: TMO LAW OFFICE 305- EXAMINING ATTORNEY ASSIGNED
Date in Location: Jun. 27, 2023

Exhibit B

Generated on: This page was generated by TSDR on 2023-12-11 12:48:16 EST

Mark: AUTOTURN

AUTOTURN

US Serial Number: 97673876

Application Filing Date: Nov. 11, 2022

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Nov. 03, 2023

Publication Date: Oct. 10, 2023

Mark Information

Mark Literal Elements: AUTOTURN

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope, namely, providing a system and method for scrolling of ebooks, documents, and webpages; Software as a service (SAAS) services featuring software for the custom design and development of firmware which is used to monitor, access, and use a device's gyroscope; Software as a service (SAAS) services featuring software for managing communications and data exchange between computers and electronic devices; Software as a service (SAAS) services featuring software for recording, organizing, transmitting, manipulating, reviewing and receiving data, including data relating to the position, orientation, velocity or movement of an object or person; Software as a service (SAAS) services featuring software for integration, use, and function of a device's gyroscope

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: eBrands Innovations LLC

Owner Address: 919 NORTH MARKET STREET, SUITE 950
Wilmington, DELAWARE UNITED STATES 19801

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew S. Rapacke

Attorney Primary Email Address: andy@arapackelaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ANDREW S. RAPACKE
THE RAPACKE LAW GROUP, P.A.
3750 BIRCH TERRACE
DAVIE, FLORIDA UNITED STATES 33330

Phone: 954-951-0154

Correspondent e-mail: andy@arapackelaw.com legal@arapackelaw.com
jessica@arapackelaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Nov. 03, 2023 | EXTENSION OF TIME TO OPPOSE RECEIVED | |
| Oct. 10, 2023 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Oct. 10, 2023 | PUBLISHED FOR OPPOSITION | |
| Sep. 20, 2023 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Sep. 01, 2023 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 24, 2023 | ASSIGNED TO EXAMINER | |
| Dec. 03, 2022 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED | |
| Nov. 15, 2022 | NEW APPLICATION ENTERED | |

TM Staff and Location Information

TM Staff Information

TM Attorney: COHEN, ROBERT ANDREW

Law Office Assigned: LAW OFFICE 103

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 07, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [97673876](#)

Filing Date: Nov 03, 2023

Status: Extension of Time to Oppose Filed

Status Date: Nov 03, 2023

Interlocutory

Attorney:**Defendant****Name:** eBrands Innovations LLC**Correspondent Address:** ANDREW S. RAPACKE
THE RAPACKE LAW GROUP, P.A.
3750 BIRCH TERRACE
DAVIE FL UNITED STATES , 33330**Correspondent e-mail:** andy@arapackelaw.com , legal@arapackelaw.com , jessica@arapackelaw.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|----------|--------------------|--------------------------|---------------------|
| AUTOTURN | | 97673876 | |

Potential Opposer(s)**Name:** Antares Audio Technologies, LLC**Correspondent Address:** STEPHEN JADIE COATES
COATES IP
3213 W WHEELER ST 362
SEATTLE WA UNITED STATES , 98199**Correspondent e-mail:** steve@coatesip.com , jose@coatesip.com , 4857-3390-2984@mail.vault.netdocuments.com , thea@coatesip.com , trademarks@coatesip.com**Prosecution History**

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|----------|
| 2 | EXT GRANTED | Nov 03, 2023 | |
| 1 | FIRST 30-DAY REQUEST TO EXT TIME TO OPPOSE | Nov 03, 2023 | |