

ESTTA Tracking number: **ESTTA1331685**
Filing date: **01/02/2024**

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	Verily Life Sciences, LLC
Granted to date of previous extension	12/31/2023
Address	269 E. GRAND AVENUE SOUTH SAN FRANCISCO, CA 94080 UNITED STATES
Attorney information	LAURA C. MILLER KILPATRICK TOWNSEND & STOCKTON LLP 1001 WEST FOURTH STREET WINSTON-SALEM, NC 27101 UNITED STATES Primary email: lamiller@kilpatricktownsend.com Secondary email(s): totety@kilpatricktownsend.com, tmad- min@kilpatricktownsend.com, Bbobson@kilpatricktownsend.com, kteil- haber@ktslaw.com 3366077300
Docket no.	1014980

Applicant information

Application no.	97535078	Publication date	07/04/2023
Opposition filing date	01/02/2024	Opposition period ends	12/31/2023
Applicant	TEARLAB RESEARCH, INC. 940 S. KIMBALL AVENUE, SUITE 100 SOUTHLAKE, TX 76092 UNITED STATES		

Goods/services affected by opposition

Class 010. First Use: None First Use In Commerce: None
All goods and services in the class are opposed, namely: Portable medical diagnostic apparatus for detecting biomarkers in bodily fluids, namely, fluid of the eye; osmolarity biomarker testing apparatus for diagnosis of eye disease

Grounds for opposition

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

U.S. registration no.	6315810	Application date	01/15/2016
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Register	Principal		
Registration date	04/06/2021	Foreign priority date	10/26/2015
Word mark	VERILY		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: Apr 30, 2017 First Use In Commerce: Apr 30, 2017</p> <p>Wearable computers; computer software and programs for collecting, processing, analyzing, transmitting, validating and displaying data in the medical, scientific and pharmaceutical fields; computer software for the monitoring of health data, medical data, genetic data, movement data, nutritional data, wellness data, geographic data, health risk data, and demographic data for use with medical clinical trials; computer software for data processing and analysis for use with medical clinical trials; software used to manage clinical trials; clinical trial data collection, storage and analysis software; data processing equipment; computer software for surgical equipment; computer software and computer programs for transmission of medical and scientific data and information; downloadable educational materials in the medical, scientific and pharmaceutical fields; non-downloadable software recorded on computer media for use in providing health care information; non-downloadable software recorded on computer media for use in capture and analysis services to improve patient care</p> <p>Class 010. First use: First Use: Apr 30, 2017 First Use In Commerce: Apr 30, 2017</p> <p>wearable computing devices for the detection and treatment of diseases</p> <p>Class 016. First use: First Use: Jun 4, 2020 First Use In Commerce: Jun 4, 2020</p> <p>Printed publications in the scientific and medical fields, namely, brochures, journals, reports, newsletters, booklets, magazines and teaching materials</p> <p>Class 035. First use: First Use: Jun 1, 2016 First Use In Commerce: Jun 1, 2016</p> <p>Promoting public interest and awareness in the fields of medicine, science, pharmaceuticals and technology; Health care services, namely, health care utilization and review services; managed care services, namely, electronic processing of healthcare information</p> <p>Class 037. First use: First Use: Jul 30, 2017 First Use In Commerce: Jul 30, 2017</p> <p>Pest control and extermination services, other than for agricultural, horticultural and forestry purposes</p> <p>Class 038. First use: First Use: Apr 19, 2017 First Use In Commerce: Apr 19, 2017</p> <p>Electronic transmission and reception of messages and data; electronic transmission and reception of information in the medical, scientific, healthcare and pharmaceutical fields</p> <p>Class 042. First use: First Use: Jun 1, 2016 First Use In Commerce: Jun 1, 2016</p> <p>Providing non-downloadable software on-line for use in providing health care information; providing non-downloadable software on-line for use in capture and analysis services to improve patient care; medical research; scientific research; conducting clinical trials; medical and scientific diagnostic and therapeutic development; medical laboratories; medical laboratory services; scientific laboratory services; clinical laboratory services; laboratory research, analysis and testing services; laboratory storage and testing services; medical device design and development; design and development of software; design, development and implementation of software; providing medical and scientific research information; consulting services in the field of scientific, medical and pharmaceutical re-</p>		

	search; providing medical research, scientific, and pharmaceutical research information Class 044. First use: First Use: Jun 1, 2016 First Use In Commerce: Jun 1, 2016 Medical services; medical diagnostic testing, monitoring and reporting services; consulting services in the field of health and wellness; health assessment services; consulting services in the field of medical care; providing information in the field of medical care
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Attachments	2024.01.02 Notice of Opposition to VERILYTE_97535078_Exhibit 1.pdf(167723 bytes)
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Signature	/Laura C. Miller/
Name	LAURA C. MILLER
Date	01/02/2024

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

VERILY LIFE SCIENCES LLC,)	
)	
)	
Opposer,)	
)	Serial No.: 97/535,078
v.)	Opposition No. _____
)	
TEARLAB RESEARCH, Inc.,)	Mark: VERILYTE
)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer Verily Life Sciences LLC, a limited liability company organized and existing under the laws of the State of Delaware and having a place of business at 269 E. Grand Avenue, South San Francisco, California (“Opposer”), believes that it will be damaged by registration to Applicant Tearlab Research, Inc. (“Applicant”), of the mark VERILYTE (“Applicant’s VERILYTE Mark”) as shown in U.S. Trademark Application Serial No. 97/535,078 and published in the *Official Gazette* on July 4, 2023 (the “VERILYTE Application”), and hereby opposes the same.

As grounds for this opposition to registration of Applicant’s Mark, Opposer alleges the following:

1. Opposer is a technology company that tackles significant problems impacting global health. Since long before the filing date of the VERILYTE Application, and long before any date on which Applicant can rely for priority in the VERILYTE Mark, Opposer has been engaged in, among other things, collecting and organizing health data and creating interventions and platforms that put insights derived from that health data to use for better healthcare.

2. Opposer, under its VERILY Mark (the “VERILY Mark”) uses technology to develop tools and devices to collect, organize, and activate data and analytics in order to better understand fields such as medicine, life sciences, pharmaceuticals, and related technologies.

3. Opposer’s VERILY Mark is the subject of U.S Registration No. 6,315,810 (the “VERILY Registration”), which was filed on January 15, 2016, claiming priority to October 26, 2015. The VERILY Registration covers the following goods and in Classes 9, 10, 16, 35, 37, 38, 42, and 44:

- Class 9: Wearable computers; computer software and programs for collecting, processing, analyzing, transmitting, validating and displaying data in the medical, scientific and pharmaceutical fields; computer software for the monitoring of health data, medical data, genetic data, movement data, nutritional data, wellness data, geographic data, health risk data, and demographic data for use with medical clinical trials; computer software for data processing and analysis for use with medical clinical trials; software used to manage clinical trials; clinical trial data collection, storage and analysis software; data processing equipment; computer software for surgical equipment; computer software and computer programs for transmission of medical and scientific data and information; downloadable educational materials in the medical, scientific and pharmaceutical fields; non-downloadable software recorded on computer media for use in providing health care information; non-downloadable software recorded on computer media for use in capture and analysis services to improve patient care.
- Class 10: Wearable computing devices for the detection and treatment of diseases.
- Class 16: Printed publications in the scientific and medical fields, namely, brochures, journals, reports, newsletters, booklets, magazines and teaching materials.
- Class 35: Promoting public interest and awareness in the fields of medicine, science, pharmaceuticals and technology; Health care services, namely, health care utilization and review services; managed care services, namely, electronic processing of healthcare information.
- Class 37: Pest control and extermination services, other than for agricultural, horticultural and forestry purposes.
- Class 38: Electronic transmission and reception of messages and data; electronic transmission and reception of information in the medical, scientific, healthcare and pharmaceutical fields.
- Class 42: Providing non-downloadable software on-line for use in providing health care

information; providing non-downloadable software on-line for use in capture and analysis services to improve patient care; medical research; scientific research; conducting clinical trials; medical and scientific diagnostic and therapeutic development; medical laboratories; medical laboratory services; scientific laboratory services; clinical laboratory services; laboratory research, analysis and testing services; laboratory storage and testing services; medical device design and development; design and development of software; design, development and implementation of software; providing medical and scientific research information; consulting services in the field of scientific, medical and pharmaceutical research; providing medical research, scientific, and pharmaceutical research information.

- Class 44: Medical services; medical diagnostic testing, monitoring and reporting services; consulting services in the field of health and wellness; health assessment services; consulting services in the field of medical care; providing information in the field of medical care.

A current printout of information from electronic database records of the USPTO showing the current status and title of the VERILY Registration is attached hereto as **Exhibit 1**.

4. Opposer has established valuable goodwill in Opposer's VERILY Mark and the relevant public has come to associate Opposer's VERILY Mark with Opposer and to know VERILY as an indicator of goods and services that emanate from Opposer.

5. On August 4, 2022, Applicant filed the VERILYTE Application to register Applicant's VERILYTE Mark for use in connection with "Portable medical diagnostic apparatus for detecting biomarkers in bodily fluids, namely, fluid of the eye; osmolarity biomarker testing apparatus for diagnosis of eye disease," in Class 10.

6. The VERILYTE Application was filed on an "intent-to-use" basis.

7. Applicant's VERILYTE Mark is confusingly similar in sight, sound, meaning and commercial impression to Opposer's previously-used and registered VERILY Mark.

8. Applicant's VERILYTE Mark wholly subsumes Opposer's VERILY Mark, and is confusingly similar to Opposer's VERILY Mark in sight, sound, meaning and commercial impression .

9. The goods identified in the VERILYTE Application are substantially similar to, and/or related to or competitive with, the goods and services on or in connection with which Opposer has previously used and uses Opposer's VERILY Mark.

10. Applicant's VERILYTE Mark is confusingly similar in sight, sound, meaning and commercial impression to the mark shown in Opposer's VERILY Registration.

11. The goods identified in the VERILYTE Application are substantially similar to, or related to the goods and services shown in Opposer's VERILY Registration.

12. Applicant's Mark, when used in connection with Applicant's goods as identified in Applicant's VERILYTE Application, so resembles the previously-used and registered VERILY Mark as to be likely to cause confusion, mistake and/or to deceive customers concerning an affiliation, connection, association or sponsorship with the source of goods and services sold under Opposer's VERILY Mark, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), with consequent injury to Opposer, the public and the trade.

13. Pursuant to Section 13(a) of the Lanham Act, 15 U.S.C. § 1063(a), Opposer believes it will be damaged by registration of Applicant's VERILYTE Mark in that members of the purchasing public and/or the trade are likely to be confused or mistaken that Applicant's goods offered under Applicant's VERILYTE Mark originate from Opposer, or from the same source as goods and services sold under the VERILY Mark and/or the mark shown in the VERILY Registration, or that such services of Applicant are sponsored by, endorsed by, or affiliated with the source of goods and services sold under the VERILY Mark and/or the mark shown in the VERILY Registration.

14. Such likelihood of confusion results in damage to the goodwill among purchasers and the trade that the VERILY Mark symbolizes. Registration of Applicant's VERILYTE Mark

will support and assist Applicant in the confusing and misleading use of Applicant's VERILYTE Mark.

15. The required fee for instituting this opposition proceeding is being submitted herewith. Please charge any deficiency or refund in the filing fee to Deposit Account No. 20-1430 for Kilpatrick Townsend & Stockton LLP.

WHEREFORE, Opposer requests that registration of Applicant's Mark, as shown in Application Serial No. 97/535,078, be refused.

This the 2nd day of January, 2024.

Respectfully submitted,

/Laura C. Miller/

KILPATRICK TOWNSEND & STOCKTON LLP

Laura C. Miller

Tiffani D. Otey

1001 West Fourth Street

Winston-Salem, NC 27101-2400

(336) 607-7300

Attorneys for Opposer

Verily Life Sciences LLC

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being filed electronically through the U.S. Patent and Trademark Office's ESTTA system on January 2, 2024

/Laura C. Miller/
Laura C. Miller

EXHIBIT 1

Generated on: This page was generated by TSDR on 2024-01-02 17:29:20 EST

Mark: VERILY

VERILY

US Serial Number: 86877315

Application Filing Date: Jan. 15, 2016

US Registration Number: 6315810

Registration Date: Apr. 06, 2021

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Apr. 06, 2021

Publication Date: Dec. 26, 2017 Notice of Allowance Date: Feb. 20, 2018

Mark Information

Mark Literal Elements: VERILY

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1340104

International Application(s) / Registration(s) Based on this Property: A0058361/1340104

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 50586

Foreign Application Filing Date: Oct. 26, 2015

Foreign Application/Registration Country: TRINIDAD AND TOBAGO

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: Wearable computers; computer software and programs for collecting, processing, analyzing, transmitting, validating and displaying data in the medical, scientific and pharmaceutical fields; computer software for the monitoring of health data, medical data, genetic data, movement data, nutritional data, wellness data, geographic data, health risk data, and demographic data for use with medical clinical trials; computer software for data processing and analysis for use with medical clinical trials; software used to manage clinical trials; clinical trial data collection, storage and analysis software; data processing equipment; computer software for surgical equipment; computer software and computer programs for transmission of medical and scientific data and information; downloadable educational materials in the medical, scientific and pharmaceutical fields; non-downloadable software recorded on computer media for use in providing health care information; non-downloadable software recorded on computer media for use in capture and analysis services to improve patient care

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2017

Use in Commerce: Apr. 30, 2017

For: wearable computing devices for the detection and treatment of diseases

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2017

Use in Commerce: Apr. 30, 2017

For: Printed publications in the scientific and medical fields, namely, brochures, journals, reports, newsletters, booklets, magazines and teaching materials

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: Jun. 04, 2020

Use in Commerce: Jun. 04, 2020

For: Promoting public interest and awareness in the fields of medicine, science, pharmaceuticals and technology; Health care services, namely, health care utilization and review services; managed care services, namely, electronic processing of healthcare information

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2016

Use in Commerce: Jun. 01, 2016

For: Pest control and extermination services, other than for agricultural, horticultural and forestry purposes

International Class(es): 037 - Primary Class

U.S Class(es): 100, 103, 106

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 30, 2017

Use in Commerce: Jul. 30, 2017

For: Electronic transmission and reception of messages and data; electronic transmission and reception of information in the medical, scientific, healthcare and pharmaceutical fields

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 19, 2017

Use in Commerce: Apr. 19, 2017

For: Providing non-downloadable software on-line for use in providing health care information; providing non-downloadable software on-line for use in capture and analysis services to improve patient care; medical research; scientific research; conducting clinical trials; medical and scientific diagnostic and therapeutic development; medical laboratories; medical laboratory services; scientific laboratory services; clinical laboratory services; laboratory research, analysis and testing services; laboratory storage and testing services; medical device design and development; design and development of software; design, development and implementation of software; providing medical and scientific research information; consulting services in the field of scientific, medical and pharmaceutical research; providing medical research, scientific, and pharmaceutical research information

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class(es):**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jun. 01, 2016**Use in Commerce:** Jun. 01, 2016**For:** Medical services; medical diagnostic testing, monitoring and reporting services; consulting services in the field of health and wellness; health assessment services; consulting services in the field of medical care; providing information in the field of medical care**International Class(es):** 044 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jun. 01, 2016**Use in Commerce:** Jun. 01, 2016

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Filed ITU:** Yes**Currently ITU:** No**Filed 44D:** Yes**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: VERILY LIFE SCIENCES LLC**Owner Address:** 269 E. Grand Avenue
South San Francisco, CALIFORNIA UNITED STATES 94080**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Laura C. Miller**Docket Number:** 1015507**Attorney Primary Email Address:** tmadmin@kilpatricktownsend.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Laura C. Miller
KILPATRICK TOWNSEND & STOCKTON LLP
1100 Peachtree Street, Suite 2800
Mailstop: IP Docketing - 22
Atlanta, GEORGIA UNITED STATES 30309**Phone:** 336-607-7300**Fax:** 336-607-7500**Correspondent e-mail:** tmadmin@kilpatricktownsend.com wstrademarks@kilpatricktownsend.com**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 06, 2021	REGISTERED-PRINCIPAL REGISTER	
Mar. 02, 2021	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 28, 2021	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 24, 2021	STATEMENT OF USE PROCESSING COMPLETE	
Feb. 22, 2021	USE AMENDMENT FILED	
Feb. 22, 2021	TEAS STATEMENT OF USE RECEIVED	
Aug. 29, 2020	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 28, 2020	SOU EXTENSION 5 GRANTED	

Aug. 19, 2020 SOU EXTENSION 5 FILED
Aug. 24, 2020 CASE ASSIGNED TO INTENT TO USE PARALEGAL
Aug. 19, 2020 SOU TEAS EXTENSION RECEIVED
Feb. 14, 2020 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED
Feb. 12, 2020 SOU EXTENSION 4 GRANTED
Feb. 12, 2020 SOU EXTENSION 4 FILED
Feb. 12, 2020 SOU TEAS EXTENSION RECEIVED
Aug. 21, 2019 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED
Aug. 19, 2019 SOU EXTENSION 3 GRANTED
Aug. 19, 2019 SOU EXTENSION 3 FILED
Aug. 19, 2019 SOU TEAS EXTENSION RECEIVED
Feb. 21, 2019 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED
Feb. 19, 2019 SOU EXTENSION 2 GRANTED
Feb. 19, 2019 SOU EXTENSION 2 FILED
Feb. 19, 2019 SOU TEAS EXTENSION RECEIVED
Aug. 10, 2018 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED
Aug. 08, 2018 SOU EXTENSION 1 GRANTED
Aug. 08, 2018 SOU EXTENSION 1 FILED
Aug. 08, 2018 SOU TEAS EXTENSION RECEIVED
Feb. 20, 2018 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
Dec. 26, 2017 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
Dec. 26, 2017 PUBLISHED FOR OPPOSITION
Dec. 06, 2017 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Nov. 21, 2017 LAW OFFICE PUBLICATION REVIEW COMPLETED
Nov. 14, 2017 APPROVED FOR PUB - PRINCIPAL REGISTER
Nov. 14, 2017 EXAMINER'S AMENDMENT ENTERED
Nov. 14, 2017 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED
Nov. 14, 2017 EXAMINERS AMENDMENT E-MAILED
Nov. 14, 2017 EXAMINERS AMENDMENT -WRITTEN
Nov. 03, 2017 PREVIOUS ALLOWANCE COUNT WITHDRAWN
Oct. 24, 2017 WITHDRAWN FROM PUB - OG REVIEW QUERY
Oct. 11, 2017 LAW OFFICE PUBLICATION REVIEW COMPLETED
Oct. 09, 2017 APPROVED FOR PUB - PRINCIPAL REGISTER
Oct. 09, 2017 EXAMINER'S AMENDMENT ENTERED
Oct. 09, 2017 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED
Oct. 09, 2017 EXAMINERS AMENDMENT E-MAILED
Oct. 09, 2017 EXAMINERS AMENDMENT -WRITTEN
Oct. 02, 2017 PREVIOUS ALLOWANCE COUNT WITHDRAWN
Sep. 28, 2017 APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
Sep. 28, 2017 TEAS CHANGE OF OWNER ADDRESS RECEIVED
Sep. 19, 2017 WITHDRAWN FROM PUB - OG REVIEW QUERY
Sep. 02, 2017 APPROVED FOR PUB - PRINCIPAL REGISTER
Aug. 30, 2017 TEAS/EMAIL CORRESPONDENCE ENTERED
Aug. 29, 2017 CORRESPONDENCE RECEIVED IN LAW OFFICE
Aug. 29, 2017 TEAS RESPONSE TO OFFICE ACTION RECEIVED
Mar. 07, 2017 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Mar. 07, 2017 NON-FINAL ACTION E-MAILED
Mar. 07, 2017 NON-FINAL ACTION WRITTEN
Feb. 06, 2017 TEAS/EMAIL CORRESPONDENCE ENTERED
Feb. 06, 2017 CORRESPONDENCE RECEIVED IN LAW OFFICE
Feb. 02, 2017 ASSIGNED TO LIE
Jan. 18, 2017 TEAS RESPONSE TO OFFICE ACTION RECEIVED
Oct. 27, 2016 NOTIFICATION OF NON-FINAL ACTION E-MAILED
Oct. 27, 2016 NON-FINAL ACTION E-MAILED
Oct. 27, 2016 NON-FINAL ACTION WRITTEN

Sep. 30, 2016 TEAS/EMAIL CORRESPONDENCE ENTERED
 Sep. 30, 2016 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 30, 2016 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Aug. 24, 2016 AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP
 Aug. 19, 2016 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
 Aug. 19, 2016 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
 Mar. 31, 2016 NOTIFICATION OF NON-FINAL ACTION E-MAILED
 Mar. 31, 2016 NON-FINAL ACTION E-MAILED
 Mar. 31, 2016 NON-FINAL ACTION WRITTEN
 Mar. 30, 2016 ASSIGNED TO EXAMINER
 Jan. 21, 2016 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Jan. 19, 2016 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 28, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: VERILY LIFE SCIENCES LLC

Assignment 1 of 1

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE 06/07/2016

Reel/Frame: [5854/0923](#)

Pages: 11

Date Recorded: Aug. 15, 2016

Supporting Documents: [assignment-tm-5854-0923.pdf](#)

Assignor

Name: [GOOGLE, INC.](#)

Execution Date: Jun. 30, 2016

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [VERILY LIFE SCIENCES LLC](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 1600 AMPHITHEATRE PARKWAY
MOUNTAIN VIEW, CALIFORNIA 94043

Correspondent

Correspondent Name: LAURA C. MILLER

Correspondent Address: 1001 WEST FOURTH STREET
WINSTON-SALEM, NC 27101

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91278425](#)

Filing Date: Sep 07, 2022

Status: Terminated

Status Date: Dec 07, 2022

Interlocutory: ASHLYN LEMBREE

Attorney:**Defendant****Name:** Verilytix, Inc.**Correspondent Address:** STEPHEN B SAMLAN
KNECHTEL DEMEUR & SAMLAN
525 W MONROE ST, SUITE 2360
CHICAGO IL UNITED STATES , 60661**Correspondent e-mail:** sbsamlan@kdsllaw.com , egrove@kdsllaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERILYTIX		90795781	

Plaintiff(s)**Name:** Verily Life Sciences, LLC.**Correspondent Address:** LAURA C MILLER
KILPATRICK TOWNSEND & STOCKTON LLP
1001 WEST FOURTH STREET
WINSTON SALEM NC UNITED STATES , 27101**Correspondent e-mail:** lamiller@ktsllaw.com , totey@ktsllaw.com , kteilhaber@ktsllaw.com , tmadmin@ktsllaw.com , eyates@ktsllaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERILY		86877315	6315810

Prosecution History

Entry Number	History Text	Date	Due Date
6	TERMINATED	Dec 07, 2022	
5	BD DECISION: OPP SUSTAINED	Dec 07, 2022	
4	NOTICE OF DEFAULT	Oct 28, 2022	
3	INSTITUTED	Sep 07, 2022	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 07, 2022	Oct 17, 2022
1	FILED AND FEE	Sep 07, 2022	

Type of Proceeding: Opposition**Proceeding Number:** [91245016](#)**Filing Date:** Nov 28, 2018**Status:** Terminated**Status Date:** Jan 10, 2019**Interlocutory Attorney:** MIKE WEBSTER**Defendant****Name:** Valeritas, Inc.**Correspondent Address:** SEAN D DETWEILER
MORSE BARNES-BROWN & PENDLETON PC
230 THIRD AVENUE, 4TH FLOOR CITYPOINT
WALTHAM MA UNITED STATES , 02451**Correspondent e-mail:** trademark@mbbp.com , sdetweiler@mbbp.com , ttab@mbbp.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERITY		87786918	

Plaintiff(s)**Name:** Verily Life Sciences LLC**Correspondent Address:** LAURA C MILLER
KILPATRICK TOWNSEND & STOCKTON LLP
1001 WEST FOURTH STREET
WINSTON-SALEM NC UNITED STATES , 27101**Correspondent e-mail:** tmadmin@kilpatricktownsend.com , wstrademarks@kilpatricktownsend.com , bhobson@kilpatricktownsend.com , lamiller@kilpatrickto

mail: wnsend.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERILY		86877315	

Prosecution History

Entry Number	History Text	Date	Due Date
6	TERMINATED	Jan 10, 2019	
5	BD DECISION: OPP DISMISSED W/O PREJ	Jan 10, 2019	
4	W/DRAW OF APPLICATION	Jan 07, 2019	
3	PENDING, INSTITUTED	Nov 28, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 28, 2018	Jan 07, 2019
1	FILED AND FEE	Nov 28, 2018	