

ESTTA Tracking number: **ESTTA1349785**  
Filing date: **04/02/2024**

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	Red Bull GmbH
Granted to date of previous extension	04/03/2024
Address	AM BRUNNEN 1 FUSCHL AM SEE, 5330 AUSTRIA
Attorney information	TYWANDA HARRIS LORD KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET, SUITE 2800 ATLANTA, GA 30309 UNITED STATES Primary email: tlord@ktslaw.com Secondary email(s): totety@ktslaw.com, jrossington@ktslaw.com, kteilhaber@ktslaw.com, tadmin@ktslaw.com 4048156500
Docket no.	

### Applicant information

Application no.	97661997	Publication date	12/05/2023
Opposition filing date	04/02/2024	Opposition period ends	04/03/2024
Applicant	Bull Chassis 1084 N EL CAMINO REAL STE 189 ENCINITAS, CA 92024 UNITED STATES		

### Goods/services affected by opposition


Class 012. First Use: None First Use In Commerce: None  
All goods and services in the class are opposed, namely: Chassis, namely, container chassis; Dry vans in the nature of vans not equipped to carry cold goods; Flat bed trailers

### Grounds for opposition

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

### Marks cited by opposer as basis for opposition

U.S. registration no.	4797664	Application date	11/11/2013
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Register	Principal		
Registration date	08/25/2015	Foreign priority date	NONE
Word mark	NONE		
Design mark			
Description of mark	The mark consists of a stylized bull.		
Goods/services	<p>Class 006. First use: First Use: Jun 14, 2012 First Use In Commerce: Oct 11, 2012 Metal key rings; prefabricated metal platforms, namely, podiums of metal</p> <p>Class 009. First use: First Use: Nov 30, 2007 First Use In Commerce: Nov 30, 2007 Prerecorded video and audio discs featuring musical performances, concerts, sports events, sports competitions and exhibitions, fitness, athletic training and conditioning, and exhibitions and competitions of skill; protective clothing, namely, helmets; downloadable electronic publications in the nature of magazines, journals, newsletters, periodicals, electronic books, and photo books, in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; downloadable multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics, in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; [ (( software for accessing and downloading electronic publications; )) ] downloadable software applications for accessing publications and multimedia content in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography on mobile electronic devices; (( downloadable electronic games programs; )) [ (( protective ear coverings; )) ] marking and signaling buoys; wind socks</p> <p>Class 010. First use: First Use: Jun 14, 2012 First Use In Commerce: Oct 9, 2012 [ (( Ear plugs for noise reduction )) ]</p> <p>Class 011. First use: First Use: Dec 31, 1999 First Use In Commerce: Dec 31, 1999 Apparatus for refrigerating, namely, refrigerators, refrigerated drinks cabinets</p> <p>Class 012. First use: First Use: Dec 31, 2001 First Use In Commerce: Dec 31, 2001 [ (( Carts; )) ] land vehicles</p> <p>Class 014. First use: First Use: Jun 14, 2012 First Use In Commerce: Jun 26, 2012 Horological and chronometric instruments, namely, watches, wrist watches</p>		

Class 016. First use: First Use: May 31, 2005 First Use In Commerce: May 10, 2011

Printed matter, namely, books and magazines featuring musical performances, concerts, sports events, sports competitions and exhibitions, health and nutrition, fitness, athletic training and conditioning, athletic equipment and clothing, travelogues, humor and comedy performances and exhibitions and competitions of skill

Class 018. First use: First Use: Dec 31, 1998 First Use In Commerce: Dec 31, 1998

Backpacks; [ (( wheeled luggage; roll bags; )) ] gym bags; sports bags; overnight bags; (( shoulder bags; travelling bags; )) [ (( messenger bags; )) ] umbrellas; parasols

Class 020. First use: First Use: Dec 31, 1998 First Use In Commerce: Dec 31, 1998

Tables; desks; display stands, display racks, display shelves, display cases; multi-level trays for point of sale product arrangement and display

Class 021. First use: First Use: Dec 31, 1998 First Use In Commerce: Dec 31, 1998

Ice buckets; beverage bottles sold empty; cups; [ (( mugs; )) ] drinking vessels and drinking glasses; beverage glassware; drinking glasses, namely, tumblers [ (( ; trash cans; non-metal coin banks )) ]

Class 022. First use: First Use: Dec 31, 1998 First Use In Commerce: Dec 31, 1998

[ (( Sails; )) ] lanyards for holding keys and badges

Class 024. First use: First Use: Dec 31, 1995 First Use In Commerce: Feb 1, 2001

Textile flags

Class 025. First use: First Use: Jun 14, 2012 First Use In Commerce: Jun 15, 2012

Polo shirts; long-sleeved shirts; short-sleeved shirts; sleeveless shirts; tank tops; (( vests; )) [ (( belts for clothing; )) ] (( rain jackets; raincoats; )) hooded sweaters; hooded shirts; hooded sweatshirts; beanies [ (( ; gilets )) ]

Class 028. First use: First Use: Jun 14, 2012 First Use In Commerce: Jul 12, 2012

Balls for soccer; toy vehicles; toy cars; toy model cars; beach volleyball game playing equipment; video game interactive remote control unit; electronic gaming machine; amusement game machines; video game machines for use with televisions; home video game machines; video game machines for use with external display screen or monitor; gaming devices, namely, gaming machines, with or without video output

Class 032. First use: First Use: Jan 31, 1987 First Use In Commerce: May 31, 1996


Non-alcoholic beverages, namely, energy drinks, hypertonic drinks, hypotonic drinks

Class 035. First use: First Use: May 31, 2005 First Use In Commerce: Mar 20, 2010


Providing food, beverage and souvenir stands and concession stands featuring food, beverages, clothing, sporting equipment and souvenirs in connection with, at the location of and during the sports competitions, concerts and other events at a sports and entertainment events stadium; online advertising on computer networks; advertising services, namely, providing advertising space for the goods and services of others via print, television, and electronic means and by global information networks; retail gift shops; retail store services featuring a wide variety of consumer goods of others; retail store and online retail store services featuring a wide variety of souvenirs, memorabilia, gifts and collectables;

	<p>promoting goods and services of others in the sports, auto racing, motorcycle racing, bicycle racing, boat racing industries in connection with sports, athletics and racing competitions and exhibitions through the distribution of printed, audio and visual promotional materials; promoting sports events and competitions for others</p> <p>Class 038. First use: First Use: Nov 30, 2007 First Use In Commerce: Nov 30, 2007</p> <p>Telecommunication services, namely, transmission of voice, data, graphics, images, podcasts, webcasts, audio and video by means of telecommunication networks, wireless communication networks, broadband optical or wireless networks, and broadcast services; transmission of radio and television programs by broadcast, podcast, internet distribution, satellite, cable and optical wire; computer aided transmission of messages and streaming of audio, visual, and audiovisual material via a global computer network [ ( ( ; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest ) ) ]</p> <p>Class 041. First use: First Use: Nov 30, 2007 First Use In Commerce: Nov 30, 2007</p> <p>(( Providing online computer games; )) multimedia entertainment services in the nature of recording, production, post-production and distribution services in the field of music, video, and films; entertainment services, namely, organizing, conducting and staging sports events in the fields of basketball, soccer, [ ( ( golf, handball, ) ) ] (( biking, running, )) motorsports, water sports, winter sports, skateboarding, and extreme sports, live musical performances, exhibitions and sports competitions and competitions of skill; entertainment services, namely, on-line publication and provision of non-downloadable publications in the nature of magazines, journals, newsletters, periodicals, blogs and photo books, and multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; providing a website featuring non-downloadable publications in the nature of journals, magazines, periodicals, newsletters, blogs and photo books, and multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; entertainment services, namely, production of radio and television entertainment programs in the field of sports, culture, music, lifestyle and news; organizing exhibits for cultural purposes; entertainment services, namely, providing ongoing television programs, video and still photo exhibitions and webcast television or video programs via a global computer network, all in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; educational services, namely, providing training and arranging and conducting seminars, classes, courses, and workshops in the field of sports, athletic competitions, physical fitness and musical entertainment</p> <p>Class 043. First use: First Use: Mar 20, 2010 First Use In Commerce: Mar 20, 2010</p> <p>Restaurant and bar services, namely, operation of temporary, portable or mobile establishments for serving food, beverages and/or snacks of all types; Arena services, namely, providing stadium facilities for sports events, cultural exhibitions and musical concerts</p> <p>Class 045. First use: First Use: 1997 First Use In Commerce: Mar 20, 2010</p> <p>Licensing of food, beverage and souvenir stands and concession stands at a sports and entertainment events stadium; licensing industrial property rights</p>
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U.S. registration no.	6087691	Application date	05/08/2019
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Register	Principal		
Registration date	06/30/2020	Foreign priority date	NONE
Word mark	RED BULL		
Design mark			
Description of mark	The mark consists of of the stylized wording "RED BULL" in red above an illustration of two opposing or charging bull figures in red and outlined in gold, superimposed over a disk or sun design in gold.		
Goods/services	<p>Class 012. First use: First Use: None First Use In Commerce: None</p> <p>Vehicles namely, bicycles, boats, cars, gliders, motorcycles, racing cars, sailing vessels, space vehicles, wheelchairs, motorized wheelchairs for the disabled and those with mobility difficulties, camera drones, helicams, self-balancing scooters, self-balancing boards; apparatus for locomotion by air, namely, air-planes, airborne platforms for serving spacecrafts and conducting space applications, and structural parts and structural fittings for all of the aforementioned goods; apparatus for locomotion by land, namely, trucks, refrigerated trucks; apparatus for locomotion by water, namely, personal watercraft in the nature of water scooters; air cushion vehicles; parachutes; parts for vehicles and parts for apparatus for locomotion by land, air or water, namely, parts and fittings for air and space vehicles, namely, structural parts for airplanes, structural parts for gliders; parts and fittings for water vehicles, namely, structural parts for boats, parts and fittings for land vehicles, namely, land vehicle structural parts for motorcycles, bicycles, cars, racing cars, brake linings for vehicles, adhesive rubber patches for repairing tubes or tires; bicycles and individual parts therefor, namely, gears for bicycles, wheels for bicycles, electric bicycles, spokes for bicycle wheels, bicycle pedals, bicycle pedal accessories, namely, clips, forks, handlebars, brake cables, bicycle seat posts, bicycle saddles, bicycle carriers for vehicles, folding bicycles, tandem bicycles, bicycle parts, namely, derailleur, bicycle chains; bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles, dress guards for bicycles, motors for bicycles, motors for motorcycles, bicycle pumps, saddle covers for bicycles, stands for bicycles; saddle covers for motorcycles; motorized golf carts; baby carriages; automobile accessories, namely, tires, seats and fitted seat covers, trailer hitches, roof racks, ski carriers, mudguards, snow chains, wind deflectors, head rests, safety belts for vehicle seats, child safety seats, horns, steering wheels, wheel rims, shock absorbers; covers for vehicle steering wheels; motors for land vehicles</p>		


U.S. registration no.	3197810	Application date	08/10/1995
Register	Principal		
Registration date	01/16/2007	Foreign priority date	02/14/1995
Word mark	RED BULL		

Design mark	
Description of mark	NONE
Goods/services	Class 032. First use: First Use: None First Use In Commerce: None [ Mineral waters and aerated waters and other non-alcoholic beverages, namely, flavored waters; ] soft drinks; [ fruit drinks and fruit juices; powders and syrups for making soft drinks, fruit drinks, fruit juices; ] and sports drinks

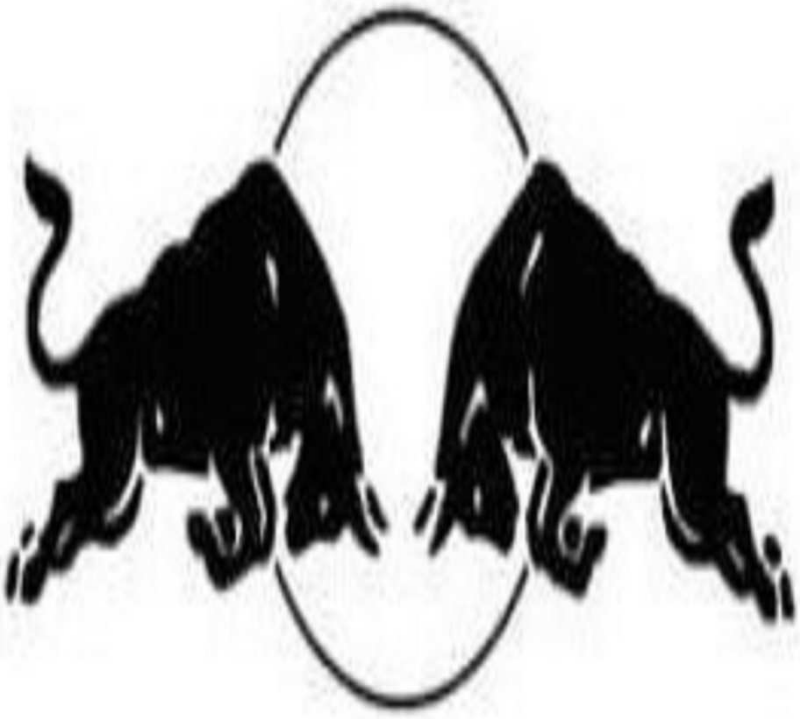
U.S. registration no.	3881732	Application date	08/28/2005
Register	Principal		
Registration date	11/23/2010	Foreign priority date	NONE
Word mark	NONE		
Design mark			
Description of mark	The mark consists of Design of a Charging Bull, Facing Left.		
Goods/services	Class 032. First use: First Use: Jan 31, 1987 First Use In Commerce: May 31, 1996 Non-alcoholic beverages, namely, sports drinks, energy drinks and soft drinks		

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	RED BULL		
Goods/services	development, marketing, advertising, distribution and sale of various products and services including but not limited to, beverages, such as energy drinks and sports drinks; scooters; land vehicles; and parts and accessories related to the same		

U.S. application/ registration no.	NONE	Application date	NONE
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Register	NONE
Registration date	NONE
Mark	
Goods/services	development, marketing, advertising, distribution and sale of various products and services including but not limited to, beverages, such as energy drinks and sports drinks; scooters; land vehicles; and parts and accessories related to the same

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

Mark	
Goods/services	development, marketing, advertising, distribution and sale of various products and services including but not limited to, beverages, such as energy drinks and sports drinks; scooters; land vehicles; and parts and accessories related to the same

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



Mark	
Goods/services	development, marketing, advertising, distribution and sale of various products and services including but not limited to, beverages, such as energy drinks and sports drinks; scooters; land vehicles; and parts and accessories related to the same

Attachments	86115710#TMSN.png( bytes ) 79263504#TMSN.png( bytes ) 74713796#TMSN.png( bytes ) 78702090#TMSN.png( bytes ) Single Bull Logo.jpg TWO BULLS LOGO.jpg RED BULL & TWO BULLS LOGO.jpg 2024.04.02 Notice of Opposition_97661997_Ex A1-A4.pdf(456932 bytes )
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Signature	/Jenine Rossington/
Name	Jenine Rossington
Date	04/02/2024

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

*In re* Application Serial No. 97/661,997  
Filed: November 3, 2022  
Published: December 5, 2023, in the *Official Gazette*



For: BULL CHASSIS

RED BULL, GMBH

Opposer,

v.

BULL CHASSIS,

Applicant.

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

**NOTICE OF OPPOSITION**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, Virginia 22313-1451

Red Bull GmbH (“**Opposer**”) believes that it will be damaged by the registration of the mark shown in Application Serial No. 97/661,997 (the “**Application**”) in Class 12, and hereby opposes the same. Having timely filed requests for extensions of time to oppose the Application, Opposer now timely files this Notice of Opposition.

As grounds for its opposition, Opposer alleges as follows:

**The Parties and the Application**

1. Opposer Red Bull GmbH is a limited liability company organized and existing

under the laws of Austria, with its principal place of business at Am Brunnen 1, 5330 Fuschl am See, Austria.

2. According to the information included in the Application, the applicant is Bull Chassis (“**Applicant**”), a Texas limited liability company having an address at 1084 N El Camino Real Ste 189, Encinitas, California USA 92024.

3. Applicant filed the Application on November 3, 2022 for the trademark



**BULL CHASSIS** (the “**BULL CHASSIS & Bull Device Mark**”) for “Chassis, namely, container chassis; Dry vans in the nature of vans not equipped to carry cold goods; Flat bed trailers” in Class 12, all of which are collectively referred to herein as **Applicant’s Goods**, on the basis of Applicant’s alleged intent-to-use the mark in commerce in the United States pursuant to Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b).


4. The Application was published for opposition on December 5, 2023.

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


5. Opposer is now and has for many years been engaged in the development, marketing, advertising, distribution and sale of various products and services including but not limited to, beverages, such as energy drinks and sports drinks; scooters; land vehicles; and parts and accessories related to the same (collectively “**Opposer’s Goods and Services**”).

6. Opposer is the owner of the corporate name, trade name and trademark RED BULL, in use continuously in interstate commerce on and in connection with Opposer’s Goods and Services since long before the filing date of the Application or any earlier priority date that Applicant is entitled to claim in the BULL CHASSIS & Bull Device Mark.

7. Opposer is also the owner of numerous United States trademark registrations and

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

**Red Bull**  
Device),  (RED BULL & Double Bull Device), and

 (Double Bull Device), and other marks for or incorporating the word BULL and/or the design of a bull, for various goods and services, including, but not limited to, Opposer's Goods and Services (collectively, the "**Red Bull Marks**").

8. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 4,797,664 for the mark Single Bull Device (shown below), which was registered on the Principal Register on August 25, 2015, and covers the goods and services shown therein, including, in relevant part, Opposer's Goods and Services in Class 12. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-1.



9. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 6,087,691 for the mark RED BULL & Double Bull Device (shown below), which was registered on the Principal Register on June 30, 2020, and covers the goods and services shown therein,

including, in relevant part, Opposer's Goods and Services in Class 12. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-2.



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



11. Opposer is the owner of the valid and subsisting U.S. trademark Registration No. 3,881,732 for the mark Single Bull Device (shown below), which was registered on the Principal Register on November 23, 2010, and covers the goods and services shown therein, including non-alcoholic beverages. A true and correct copy of the current TSDR record for this registration showing current status and title is attached hereto in Exhibit A-4.



12. Opposer's various Red Bull Marks have been used continuously in interstate commerce on and in connection with Opposer's Goods and Services since long before the filing date of the Application or any earlier priority date which Applicant is entitled to claim in connection with the BULL CHASSIS & Bull Device Mark.

13. Opposer's Red Bull Marks have become valuable assets of Opposer, serving as both a source indicator for Opposer's Goods and Services, as well as identifying Opposer as an organization or institution in the United States and throughout the world.

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

15. In 2023, Opposer's worldwide sales of its energy drinks, beverages, sports drinks, soft drinks, and carbonated beverages exceeded 12.1 billion units, with significant sales in the United States. As a result of the enormous success and sales of Opposer's Goods and Services, and of the extensive advertising and promotion of Opposer's Red Bull Marks and products in the United States and throughout the world, Opposer's Red Bull Marks are famous marks, and are recognized in the United States and elsewhere as such. For example, Interbrand ranked Red Bull #60 on its 2023 Best Global Brands report. Moreover, the Trademark Trial and Appeal Board has previously found Opposer's trademarks to be famous for energy drinks for purposes of its likelihood of confusion analysis. *See Red Bull GmbH v. Morganti Flavio Innovaciones Gastronomicas, S.L.*, Opp. No. 91223317 (T.T.A.B. Jan. 18, 2019) (Board found RED BULL

Marks famous and sustained opposition against PINK COW and Device in Class 32) and *Red Bull GmbH v. Bullred Clothing, Inc.*, Opp. No. 91216739 (T.T.A.B. Jan. 12, 2016).

**Applicant's Application to Register the BULL CHASSIS & Bull Device Mark**

16. The Applicant seeks registration of the mark shown in the Application for use in connection with Applicant's Goods, all of which are identical and closely related to Opposer's Goods and Services and the goods and services for which Opposer both uses its RED BULL Marks and owns registrations.

17. On information and belief, Applicant was aware of Opposer and one or more of the Red Bull Marks before it filed the Application to register the BULL CHASSIS & Bull Device Mark.

18. The BULL CHASSIS & Bull Device Mark depicts a solid outline of a sideways facing, charging bull design coupled with the word BULL.

19. The BULL CHASSIS & Bull Device Mark is highly similar in appearance and overall commercial impression to one or more of the Red Bull Marks.

20. The BULL CHASSIS & Bull Device Mark is confusingly similar in appearance and overall commercial impression to one or more of the Red Bull Marks.

21. The goods described in the Application are identical, similar and related to Opposer's Goods and Services for which it uses and has register the Red Bull Marks.

**FIRST CLAIM FOR RELIEF**  
**(Likelihood of Confusion with Registered Trademarks)**

22. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 21 above, as though fully set forth herein.

23. The mark shown in the Application so resembles one or more of Opposer's registered Red Bull Marks as to be likely, when used on or in connection with the goods

identified in the Application, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under § 2(d) of the United States Trademark Act, 15 U.S.C. §1052(d).

24. Opposer will be damaged by registration of the mark shown in the opposed Application because the registration will give Applicant *prima facie* evidence of the validity of its confusingly similar mark and the exclusive nationwide right to use its confusingly-similar mark in commerce in connection with the goods identified in the Application, in derogation of Opposer's rights in the Red Bull Marks.

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

25. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 24 above, as though fully set forth herein.

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

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

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

28. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 27 above, as though fully set forth herein.



29. Opposer's Red Bull Marks are famous in the United States and became famous in the United States long before the filing date of the Application, or any earlier date of actual use of the mark shown in the Application upon which Applicant can rely.

30. Use of Applicant's mark is likely to cause dilution by blurring of Opposer's Red Bull Marks in that Applicant's target customers are likely to associate Applicant's goods with Opposer and Opposer's famous Red Bull Marks even if they are not confused as to the different origins of these goods.

31. Accordingly, the Application must be refused registration under Section 43(c) of the United States Trademark Act, 15 U.S.C. §1125(c).

**PRAYER FOR RELIEF**

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

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

Dated: April 2, 2024

By:/Jenine Rossington/

Tywanda Harris Lord

Jenine Rossington

Kilpatrick Townsend & Stockton LLP

1100 Peachtree Street NE Suite 2800

Atlanta, GA USA 30309

Telephone: (404) 745-2597

tlord@ktslaw.com

jrossington@ktslaw.com

Tiffani Otey

Kilpatrick Townsend & Stockton LLP

1001 West Fourth Street

Winston Salem, NC USA 27101

Telephone: (336) 607-7300  
totey@ktslaw.com

*Attorneys for Opposer Red Bull GmbH*

## **EXHIBIT A-1**

Generated on: This page was generated by TSDR on 2024-04-02 13:44:59 EDT

Mark:



US Serial Number: 86115710

Application Filing Date: Nov. 11, 2013

US Registration Number: 4797664

Registration Date: Aug. 25, 2015

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: A partial Section 8 declaration has been accepted.

Status Date: Jan. 06, 2022

Publication Date: Jan. 06, 2015

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## Mark Information

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Mark Literal Elements: None

Standard Character Claim: No

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

Description of Mark: The mark consists of a stylized bull.

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

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Calves; Bulls; Oxen; Steers  
03.07.24 - Stylized goats and sheep  
03.07.21 - Stylized cows, buffalo, and other bovines

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## Related Properties Information

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Claimed Ownership of US Registrations: 2946045, 3881732, 4366357 and others

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## Goods and Services

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**Note:**

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

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

**For:** Metal key rings; prefabricated metal platforms, namely, podiums of metal

**International Class(es):** 006 - Primary Class

**U.S Class(es):** 002, 012, 013, 014, 023, 025, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 14, 2012

**Use in Commerce:** Oct. 11, 2012

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**For:** Prerecorded video and audio discs featuring musical performances, concerts, sports events, sports competitions and exhibitions, fitness, athletic training and conditioning, and exhibitions and competitions of skill; protective clothing, namely, helmets; downloadable electronic publications in the nature of magazines, journals, newsletters, periodicals, electronic books, and photo books, in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; downloadable multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics, in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; [ (( software for accessing and downloading electronic publications; )) ] downloadable software applications for accessing publications and multimedia content in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography on mobile electronic devices; (( downloadable electronic games programs; )) [ (( protective ear coverings; )) ] marking and signaling buoys; wind socks

**International Class(es):** 009 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 30, 2007

**Use in Commerce:** Nov. 30, 2007

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**For:** [ (( Ear plugs for noise reduction )) ]

**International Class(es):** 010 - Primary Class

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

**Class Status:** SECTION 8 - CANCELLED

**Basis:** 1(a)

**First Use:** Jun. 14, 2012

**Use in Commerce:** Oct. 09, 2012

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**For:** Apparatus for refrigerating, namely, refrigerators, refrigerated drinks cabinets

**International Class(es):** 011 - Primary Class

**U.S Class(es):** 013, 021, 023, 031, 034

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1999

**Use in Commerce:** Dec. 31, 1999

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**For:** [ (( Carts; )) ] land vehicles

**International Class(es):** 012 - Primary Class

**U.S Class(es):** 019, 021, 023, 031, 035, 044

**Class Status:** ACTIVE

**Basis:** 1(a)

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

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

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**For:** Horological and chronometric instruments, namely, watches, wrist watches

**International Class(es):** 014 - Primary Class

**U.S Class(es):** 002, 027, 028, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 14, 2012

**Use in Commerce:** Jun. 26, 2012

---

**For:** Printed matter, namely, books and magazines featuring musical performances, concerts, sports events, sports competitions and exhibitions, health and nutrition, fitness, athletic training and conditioning, athletic equipment and clothing, travelogues, humor and comedy performances and exhibitions and competitions of skill

**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:** May 31, 2005

**Use in Commerce:** May 10, 2011

---

**For:** Backpacks; [ (( wheeled luggage; roll bags; )) ] gym bags; sports bags; overnight bags; (( shoulder bags; travelling bags; )) [ (( messenger bags; )) ] umbrellas; parasols

**International Class(es):** 018 - Primary Class

**U.S Class(es):** 001, 002, 003, 022, 041

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1998

**Use in Commerce:** Dec. 31, 1998

---

**For:** Tables; desks; display stands, display racks, display shelves, display cases; multi-level trays for point of sale product arrangement and display

**International Class(es):** 020 - Primary Class

**U.S Class(es):** 002, 013, 022, 025, 032, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1998

**Use in Commerce:** Dec. 31, 1998

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**For:** Ice buckets; beverage bottles sold empty; cups; [ (( mugs; )) ] drinking vessels and drinking glasses; beverage glassware; drinking glasses, namely, tumblers [ (( ; trash cans; non-metal coin banks )) ]

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1998

**Use in Commerce:** Dec. 31, 1998

---

**For:** [ (( Sails; )) ] lanyards for holding keys and badges

**International Class(es):** 022 - Primary Class

**U.S Class(es):** 001, 002, 007, 019, 022, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1998

**Use in Commerce:** Dec. 31, 1998

---

**For:** Textile flags

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1995

**Use in Commerce:** Feb. 01, 2001

---

**For:** Polo shirts; long-sleeved shirts; short-sleeved shirts; sleeveless shirts; tank tops; (( vests; )) [ (( belts for clothing; )) ] (( rain jackets; raincoats; )) hooded sweaters; hooded shirts; hooded sweatshirts; beanies [ (( ; gilets )) ]

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 14, 2012

**Use in Commerce:** Jun. 15, 2012

---

**For:** Balls for soccer; toy vehicles; toy cars; toy model cars; beach volleyball game playing equipment; video game interactive remote control unit; electronic gaming machine; amusement game machines; video game machines for use with televisions; home video game machines; video game machines for use with external display screen or monitor; gaming devices, namely, gaming machines, with or without video output

**International Class(es):** 028 - Primary Class

**U.S Class(es):** 022, 023, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 14, 2012

**Use in Commerce:** Jul. 12, 2012

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**For:** Non-alcoholic beverages, namely, energy drinks, hypertonic drinks, hypotonic drinks

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

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

**Class Status:** ACTIVE

**Basis:** 1(a)

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

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

---

**For:** Providing food, beverage and souvenir stands and concession stands featuring food, beverages, clothing, sporting equipment and souvenirs in connection with, at the location of and during the sports competitions, concerts and other events at a sports and entertainment events stadium; online advertising on computer networks; advertising services, namely, providing advertising space for the goods and services of others via print, television, and electronic means and by global information networks; retail gift shops; retail store services featuring a wide variety of consumer goods of others; retail store and online retail store services featuring a wide variety of souvenirs, memorabilia, gifts and collectables; promoting goods and services of others in the sports, auto racing, motorcycle racing,

bicycle racing, boat racing industries in connection with sports, athletics and racing competitions and exhibitions through the distribution of printed, audio and visual promotional materials; promoting sports events and competitions for others

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 31, 2005

**Use in Commerce:** Mar. 20, 2010

**For:** Telecommunication services, namely, transmission of voice, data, graphics, images, podcasts, webcasts, audio and video by means of telecommunication networks, wireless communication networks, broadband optical or wireless networks, and broadcast services; transmission of radio and television programs by broadcast, podcast, internet distribution, satellite, cable and optical wire; computer aided transmission of messages and streaming of audio, visual, and audiovisual material via a global computer network [ ( ; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest ) ]

**International Class(es):** 038 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 30, 2007

**Use in Commerce:** Nov. 30, 2007

**For:** (( Providing online computer games; )) multimedia entertainment services in the nature of recording, production, post-production and distribution services in the field of music, video, and films; entertainment services, namely, organizing, conducting and staging sports events in the fields of basketball, soccer, [ (( golf, handball, )) ] (( biking, running, )) motorsports, water sports, winter sports, skateboarding, and extreme sports, live musical performances, exhibitions and sports competitions and competitions of skill; entertainment services, namely, on-line publication and provision of non-downloadable publications in the nature of magazines, journals, newsletters, periodicals, blogs and photo books, and multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; providing a website featuring non-downloadable publications in the nature of journals, magazines, periodicals, newsletters, blogs and photo books, and multimedia content in the nature of multimedia files containing audio, video, text, binary, still images, and graphics in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; entertainment services, namely, production of radio and television entertainment programs in the field of sports, culture, music, lifestyle and news; organizing exhibits for cultural purposes; entertainment services, namely, providing ongoing television programs, video and still photo exhibitions and webcast television or video programs via a global computer network, all in the fields of news, special interest features, sports, people, art, culture, entertainment, night life, travel, adventure, music and photography; educational services, namely, providing training and arranging and conducting seminars, classes, courses, and workshops in the field of sports, athletic competitions, physical fitness and musical entertainment

**International Class(es):** 041 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 30, 2007

**Use in Commerce:** Nov. 30, 2007

**For:** Restaurant and bar services, namely, operation of temporary, portable or mobile establishments for serving food, beverages and/or snacks of all types; Arena services, namely, providing stadium facilities for sports events, cultural exhibitions and musical concerts

**International Class(es):** 043 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 20, 2010

**Use in Commerce:** Mar. 20, 2010

**For:** Licensing of food, beverage and souvenir stands and concession stands at a sports and entertainment events stadium; licensing industrial property rights

**International Class(es):** 045 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1997

**Use in Commerce:** Mar. 20, 2010

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44D:** No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: Red Bull GmbH

Owner Address: AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country AUSTRIA  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Anthony Malutta

Docket Number: 1358058

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

Attorney Email Authorized: Yes

### Correspondent

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

Phone: 415-576-0200

Fax: 415-576-0300

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

Correspondent e-mail Authorized: Yes

### Domestic Representative

&nbsp;Domestic Representative Name: Anthony Malutta

Phone: 415-576-0200

Fax: 415-576-0300

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

&nbsp;Domestic Representative e-mail Authorized: Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 06, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jan. 06, 2022	SEC. 15 ACKNOWLEDGEMENT - E-MAILED	
Jan. 06, 2022	REGISTERED - SEC. 15 ACKNOWLEDGED	
Jan. 06, 2022	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED	
Jan. 06, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Jul. 30, 2021	TEAS SECTION 8 RECEIVED	
Jul. 30, 2021	TEAS SECTION 15 RECEIVED	
Aug. 25, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 16, 2019	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Dec. 16, 2019	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 05, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	



Apr. 05, 2017 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
 Apr. 05, 2017 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
 Nov. 22, 2016 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
 Nov. 22, 2016 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
 Aug. 25, 2015 REGISTERED-PRINCIPAL REGISTER  
 Jul. 21, 2015 EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED  
 Jan. 28, 2015 EXTENSION OF TIME TO OPPOSE RECEIVED  
 Jan. 06, 2015 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED  
 Jan. 06, 2015 PUBLISHED FOR OPPOSITION  
 Dec. 17, 2014 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED  
 Dec. 03, 2014 LAW OFFICE PUBLICATION REVIEW COMPLETED  
 Dec. 03, 2014 ASSIGNED TO LIE  
 Nov. 14, 2014 APPROVED FOR PUB - PRINCIPAL REGISTER  
 Nov. 11, 2014 TEAS/EMAIL CORRESPONDENCE ENTERED  
 Nov. 10, 2014 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 Nov. 10, 2014 TEAS REQUEST FOR RECONSIDERATION RECEIVED  
 May 20, 2014 NOTIFICATION OF FINAL REFUSAL EMAILED  
 May 20, 2014 FINAL REFUSAL E-MAILED  
 May 20, 2014 FINAL REFUSAL WRITTEN  
 Apr. 29, 2014 TEAS/EMAIL CORRESPONDENCE ENTERED  
 Apr. 29, 2014 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 Apr. 29, 2014 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
 Dec. 18, 2013 NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED  
 Dec. 18, 2013 EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED  
 Dec. 18, 2013 COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY  
 Dec. 18, 2013 EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED  
 Dec. 11, 2013 ASSIGNED TO EXAMINER  
 Nov. 23, 2013 NOTICE OF DESIGN SEARCH CODE E-MAILED  
 Nov. 22, 2013 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED  
 Nov. 14, 2013 NEW APPLICATION ENTERED

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** TMO LAW OFFICE 113

**Date in Location:** Jan. 06, 2022

## Proceedings

### Summary

**Number of Proceedings:** 2

### Type of Proceeding: Opposition

**Proceeding Number:** [91264945](#)

**Filing Date:** Sep 23, 2020

**Status:** Terminated

**Status Date:** Dec 05, 2023

**Interlocutory Attorney:** MARY B MYLES

### Defendant

**Name:** Jason Lentzke

**Correspondent Address:** ANDREW J DHUEY  
 456 BOYNTON AVENUE  
 BERKELEY CA UNITED STATES , 94707

**Correspondent e-mail:** [ajdhuey@comcast.net](mailto:ajdhuey@comcast.net) , [baclarke@comcast.net](mailto:baclarke@comcast.net)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
		<a href="#">88806080</a>	
<b>Plaintiff(s)</b>			
<b>Name:</b> Red Bull GmbH			
<b>Correspondent Address:</b> TYWANDA HARRIS LORD KILPATRICK TOWNSEND & STOCKTON LLP 1100 PEACHTREE STREET NE SUITE 2800 ATLANTA GA UNITED STATES , 30309			
<b>Correspondent e-mail:</b> <a href="mailto:lford@ktslaw.com">lford@ktslaw.com</a> , <a href="mailto:totey@ktslaw.com">totey@ktslaw.com</a> , <a href="mailto:cminervino@ktslaw.com">cminervino@ktslaw.com</a> , <a href="mailto:kteilhaber@ktslaw.com">kteilhaber@ktslaw.com</a> , <a href="mailto:tmadmin@ktslaw.com">tmadmin@ktslaw.com</a>			
<b>Associated marks</b>			
Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">85831894</a>	<a href="#">4647395</a>
		<a href="#">85831930</a>	<a href="#">4578384</a>
RED BULL		<a href="#">79051172</a>	<a href="#">3718691</a>
		<a href="#">86115710</a>	<a href="#">4797664</a>
<b>Prosecution History</b>			
Entry Number	History Text	Date	Due Date
68	TERMINATED	Dec 05, 2023	
67	BD DECISION: OPP DISMISSED W/ PREJ	Dec 05, 2023	
66	W/DRAW OF APPLICATION W/ CONSENT	Nov 30, 2023	
65	SUSPENDED	Oct 23, 2023	
64	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 18, 2023	
63	BOARD ORDER RE FINAL PRETRIAL CONF DATES REMAIN AS SET	Aug 08, 2023	
62	PRE TRIAL CONFERENCE DATES SET	Jun 29, 2023	
61	RESPONSE DUE	Jun 12, 2023	
60	P MOT AND D CROSS MOTION FOR PARTIAL SJ DENIED	May 31, 2023	
59	P OPP/RESP TO MOTION	Mar 17, 2023	
58	D REQ FOR ORAL HEARING	Mar 08, 2023	
57	D REPLY IN SUPPORT OF MOTION	Mar 07, 2023	
56	CONFIDENTIAL - D REPLY BRIEF	Mar 07, 2023	
55	CONFIDENTIAL - PL COMBINED OPP AND REPLY	Feb 15, 2023	
54	P OPP/RESP TO MOTION	Feb 15, 2023	
53	P OPP/RESP TO MOTION	Feb 15, 2023	
52	D OPP/RESP TO MOTION	Jan 16, 2023	
51	CONFIDENTIAL - DEF OPP RESPONSE TO MOTION	Jan 16, 2023	
50	CONFIDENTIAL - DEF CONF OPP RESP TO MOTION	Jan 16, 2023	
49	CONFIDENTIAL - DEF CONF OPP RESPONSE TO MOT	Jan 16, 2023	
48	SUSP PEND DISP OF OUTSTNDNG MOT	Dec 20, 2022	
47	PL BULKY CD ROM	Dec 09, 2022	
46	PL BULKY EXHIBITS CD ROM	Dec 09, 2022	
45	STIP FOR EXT	Dec 06, 2022	
44	P MOT FOR SUMMARY JUDGMENT	Dec 05, 2022	
43	CONFIDENTIAL - PL CONF EXHIBITS	Dec 05, 2022	
42	P REPLY IN SUPPORT OF MOTION	Nov 22, 2022	
41	D OPP/RESP TO MOTION	Nov 08, 2022	
40	P MOT TO STRIKE PLEADING/AFFIRMATIVE DEFENSE	Oct 19, 2022	
39	ANSWER TO COUNTERCLAIM	Oct 19, 2022	
38	TRIAL DATES RESET	Sep 28, 2022	
37	CONFIDENTIAL - DEF'S REPLY BRIEF IN SUPPORT OF MOTION	May 30, 2022	
36	DEF REPLY BRIEF ISO MOTION CHALLENGING AEO DESIGNATIONS	May 30, 2022	
35	P OPP/RESP TO MOTION	May 26, 2022	
34	SUSP PEND DISP OF OUTSTNDNG MOT	May 13, 2022	
33	CONFIDENTIAL - DEF MOT TO CHALLENGE	May 06, 2022	

32	D'S MOT TO CHALLENGE PL DESIGNATION OF ITS CONTRACTS W SPONSORED ATHLETES	May 06, 2022	
31	ANSWER AND COUNTERCLAIM ( FEE)	May 03, 2022	
30	P MOT TO AMEND PLEADING/AMENDED PLEADING	Apr 22, 2022	
29	TRIAL DATES RESET	Apr 04, 2022	
28	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 09, 2022	
27	CONFIDENTIAL - D MOT TO AMEND ANSWER	Mar 02, 2022	
26	MOT TO AMEND ANS OR COUNTERCLAIM/AMENDED ANS OR COUNTERCLAIM	Mar 02, 2022	
25	EXTENSION OF TIME GRANTED	Dec 20, 2021	
24	P MOT FOR EXT W/ CONSENT	Dec 20, 2021	
23	TRIAL DATES RESET	Dec 11, 2021	
22	D REPLY IN SUPPORT OF MOTION	Aug 22, 2021	
21	P OPP/RESP TO MOTION	Aug 19, 2021	
20	CONFIDENTIAL - PL RESPONSE IN OPPOSITION	Aug 19, 2021	
19	DEF NOTICE OF EXPERT WITNESS DISCLOSURE	Aug 13, 2021	
18	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 06, 2021	
17	D MOT TO COMPEL DISCOVERY	Jul 30, 2021	
16	TRIAL DATES RESET	Jun 09, 2021	
15	P MOT FOR EXT W/ CONSENT	Jun 02, 2021	
14	D REPLY IN SUPPORT OF MOTION	May 11, 2021	
13	P OPP/RESP TO MOTION	May 03, 2021	
12	D MOT TO CORRECT APPLICATION DATE OF USE	Apr 13, 2021	
11	PROCEEDINGS RESUMED	Dec 31, 2020	
10	P REPLY IN SUPPORT OF MOTION	Dec 23, 2020	
9	D OPP/RESP TO MOTION	Dec 09, 2020	
8	SUSP PEND DISP OF OUTSTNDNG MOT	Nov 23, 2020	
7	P MOT TO STRIKE	Nov 19, 2020	
6	ANSWER NO CC; TRIAL DATES REMAIN AS SET	Nov 03, 2020	
5	ANSWER	Nov 02, 2020	
4	D APPEARANCE / POWER OF ATTORNEY	Nov 02, 2020	
3	INSTITUTED	Sep 23, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 23, 2020	Nov 02, 2020
1	FILED AND FEE	Sep 23, 2020	

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [86115710](#)

**Filing Date:** Jan 28, 2015

**Status:** Terminated

**Status Date:** Jul 21, 2015

**Interlocutory Attorney:**

**Defendant**

**Name:** Red Bull GmbH

**Correspondent Address:** MARTIN R. GREENSTEIN  
TECHMARK A LAW CORPORATION  
4820 HARWOOD RD FL 2  
SAN JOSE CA , 95124-5200

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
		<a href="#">86115710</a>	

**Potential Opposer(s)**

**Name:** Tongal, Inc.

**Correspondent Address:** CORY M. AMRON  
VORYS, SATER, SEYMOUR AND PEASE LLP  
IPLAW@VORYS - PO BOX 2255  
COLUMBUS OH UNITED STATES , 43216-2255

**Correspondent e-mail:** [iplaw@vorys.com](mailto:iplaw@vorys.com) , [cmamron@vorys.com](mailto:cmamron@vorys.com) , [tmcurcio@vorys.com](mailto:tmcurcio@vorys.com) , [jspiantanida@vorys.com](mailto:jspiantanida@vorys.com)

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
4	EXTENSION OF TIME GRANTED	May 01, 2015	
3	INCOMING - EXT TIME TO OPPOSE FILED	May 01, 2015	
2	EXTENSION OF TIME GRANTED	Jan 28, 2015	
1	INCOMING - EXT TIME TO OPPOSE FILED	Jan 28, 2015	

## **EXHIBIT A-2**

Generated on: This page was generated by TSDR on 2024-04-02 13:45:38 EDT

Mark: RED BULL



US Serial Number: 79263504

Application Filing Date: May 08, 2019

US Registration Number: 6087691

Registration Date: Jun. 30, 2020

Register: Principal

Mark Type: Trademark

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. 30, 2020

Publication Date: Apr. 14, 2020

## Mark Information

Mark Literal Elements: RED BULL

Standard Character Claim: No

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

Description of Mark: The mark consists of of the stylized wording "RED BULL" in red above an illustration of two opposing or charging bull figures in red and outlined in gold, superimposed over a disk or sun design in gold.

Color Drawing: Yes

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

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Calves; Bulls; Oxen; Steers  
03.07.24 - Stylized goats and sheep  
01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise  
03.07.21 - Stylized cows, buffalo, and other bovines

## Related Properties Information

International Registration Number: 1366163

International Registration Date: Jan. 16, 2017

## 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:** Vehicles namely, bicycles, boats, cars, gliders, motorcycles, racing cars, sailing vessels, space vehicles, wheelchairs, motorized wheelchairs for the disabled and those with mobility difficulties, camera drones, helicams, self-balancing scooters, self-balancing boards; apparatus for locomotion by air, namely, airplanes, airborne platforms for serving spacecrafts and conducting space applications, and structural parts and structural fittings for all of the aforementioned goods; apparatus for locomotion by land, namely,

trucks, refrigerated trucks; apparatus for locomotion by water, namely, personal watercraft in the nature of water scooters; air cushion vehicles; parachutes; parts for vehicles and parts for apparatus for locomotion by land, air or water, namely, parts and fittings for air and space vehicles, namely, structural parts for airplanes, structural parts for gliders; parts and fittings for water vehicles, namely, structural parts for boats, parts and fittings for land vehicles, namely, land vehicle structural parts for motorcycles, bicycles, cars, racing cars, brake linings for vehicles, adhesive rubber patches for repairing tubes or tires; bicycles and individual parts therefor, namely, gears for bicycles, wheels for bicycles, electric bicycles, spokes for bicycle wheels, bicycle pedals, bicycle pedal accessories, namely, clips, forks, handlebars, brake cables, bicycle seat posts, bicycle saddles, bicycle carriers for vehicles, folding bicycles, tandem bicycles, bicycle parts, namely, derailleur, bicycle chains; bicycle accessories, namely, luggage carriers for bicycles, bells for bicycles, dress guards for bicycles, motors for bicycles, motors for motorcycles, bicycle pumps, saddle covers for bicycles, stands for bicycles; saddle covers for motorcycles; motorized golf carts; baby carriages; automobile accessories, namely, tires, seats and fitted seat covers, trailer hitches, roof racks, ski carriers, mudguards, snow chains, wind deflectors, head rests, safety belts for vehicle seats, child safety seats, horns, steering wheels, wheel rims, shock absorbers; covers for vehicle steering wheels; motors for land vehicles

**International Class(es):** 012 - Primary Class

**U.S Class(es):** 019, 021, 023, 031, 035, 044

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Filed 66A:** Yes

**Currently 66A:** Yes

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Red Bull GmbH

**Owner Address:** Am Brunnen 1  
A-5330 Fuschl am See  
AUSTRIA

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Anthony Malutta

**Docket Number:** 1358141

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

**Attorney Email Authorized:** Yes

### Correspondent

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

**Phone:** 415-576-0200

**Fax:** 415-576-0300

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

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**&nbsp;Domestic Representative Name:** Anthony Malutta

**Phone:** 415-576-0200

**Fax:** 415-576-0300

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

**&nbsp;Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Proceeding

Date	Description	Number
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 14, 2020	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 22, 2020	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 21, 2020	FINAL DISPOSITION PROCESSED	
Sep. 30, 2020	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jun. 30, 2020	REGISTERED-PRINCIPAL REGISTER	
Apr. 14, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 14, 2020	PUBLISHED FOR OPPOSITION	
Mar. 25, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 06, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 05, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	
Mar. 05, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 05, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 18, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 18, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Feb. 18, 2020	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Feb. 18, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Feb. 18, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Feb. 18, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 04, 2019	REFUSAL PROCESSED BY IB	
Sep. 13, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 13, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 11, 2019	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 10, 2019	REFUSAL PROCESSED BY MPU	
Aug. 20, 2019	APPLICATION FILING RECEIPT MAILED	
Aug. 17, 2019	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Aug. 16, 2019	NON-FINAL ACTION WRITTEN	
Aug. 16, 2019	ASSIGNED TO EXAMINER	
Aug. 16, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Jul. 31, 2019	LIMITATION FROM ORIGINAL APPLICATION ENTERED	
Jul. 18, 2019	SN ASSIGNED FOR SECT 66A SUBSEQ DESIG FROM IB	

## International Registration Information (Section 66a)

<p><b>International Registration Number:</b> 1366163</p> <p><b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED</p> <p><b>Notification of Designation Date:</b> Jul. 18, 2019</p> <p><b>International Registration Renewal Date:</b> Jan. 16, 2027</p> <p><b>First Refusal Flag:</b> Yes</p>	<p><b>International Registration Date:</b> Jan. 16, 2017</p> <p><b>Date of International Registration Status:</b> Jul. 18, 2019</p> <p><b>Date of Automatic Protection:</b> Jan. 18, 2021</p>
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## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jun. 30, 2020



## **EXHIBIT A-3**

Generated on: This page was generated by TSDR on 2024-04-02 13:46:45 EDT

Mark: RED BULL



US Serial Number: 74713796

Application Filing Date: Aug. 10, 1995

US Registration Number: 3197810

Registration Date: Jan. 16, 2007

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Apr. 18, 2022

Publication Date: Mar. 21, 2006

## Mark Information

Mark Literal Elements: RED BULL

Standard Character Claim: No

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

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

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

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

## Foreign Information

Priority Claimed: Yes

Foreign Application Number: 395066565

Foreign Application Filing Date: Feb. 14, 1995

Foreign Registration Number: 395066565

Foreign Registration Date: Jul. 25, 1995

Foreign Application/Registration Country: GERMANY

Foreign Expiration Date: Feb. 28, 2015

## Goods and Services

### Note:

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

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

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

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

## Basis Information (Case Level)

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

## Current Owner(s) Information

Owner Name: RED BULL GMBH

Owner Address: AM BRUNNEN 1  
FUSCHL AM SEE AUSTRIA A5330

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Anthony Malutta

Docket Number: 1358138

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

Attorney Email Authorized: Yes

### Correspondent

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

Phone: 415-576-0200

Fax: 415-576-0300

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

Correspondent e-mail Authorized: Yes

### Domestic Representative

&nbsp;Domestic Representative Name: Anthony Malutta

Phone: 415-576-0200

Fax: 415-576-0300

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

&nbsp;Domestic Representative e-mail Authorized: Yes

## Prosecution History

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

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

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

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

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

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 2

**Registrant:** RED BULL GMBH

### Assignment 1 of 2

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

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

**Pages:** 4

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

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

#### Assignor

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

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

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

**State or Country Where Organized:** GERMANY

#### Assignee

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

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

**State or Country Where Organized:** AUSTRIA

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

#### Correspondent

**Correspondent Name:** TECHMARK A LAW CORPORATION

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

#### Domestic Representative

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

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

### Assignment 2 of 2

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

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

**Pages:** 8

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

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

#### Assignor

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

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

#### Assignee

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

State or Country Where Organized: AUSTRIA

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

#### Correspondent

Correspondent Name: TECHMARK A LAW CORPORATION

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

#### Domestic Representative

Domestic Representative Name: TECHMARK A LAW CORPORATION

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

## Proceedings

#### Summary

Number of Proceedings: 7

#### Type of Proceeding: Opposition

Proceeding Number: [91283107](#)

Filing Date: Jan 30, 2023

Status: Terminated

Status Date: Jan 02, 2024

Interlocutory Attorney: TASHIA A BUNCH

#### Defendant

Name: Nick Tonsich

Correspondent Address: JAN A. SUNDBERG  
AVYNO LAW P.C.  
6345 BALBOA BLVD., BLDG. I, SUITE 312  
ENCINO CA UNITED STATES , 91316

Correspondent e-mail: [trademarks@avynolaw.com](mailto:trademarks@avynolaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BLUE COW		<a href="#">90011007</a>	

#### Plaintiff(s)

Name: Red Bull GmbH

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>

[78347148](#) [2946045](#)  
[75694927](#) [3838170](#)

#### Prosecution History

Entry Number	History Text	Date	Due Date
11	TERMINATED	Jan 02, 2024	
10	BD DECISION: OPP DISMISSED	Jan 02, 2024	
9	P RESP TO BD ORDER/INQUIRY	Dec 13, 2023	
8	SUSPENDED	Nov 27, 2023	
7	MOT TO AMEND APPLICATION	Oct 26, 2023	
6	ANSWER	Apr 21, 2023	
5	D RESP TO BD ORDER/INQUIRY	Apr 21, 2023	
4	NOTICE OF DEFAULT	Mar 22, 2023	
3	INSTITUTED	Jan 30, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 30, 2023	Mar 11, 2023
1	FILED AND FEE	Jan 30, 2023	

#### Type of Proceeding: Opposition

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

**Filing Date:** Aug 02, 2021

**Status:** Terminated

**Status Date:** Aug 11, 2022

**Interlocutory Attorney:** GEOFFREY MCNUTT

#### Defendant

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

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
FLYING BULL		<a href="#">88922071</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">74589654</a>	<a href="#">1935272</a>
RED BULL		<a href="#">77686056</a>	<a href="#">4099363</a>
RED BULL		<a href="#">78347152</a>	<a href="#">3092197</a>
GIVES YOU WINGS		<a href="#">77318511</a>	<a href="#">3585402</a>
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>
		<a href="#">78347148</a>	<a href="#">2946045</a>
		<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
21	TERMINATED	Aug 11, 2022	
20	BD DECISION: OPP DISMISSED	Aug 11, 2022	
19	W/DRAW OF APPLICATION W/ CONSENT	Aug 11, 2022	

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

### Type of Proceeding: Cancellation

**Proceeding Number:** [92076894](#) **Filing Date:** Apr 13, 2021  
**Status:** Terminated **Status Date:** Apr 18, 2022  
**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>

#### Plaintiff(s)

**Name:** Bison Products, LLC  
**Correspondent Address:** SAM SOKHANSANJ  
LAW OFFICE OF SAM SOKHANSANJ PLLC  
2101 CEDAR SPRINGS RD., SUITE 1050  
DALLAS TX UNITED STATES , 75201  
**Correspondent e-mail:** [sam@attorneysam.com](mailto:sam@attorneysam.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BISON		<a href="#">90081512</a>	
BISON		<a href="#">90081540</a>	
BISON		<a href="#">90081580</a>	
BISON		<a href="#">90081586</a>	

#### Prosecution History

Entry Number	History Text	Date	Due Date
11	TERMINATED	Apr 18, 2022	
10	BD DECISION: CAN DENIED W/PREJ	Feb 02, 2022	
9	DELETE ENTRY	Feb 08, 2022	



8	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 12, 2021	
7	D REPLY IN SUPPORT OF MOTION	Jun 17, 2021	
6	D CHANGE OF CORRESP ADDRESS	Jun 01, 2021	
5	P OPP/RESP TO MOTION	May 28, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	May 25, 2021	
3	INSTITUTED	Apr 15, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 15, 2021	May 25, 2021
1	FILED AND FEE	Apr 13, 2021	

### Type of Proceeding: Opposition

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

**Filing Date:** Mar 23, 2021

**Status:** Terminated

**Status Date:** Aug 05, 2022

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Bison Products, LLC

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BISON		<a href="#">90081512</a>	
BISON		<a href="#">90081540</a>	
BISON		<a href="#">90081580</a>	
BISON		<a href="#">90081586</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>
		<a href="#">78347148</a>	<a href="#">2946045</a>
		<a href="#">75694927</a>	<a href="#">3838170</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
30	TERMINATED	Aug 05, 2022	
29	BD DECISION: OPP DISMISSED	Aug 05, 2022	
28	W/DRAW OF APPLICATION W/ CONSENT	Aug 01, 2022	
27	EXTENSION OF TIME GRANTED	Jul 06, 2022	
26	P MOT FOR EXT W/ CONSENT	Jul 06, 2022	
25	EXTENSION OF TIME GRANTED	May 11, 2022	
24	P MOT FOR EXT W/ CONSENT	May 11, 2022	
23	EXTENSION OF TIME GRANTED	Apr 04, 2022	
22	P MOT FOR EXT W/ CONSENT	Apr 04, 2022	
21	SUSPENDED	Feb 09, 2022	

20	P REPLY IN SUPPORT OF MOTION	Oct 21, 2021	
19	D OPP/RESP TO MOTION	Oct 01, 2021	
18	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 30, 2021	
17	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Sep 13, 2021	
16	P CHANGE OF CORRESP ADDRESS	Sep 13, 2021	
15	TRIAL DATES RESET	Aug 10, 2021	
14	ANSWER AND COUNTERCLAIM ( FEE)	Aug 03, 2021	
13	D OPP/RESP TO MOTION	Jul 26, 2021	
12	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jul 26, 2021	
11	EXTENSION OF TIME GRANTED	Jun 30, 2021	
10	D MOT FOR EXT W/ CONSENT	Jun 30, 2021	
9	EXTENSION OF TIME GRANTED	May 28, 2021	
8	D MOT FOR EXT W/ CONSENT	May 28, 2021	
7	TRIAL DATES RESET	May 05, 2021	
6	P MOT TO AMEND PLEADING/AMENDED PLEADING	May 03, 2021	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Apr 21, 2021	
4	D MOT TO DISMISS: FRCP 12(B)	Apr 13, 2021	
3	INSTITUTED	Mar 23, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 23, 2021	May 02, 2021
1	FILED AND FEE	Mar 23, 2021	

### Type of Proceeding: Opposition

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

**Filing Date:** May 18, 2020

**Status:** Terminated

**Status Date:** Aug 18, 2020

**Interlocutory Attorney:** WINSTON T FOLMAR

#### Defendant

**Name:** Adversus, Llc

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BIZON		<a href="#">79258484</a>	
BIZON		<a href="#">79259190</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

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

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

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>
		<a href="#">75694927</a>	<a href="#">3838170</a>
		<a href="#">78702090</a>	<a href="#">3881732</a>
RED BULL ENERGY DRINK		<a href="#">77316470</a>	<a href="#">3479607</a>
		<a href="#">85638459</a>	<a href="#">4409528</a>

**Prosecution History**

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

**Type of Proceeding: Extension of Time**

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

**Filing Date:** Apr 18, 2006

**Status:** Terminated

**Status Date:** Aug 04, 2006

**Interlocutory Attorney:**

**Defendant**

**Name:** RED BULL GMBH

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

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">74713796</a>	

**Potential Opposer(s)**

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

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

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

**Name:** Foodmart International Corporation

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

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

**Prosecution History**

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

**Type of Proceeding: Opposition**

**Proceeding Number:** [91123621](#)

**Filing Date:** Feb 12, 2001

**Status:** Terminated

**Status Date:** Aug 31, 2007

**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** GHRHARD WINKLER

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

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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BLUE OX

[75627515](#)**Plaintiff(s)****Name:** RED BULL GMBH**Correspondent** RAYMOND A. KURZ**Address:** HOGAN & HARTSON L.L.P.  
555 THIRTEENTH STREET, N.W.  
WASHINGTON DC UNITED STATES , 20004**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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RED BULL

[74713796](#)**Prosecution History**

Entry Number	History Text	Date	Due Date
37	TERMINATED	Mar 17, 2006	
36	BD'S DECISION: DISMISSED W/O PREJUDICE	Jan 10, 2006	
35	P'S OPPOSITION/RESPONSE TO MOTION	Jan 03, 2006	
34	TERMINATED	Jan 10, 2006	
33	BD'S DECISION: DISMISSED W/O PREJUDICE	Jan 10, 2006	
32	WITHDRAWAL OF APPLICATION	Jan 09, 2006	
31	BOARD'S ORDER THE PARTIES ARE ALLOWED 30 DAYS TO INFORM THE BOARD OF THE STATUS OF THE CIVIL ACTION	Dec 09, 2005	
30	PL'S REPLY TO DEF'S RESPONSE TO PL'S MOTION TO JOIN DEF'S TO THE OPPOSITION PROCEEDINGS	Dec 28, 2004	
29	Def's request that Bd not consider pl's surreply	Jan 13, 2005	
28	Proceedings remain suspended pending final determination of case no. LACV03-6731 DDP SHSx	Jan 08, 2005	
27	P'S REPLY BRIEF TO MOTION TO JOIN	Dec 28, 2004	
26	D'S OPP TO MOT TO JOIN	Dec 13, 2004	
25	P's opp to mot to sub; mot to join G. Winkler KEG as D	Nov 18, 2004	
24	Notice of assignment	Oct 20, 2004	
23	Def's mot to substitute party	Nov 12, 2004	
22	D'S CHANGE OF CORRESPONDENCE ADDRESS	Aug 24, 2004	
21	P'S MOTION TO SUSP. GRANTED;PROC. SUSPENDED	Oct 09, 2003	
20	PROCEEDINGS SUSPENDED	Oct 01, 2003	
19	P'S MOTION TO SUSPEND	Sep 19, 2003	
18	PL'S NOTICE OF TEST DEP UPON WRITTEN QUESTIONS	Sep 22, 2003	
17	PREVIOUS TRIAL SCHEDULE VACATED;TRIAL DATES RESET	Aug 08, 2003	
16	BD'S 7/3/03 ORDER VACATED; PROC. RESUMED; TRIAL DATES RESET	Jul 10, 2003	
15	P'S ALLOWED 30 DAYS TO SHOW CAUSE	Jul 03, 2003	
14	P'S SUBSTITUTION OF COUNSEL	Dec 04, 2002	
13	TRIAL DATES RESET	Nov 27, 2002	
12	DELETE ENTRY	Nov 27, 2002	
11	STIPULATION FOR AN EXTENSION OF TIME	Oct 22, 2002	
10	GRANTED PL'S #9	Oct 04, 2002	
9	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 30, 2002	
8	CONSOLIDATED W/91150097; TRIAL DATES RES ET	Aug 20, 2002	
7	DELETE ENTRY	Aug 20, 2002	
6	MOTION TO CONSOLIDATE	Jul 15, 2002	
5	ANSWER	Oct 15, 2001	
4	D'S MOTION FOR AN EXTENSION OF TIME	Sep 20, 2001	
3	PENDING, INSTITUTED	Aug 01, 2001	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 01, 2001	Sep 10, 2001
1	FILED AND FEE	Feb 12, 2001	

**EXHIBIT A-4**

Generated on: This page was generated by TSDR on 2024-04-02 13:46:11 EDT

Mark:



US Serial Number: 78702090

Application Filing Date: Aug. 28, 2005

US Registration Number: 3881732

Registration Date: Nov. 23, 2010

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 10, 2021

Publication Date: Aug. 28, 2007 Notice of Allowance Date: Nov. 20, 2007

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## Mark Information

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Mark Literal Elements: None

Standard Character Claim: No

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

Description of Mark: The mark consists of Design of a Charging Bull, Facing Left.

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

Design Search Code(s): 03.07.01 - Cows; Cattle; Calf; Calves; Bulls; Oxen; Steers  
03.07.24 - Stylized goats and sheep  
03.07.21 - Stylized cows, buffalo, and other bovines

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## Related Properties Information

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Claimed Ownership of US Registrations: 2594767, 3086964, 2946045

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## Foreign Information

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Foreign Registration Number: 187989

Foreign Registration Date: Apr. 19, 2000

Foreign Application/Registration Country: AUSTRIA

Foreign Expiration Date: Apr. 30, 2020

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## Goods and Services

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**Note:**

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

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

**For:** Non-alcoholic beverages, namely, sports drinks, energy drinks and soft drinks

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

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

**Class Status:** ACTIVE

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

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

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

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** Yes

**Currently 44E:** Yes

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** RED BULL GMBH

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

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** AUSTRIA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Anthony Malutta

**Docket Number:** 1358061

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

**Attorney Email Authorized:** Yes

### Correspondent

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

**Phone:** 415-576-0200

**Fax:** 415-576-0300

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

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

**&nbsp;Domestic Representative Name:** Anthony Malutta

**Phone:** 415-576-0200

**Fax:** 415-576-0300

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

**&nbsp;Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Dec. 01, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Dec. 01, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 01, 2022	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Dec. 01, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 01, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	

Dec. 01, 2022 TEAS CHANGE OF OWNER ADDRESS RECEIVED  
Feb. 10, 2021 NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED  
Feb. 10, 2021 REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)  
Feb. 10, 2021 REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED  
Feb. 10, 2021 CASE ASSIGNED TO POST REGISTRATION PARALEGAL  
Nov. 10, 2020 TEAS SECTION 8 & 9 RECEIVED  
Dec. 16, 2019 APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED  
Dec. 16, 2019 TEAS CHANGE OF OWNER ADDRESS RECEIVED  
Nov. 23, 2019 COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED  
Jun. 05, 2018 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED  
Jun. 05, 2018 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED  
Apr. 05, 2017 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
Nov. 22, 2016 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
Mar. 04, 2016 NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED  
Mar. 04, 2016 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
Mar. 04, 2016 CASE ASSIGNED TO POST REGISTRATION PARALEGAL  
Jan. 04, 2016 TEAS SECTION 8 & 15 RECEIVED  
Jan. 04, 2016 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
Jul. 11, 2011 NOTICE OF SUIT  
Nov. 23, 2010 REGISTERED-PRINCIPAL REGISTER  
Oct. 22, 2010 NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED  
Oct. 21, 2010 LAW OFFICE REGISTRATION REVIEW COMPLETED  
Oct. 21, 2010 ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED  
Oct. 21, 2010 DATA MODIFICATION COMPLETED  
Oct. 21, 2010 TEAS/EMAIL CORRESPONDENCE ENTERED  
Oct. 21, 2010 CORRESPONDENCE RECEIVED IN LAW OFFICE  
Oct. 20, 2010 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
Oct. 20, 2010 TEAS/EMAIL CORRESPONDENCE ENTERED  
Oct. 20, 2010 CORRESPONDENCE RECEIVED IN LAW OFFICE  
Oct. 19, 2010 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
Jun. 17, 2010 NOTIFICATION OF NON-FINAL ACTION E-MAILED  
Jun. 17, 2010 NON-FINAL ACTION E-MAILED  
Jun. 17, 2010 SU - NON-FINAL ACTION - WRITTEN  
Jun. 17, 2010 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
Jun. 16, 2010 ASSIGNED TO LIE  
Jun. 02, 2010 ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED  
Jun. 02, 2010 STATEMENT OF USE PROCESSING COMPLETE  
May 19, 2010 USE AMENDMENT FILED  
May 19, 2010 TEAS STATEMENT OF USE RECEIVED  
Jan. 05, 2010 SOU EXTENSION 4 GRANTED  
Nov. 16, 2009 SOU EXTENSION 4 FILED  
Jan. 05, 2010 CASE ASSIGNED TO INTENT TO USE PARALEGAL  
Nov. 16, 2009 SOU TEAS EXTENSION RECEIVED  
May 12, 2009 SOU EXTENSION 3 GRANTED  
May 12, 2009 SOU EXTENSION 3 FILED  
May 12, 2009 SOU TEAS EXTENSION RECEIVED  
Nov. 17, 2008 SOU EXTENSION 2 GRANTED  
Nov. 17, 2008 SOU EXTENSION 2 FILED  
Nov. 17, 2008 SOU TEAS EXTENSION RECEIVED  
May 19, 2008 SOU EXTENSION 1 GRANTED  
May 19, 2008 SOU EXTENSION 1 FILED  
May 19, 2008 SOU TEAS EXTENSION RECEIVED  
Nov. 20, 2007 NOA MAILED - SOU REQUIRED FROM APPLICANT  
Aug. 28, 2007 PUBLISHED FOR OPPOSITION  
Aug. 08, 2007 NOTICE OF PUBLICATION



Jul. 20, 2007 LAW OFFICE PUBLICATION REVIEW COMPLETED  
 Jul. 17, 2007 ASSIGNED TO LIE  
 Jul. 11, 2007 APPROVED FOR PUB - PRINCIPAL REGISTER  
 Jul. 11, 2007 EXAMINER'S AMENDMENT ENTERED  
 Jul. 11, 2007 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED  
 Jul. 11, 2007 EXAMINERS AMENDMENT E-MAILED  
 Jul. 11, 2007 EXAMINERS AMENDMENT -WRITTEN  
 Jul. 10, 2007 TEAS/EMAIL CORRESPONDENCE ENTERED  
 Jul. 09, 2007 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 Jul. 09, 2007 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
 Jan. 09, 2007 NON-FINAL ACTION E-MAILED  
 Jan. 09, 2007 NON-FINAL ACTION WRITTEN  
 Nov. 20, 2006 TEAS/EMAIL CORRESPONDENCE ENTERED  
 Nov. 20, 2006 CORRESPONDENCE RECEIVED IN LAW OFFICE  
 Nov. 20, 2006 ASSIGNED TO LIE  
 Sep. 14, 2006 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
 Sep. 14, 2006 TEAS CHANGE OF CORRESPONDENCE RECEIVED  
 Mar. 15, 2006 NON-FINAL ACTION E-MAILED  
 Mar. 15, 2006 NON-FINAL ACTION WRITTEN  
 Mar. 14, 2006 ASSIGNED TO EXAMINER  
 Sep. 06, 2005 NEW APPLICATION ENTERED

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Feb. 10, 2021

## Proceedings

### Summary

**Number of Proceedings:** 2

### Type of Proceeding: Opposition

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

**Filing Date:** May 18, 2020

**Status:** Terminated

**Status Date:** Aug 18, 2020

**Interlocutory Attorney:** WINSTON T FOLMAR

#### Defendant

**Name:** Adversus, Llc

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

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

### Associated marks

Mark	Application Status	Serial Number	Registration Number
BIZON		<a href="#">79258484</a>	
BIZON		<a href="#">79259190</a>	

#### Plaintiff(s)

**Name:** Red Bull GmbH

**Correspondent Address:** TYWANDA HARRIS LORD  
 KILPATRICK TOWNSEND & STOCKTON LLP  
 1100 PEACHTREE STREET NE , SUITE 2800

ATLANTA GA UNITED STATES , 30309

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

Mark	Application Status	Serial Number	Registration Number
RED BULL		<a href="#">78347152</a>	<a href="#">3092197</a>
RED BULL		<a href="#">74713796</a>	<a href="#">3197810</a>
		<a href="#">75694927</a>	<a href="#">3838170</a>
		<a href="#">78702090</a>	<a href="#">3881732</a>
RED BULL ENERGY DRINK		<a href="#">77316470</a>	<a href="#">3479607</a>
		<a href="#">85638459</a>	<a href="#">4409528</a>

#### Prosecution History

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

#### Type of Proceeding: Opposition

Proceeding Number: [91255311](#)

Filing Date: Apr 15, 2020

Status: Terminated

Status Date: Oct 16, 2020

Interlocutory Attorney: WENDY COHEN

#### Defendant

Name: Ahmed Mahmoud Roshdy Kilany Dakrouy

Correspondent Address: LAWRENCE E ABELMAN  
ABELMAN FRAYNE & SCHWAB  
10TH FLOOR 666 THIRD AVENUE  
NEW YORK NY UNITED STATES , 10017-5621

Correspondent e-mail: [fterranella@lawabel.com](mailto:fterranella@lawabel.com) , [docket@lawabel.com](mailto:docket@lawabel.com) , [ehalstead@lawabel.com](mailto:ehalstead@lawabel.com)

Mark	Application Status	Serial Number	Registration Number
COKDATE THE COLA BULLS		<a href="#">88192486</a>	

#### Plaintiff(s)

Name: Red Bull GmbH

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

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

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

#### Prosecution History

Entry Number	History Text	Date	Due Date
10	TERMINATED	Oct 16, 2020	
9	BD DECISION: OPP SUSTAINED	Oct 16, 2020	

8	NOTICE OF DEFAULT	Sep 02, 2020	
7	EXTENSION OF TIME GRANTED	Jun 23, 2020	
6	D MOT FOR EXT W/ CONSENT	Jun 23, 2020	
5	EXTENSION OF TIME GRANTED	May 29, 2020	
4	D MOT FOR EXT W/ CONSENT	May 26, 2020	
3	INSTITUTED	Apr 15, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 15, 2020	May 25, 2020
1	FILED AND FEE	Apr 15, 2020	