

ESTTA Tracking number: **ESTTA1383461**
Filing date: **09/13/2024**

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	Breville Pty Ltd.		
Entity	proprietary limited company	Incorporated or registered in	Australia
Address	170 BOURKE ROAD SUITE 2 G ALEXANDRIA NSW, 2015 AUSTRALIA		

Attorney information	JAMES R. DAVIS, II PERKINS COIE LLP 700 THIRTEENTH STREET, N.W. STE 800 WASHINGTON, DC 20005 UNITED STATES Primary email: pctrademarks@perkinscoie.com Secondary email(s): JamesRDavis@perkinscoie.com, klockhart@perkinscoie.com, FVayra@perkinscoie.com, tbradley@perkinscoie.com 2063598000		
Docket no.	140416-7046		

Applicant information

Application no.	98099777	Publication date	08/27/2024
Opposition filing date	09/13/2024	Opposition period ends	09/26/2024
Applicant	Waldeep INC 6586 DAWSON BOULEVARD SUIT F NORCROSS, GA 30093 UNITED STATES		

Goods/services affected by opposition

Class 007. First Use: Jan 1, 2023 First Use In Commerce: Jan 1, 2023 All goods and services in the class are opposed, namely: Electric food blenders; Electric food processors; Electric fruit squeezers for household purposes; Electric juicers; Packing machines under vacuum; Power tools, namely, drill presses; Printing presses; Vacuum packaging machines
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Grounds for opposition

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

Marks cited by opposer as basis for opposition

U.S. registration no.	1935749	Application date	09/22/1992
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Register	Principal		
Registration date	11/14/1995	Foreign priority date	NONE
Word mark	BREVILLE		
Design mark	BREVILLE		
Description of mark	NONE		
Goods/services	<p>Class 007. First use: First Use: Dec 31, 1976 First Use In Commerce: Oct 11, 1994 food processors, electric food blenders for domestic and commercial use, electric juice extractors</p> <p>Class 010. First use: First Use: Dec 31, 1946 First Use In Commerce: Oct 11, 1994 [vibrators for massage purposes]</p> <p>Class 011. First use: First Use: Dec 31, 1950 First Use In Commerce: Oct 11, 1994 electric appliances for domestic use; namely, toasters, [yogurt makers,] combination grills and toasters, [hand held hair dryers and stands or holders thereof, sun lamps, tea and coffee makers]</p> <p>Class 021. First use: First Use: Dec 31, 1979 First Use In Commerce: Oct 11, 1994 [electric tooth brushes,] [cast iron fry pans]</p>		


U.S. registration no.	4408141	Application date	06/15/2012
Register	Principal		
Registration date	09/24/2013	Foreign priority date	NONE
Word mark	BREVILLE		
Design mark	BREVILLE		
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: Nov 2006 First Use In Commerce: Nov 2006 On-line retail store services featuring electrical appliances; retail store services featuring electrical appliances</p>		

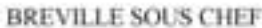
U.S. registration no.	4979582	Application date	05/08/2015
Register	Principal		
Registration date	06/14/2016	Foreign priority date	NONE
Word mark	BREVILLE		
Design mark	BREVILLE		

Description of mark	NONE
Goods/services	Class 021. First use: First Use: Jan 1, 2016 First Use In Commerce: Jan 1, 2016 cookware and cooking utensils, namely, pots and pans, fry pans, skillets, sauce pans, sautÃ© pans, tapered pans for concentrating liquids, stock pots, Dutch ovens, grille pans and plates, griddle pans and plates, and lids for all of the above; baking pans, namely, cookie sheets, pizza pans, pizza stones and roasting pans

U.S. registration no.	5853506	Application date	01/19/2019
Register	Principal		
Registration date	09/03/2019	Foreign priority date	NONE
Word mark	BREVILLE		
Design mark	BREVILLE		
Description of mark	NONE		
Goods/services	<p>Class 007. First use: First Use: Dec 31, 1976 First Use In Commerce: Oct 11, 1994</p> <p>Aerated beverage making machines; Air-cooled condensers; Apparatus for aerating beverages; Beverage preparation machines, electromechanical; Blades for electric food processors; Bread cutting machines; Can openers, electric; Centrifugal compressors; Centrifugal fan condensers; Coffee grinders, other than hand-operated; Components for machines and machine tools, grinding machines, material handling machines, food processing machines, chemistry processing machines and textile industry machines, namely, sand, chemical and reverse osmosis filters; Compressors as parts of machines, motors and engines; Crushers for kitchen use, electric; Electric can openers; Electric cherry pit removing machines; Electric coffee grinders; Electric flour sifters; Electric food blenders; Electric food blenders; Electric food choppers; Electric food grinders; Electric food grinders for domestic use; Electric food preparation apparatus, namely, tumblers for marinating food; Electric food processors; Electric food slicers; Electric fruit peelers; Electric fruit presses; Electric fruit presses for household use; Electric fruit squeezers for household purposes; Electric garlic peeling machines; Electric graters; Electric hand-held mixers for household purposes; Electric ice crushers; Electric juice extractors; Electric juicers; Electric knife sharpeners; Electric knives; Electric meat grinders; Electric milk frothers; Electric mixers; Electric pasta makers for domestic use; Electric pasta makers for household purposes; Electric pasta making machines; Electric pepper mills; Electric pizza cutters; Electric vacuum food sealers for household purposes; Electric vegetable peelers; Electric whisks for household purposes; Electrical coffee grinders; Electrical juice extractors for fruit; Electrical squeezers for fruit and vegetable; Food processors, electric; Fruit core removing machines; Fruit presses, electric, for household purposes; Grating machines for vegetables; Hand-held electric-powered food processors; Heat exchangers being parts of machines; Juice extractors, electric; Juice machines; Kitchen grinders, electric; Kitchen machines, namely, electric standing mixers; Knife grinding machines; Knives, electric; Machines, namely, wine presses; Meat and food grinder attachments for electric mixers for household use; Meat processing machines; Multi-purpose, electric countertop food preparation apparatus, namely, a combination meat tenderizer and marinator, for household use; Non-aerated beverage making machines; Pasta making machines, electric; Pepper mills, other than hand-operated; Power-operated coffee grinders; Power-operated meat grinders; Re-</p>		

	ciprocating compressors; Soda-pop making machines; Tea processing machines; Vegetable core removing machines; Vegetable grating machines; Vegetable spiralizers, electric; Whisks, electric, for household purposes		
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U.S. registration no.	5638591	Application date	02/22/2017
Register	Principal		
Registration date	12/25/2018	Foreign priority date	NONE
Word mark	BREVILLE PRECISION BREWER		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 011. First use: First Use: Apr 1, 2017 First Use In Commerce: Apr 1, 2017 Electric coffee and espresso makers; coffee roasting and brewing apparatus, namely, coffee roasters, coffee brewers, coffee making machines, coffee bean roasting ovens; electric coffee makers including espresso and cappuccino coffee makers; electric coffee and espresso machines, percolators, pots and coffee filters not of paper, being part of coffee makers; electrical drip coffee machines; apparatus for filtering and brewing coffee, namely, coffee making machines, coffee making and filtering machines; automatic installations for making coffee; electric coffee brewers; electric coffee filters; electric coffee percolators; electric coffee pots; electrical coffee brewing apparatus, namely, coffee making machines; electrical coffee brewing apparatus for household use, namely, coffee brewing and coffee making machines; electrical coffee brewing apparatus for professional use, namely, automatic drip coffee brewing machines; electrical coffee making apparatus, namely, coffee making machines; electrical coffee pots incorporating percolators; electrically heated apparatus for infusing coffee, namely, hot coffee making machines which infuse coffee; electrically operated machines for making coffee; electric machines for making coffee; electric coffee beverage making machines, electric coffee beverage making machines; electrical coffee pots; electric kettles; electric coffee urns, electric; electric jugs in the nature of kettles; apparatus for instant hot water supply; water heating devices, milk frothers, electric tea kettles; electric tea making machines; parts, fittings, components and accessories for the aforesaid goods</p> <p>Class 021. First use: First Use: Apr 1, 2017 First Use In Commerce: Apr 1, 2017 Non-electric kettles; insulated jugs; non-electric apparatus for making coffee, namely, manual coffee makers; non-electric coffee filters not made of paper, being part of non-electric coffee makers; coffee grinders, hand-operated; non-electric coffee pots; non-electric coffee makers; non-electric coffee percolators; non-electric coffee pots; milk jugs; parts, fittings, components and accessories for the aforesaid goods</p>		

U.S. registration no.	4116228	Application date	04/18/2011
Register	Principal		
Registration date	03/20/2012	Foreign priority date	NONE
Word mark	BREVILLE SOUS CHEF		
Design mark			

Description of mark	NONE
Goods/services	Class 007. First use: First Use: Sep 1, 2011 First Use In Commerce: Sep 1, 2011 Electric food processors

U.S. registration no.	5079413	Application date	09/30/2015
Register	Principal		
Registration date	11/08/2016	Foreign priority date	NONE
Word mark	THE BREVILLE BOSS TO GO		
Design mark	THE BREVILLE BOSS TO GO		
Description of mark	NONE		
Goods/services	Class 007. First use: First Use: Apr 5, 2016 First Use In Commerce: Apr 5, 2016 electric food blenders		

Attachments	74316204#TMSN.png(bytes) 85653232#TMSN.png(bytes) 86623906#TMSN.png(bytes) 88268458#TMSN.png(bytes) 87345667#TMSN.png(bytes) 85297941#TMSN.png(bytes) 86774225#TMSN.png(bytes) Breville USA - NOO to BREVELTION App No. 98099777.pdf(905836 bytes)
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Signature	/kristinlockhart/
Name	Kristin Lockhart, Associate Attorney at Perkins Coie LLP , NY Bar Member
Date	09/13/2024

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

BREVILLE PTY LTD., v. WALDEEP INC	Opposer, Applicant.	Opposition No.: Mark: BREVELTION App. Ser. No.: 98099777
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NOTICE OF OPPOSITION

Breville Pty Ltd., together with its related companies, licensees, and assigns (collectively, “Breville”), believes that it will be damaged by the registration of the mark shown in Application Serial No. 98099777 (the “Application”), and hereby opposes the Application. As grounds for opposition, Breville alleges as follows:

PARTIES

1. Breville Pty Ltd. is proprietary limited company organized under the laws of the country of Australia, with its principal place of business at 170 Bourke Road, Suite 2 G, Alexandria, NSW, 2015, Australia.

2. Upon information and belief, Waldeep Inc (“Applicant”) is a corporation organized under the laws of the state of Georgia with an address at 6586 Dawson Boulevard Suit (*sic*) F, Norcross, Georgia 30093.

BREVILLE’S MARKS

3. Breville realleges and incorporates by reference the preceding allegations of its Notice of Opposition.

4. Breville is a well-known international company that designs, develops, and markets kitchen, commercial, restaurant and household appliances under the trademark BREVILLE.

5. Breville is the owner of all right, title, and interest in and to a family of trademarks that incorporate, in whole or in part, BREVILLE (the “BREVILLE Marks”).

6. Since at least as early as 1950, Breville—through its predecessors and/or related companies—has used the BREVILLE Marks to advertise, promote, and provide a wide range of goods, including, among others, household, kitchen, commercial and restaurant appliances, cookware, food and beverage preparation appliances, cooking appliances, and related software and mobile applications for cooking and food preparation in the United States.

7. Breville’s rights in its Breville Marks have been recognized by the United States Patent and Trademark Office, which has issued numerous registrations for those marks including the following registrations:

Mark	Reg. No.	Reg. Date	Goods/Services
BREVILLE	1935749	November 14, 1995	Class 7: Food processors, electric food blenders for domestic and commercial use, electric juice extractors Class 11: Electric appliances for domestic use; namely, toasters, combination grills and toasters
BREVILLE	4408141	September 24, 2013	Class 35: On-line retail store services featuring electrical appliances; retail store services featuring electrical appliances
BREVILLE	4979582	June 14, 2016	Class 21: Cookware and cooking utensils, namely, pots and pans, fry pans, skillets, sauce pans, sauté pans, tapered pans for concentrating liquids, stock pots, dutch ovens, grille pans and plates, griddle pans and plates, and lids for all of the above; baking pans, namely, cookie sheets, pizza pans, pizza stones and roasting pans

BREVILLE	5853506	September 3, 2019	<p>Class 7: Aerated beverage making machines; air-cooled condensers; apparatus for aerating beverages; beverage preparation machines, electromechanical; blades for electric food processors; bread cutting machines; can openers, electric; centrifugal compressors; centrifugal fan condensers; coffee grinders, other than hand-operated; components for machines and machine tools, grinding machines, material handling machines, food processing machines, chemistry processing machines and textile industry machines, namely, sand, chemical and reverse osmosis filters; compressors as parts of machines, motors and engines; crushers for kitchen use, electric; electric can openers; electric cherry pit removing machines; electric coffee grinders; electric flour sifters; electric food blenders; electric food blenders; electric food choppers; electric food grinders; electric food grinders for domestic use; electric food preparation apparatus, namely, tumblers for marinating food; electric food processors; electric food slicers; electric fruit peelers; electric fruit presses; electric fruit presses for household use; electric fruit squeezers for household purposes; electric garlic peeling machines; electric graters; electric hand-held mixers for household purposes; electric ice crushers; electric juice extractors; electric juicers; electric knife sharpeners; electric knives; electric meat grinders; electric milk frothers; electric mixers; electric pasta makers for domestic use; electric pasta makers for household purposes; electric pasta making machines; electric pepper mills; electric pizza cutters; electric vacuum food sealers for household purposes; electric vegetable peelers; electric whisks for household purposes; electrical coffee grinders; electrical juice extractors for fruit; electrical squeezers for fruit and vegetable; food processors, electric; fruit core removing machines; fruit presses, electric, for household purposes; grating machines for vegetables; hand-held electric-powered food processors; heat exchangers being parts of machines; juice extractors, electric; juice machines; kitchen grinders, electric; kitchen machines, namely, electric standing mixers; knife grinding machines; knives, electric; machines, namely, wine presses; meat and food grinder attachments for electric mixers for household use;</p>
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			meat processing machines; multi-purpose, electric countertop food preparation apparatus, namely, a combination meat tenderizer and marinator, for household use; non-aerated beverage making machines; pasta making machines, electric; pepper mills, other than hand-operated; power-operated coffee grinders; power-operated meat grinders; reciprocating compressors; soda-pop making machines; tea processing machines; vegetable core removing machines; vegetable grating machines; vegetable spiralizers, electric; whisks, electric, for household purposes
BREVILLE PRECISION BREWER	5638591	December 25, 2018	Class 11: Electric coffee and espresso makers; coffee roasting and brewing apparatus, namely, coffee roasters, coffee brewers, coffee making machines, coffee bean roasting ovens; electric coffee makers including espresso and cappuccino coffee makers; electric coffee and espresso machines, percolators, pots and coffee filters not of paper, being part of coffee makers; electrical drip coffee machines; apparatus for filtering and brewing coffee, namely, coffee making machines, coffee making and filtering machines; automatic installations for making coffee; electric coffee brewers; electric coffee filters; electric coffee percolators; electric coffee pots; electrical coffee brewing apparatus, namely, coffee making machines; electrical coffee brewing apparatus for household use, namely, coffee brewing and coffee making machines; electrical coffee brewing apparatus for professional use, namely, automatic drip coffee brewing machines; electrical coffee making apparatus, namely, coffee making machines; electrical coffee pots incorporating percolators; electrically heated apparatus for infusing coffee, namely, hot coffee making machines which infuse coffee; electrically operated machines for making coffee; electric machines for making coffee; electric coffee beverage making machines, electric coffee beverage making machines; electrical coffee pots; electric kettles; electric coffee urns, electric; electric jugs in the nature of kettles; apparatus for instant hot water supply; water heating devices, milk frothers, electric tea kettles; electric tea making machines; parts, fittings, components and accessories for the aforesaid goods

BREVILLE SOUS CHEF	4116228	March 20, 2012	Class 7: Electric food processors
THE BREVILLE BOSS TO GO	5079413	September 3, 2019	Class 7: Electric food blenders

Attached as **Exhibit A** are copies of statuses and registration certificates for these marks.

8. Breville’s registrations for its BREVILLE Marks are valid and subsisting, and provide *prima facie* or conclusive evidence of Breville’s ownership of the BREVILLE Marks, of the validity of the marks, and of Breville’s exclusive right to use the marks in commerce.

9. Breville has extensively and continuously used, advertised, and promoted in interstate commerce the distinctive BREVILLE Marks in connection with advertising, promoting and selling Breville’s goods and services since at least as early as 1950 and long before the date on which Applicant filed the opposed Application or any date on which Applicant can claim to have first used its alleged BREVELTION trademark in commerce.

10. Breville has expended substantial sums of money in marketing, advertising, and promoting its BREVILLE Marks and, through sales and advertising, has generated significant goodwill and customer recognition in its BREVILLE Marks. The public has come to associate the BREVILLE Marks exclusively with Breville and its high-quality goods and services.

11. Revenues generated from products offered, sold, and advertised in connection with the BREVILLE Marks over the years have been significant, with annual revenues from sales in the United States exceeding several hundred million dollars.

12. The kitchen appliances, cookware, and food and beverage preparation appliances provided by Applicant and/or covered under the opposed Application for the alleged BREVELTION trademark are identical and/or closely related to the goods and services Breville has long provided under its family of BREVILLE Marks.

13. Notwithstanding Breville's prior established and registered rights in the BREVILLE Marks, on July 25, 2023, Applicant filed the Application for the BREVELTION mark covering the following goods in Class 7: Electric food blenders; Electric food processors; Electric fruit squeezers for household purposes; Electric juicers; Packing machines under vacuum; Power tools, namely, drill presses; Printing presses; Vacuum packaging machines. The Application was filed based on a first use in commerce of January 1, 2023, under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a).

COUNT I: Likelihood of Confusion, 15 U.S.C. § 1052(d)

14. Breville repeats and realleges each and every allegation set forth in the preceding paragraphs.

15. Upon information and belief, Applicant knew or had reason to know of Breville's prior rights in the BREVILLE Marks when Applicant filed its Application and adopted its BREVELTION mark.

16. Applicant's BREVELTION mark is very similar to Breville's BREVILLE Marks, as both share BREV- as the primary element of the respective marks and Applicant's "BREVEL-" prefix is phonetically identical to the "BREVILLE" element in the BREVILLE Marks.

17. By adopting a very similar mark to Breville's BREVILLE Marks, Applicant has adopted and is attempting to register a mark that falsely and deceptively suggests that Applicant's goods are affiliated with or sponsored by Breville.

18. Applicant's BREVELTION mark is confusingly similar in sound, appearance and commercial impression to Breville's BREVILLE Marks, such that Applicant's use of its alleged trademark is likely to cause confusion, mistake, and deception as to the source or origin of Applicant's goods.

19. Upon information and belief, Applicant's applied-for goods will be marketed and sold via the same channels of trade and to the same customers and prospective customers as those of Breville.

20. Based on the very similar nature of the marks; the overlapping nature of their goods, consumers, and marketing channels; and the strength of Breville's BREVILLE Marks, consumers are likely to be confused and deceived into falsely believing that the goods offered by Applicant under its BREVELTION trademark originate with or are approved or authorized by Breville, or that there is some relationship between Applicant and Breville, or between the parties' identical or related products.

21. Any use of the opposed trademark by Applicant in connection with the goods identified in the Application is likely to cause confusion, mistake, or deception in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

22. Consequently, Breville will be damaged by registration of Applicant's BREVELTION trademark.

COUNT II: Likelihood of Dilution, 15 U.S.C. § 1052(c)

23. Breville realleges and incorporates by reference the preceding allegations of its Notice of Opposition.

24. As a result of Breville's exclusive and extensive advertising of its BREVILLE Marks, as well as the tremendous commercial success of Breville's goods and services, Breville's BREVILLE Marks have become famous.

25. Breville's BREVILLE Marks have achieved fame well prior to the filing date of the Application, and any other priority date upon which Applicant may rely.

26. The registration of the BREVELTION Mark in connection with Applicant's goods is likely to cause dilution of the distinctive quality of Breville's famous BREVILLE Marks by blurring under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

REQUEST FOR RELIEF

WHEREFORE, Breville believes that it will be damaged by registration of the BREVELTION Mark as set forth in Application Serial No. 98099777 and respectfully requests that the opposition be sustained and that registration to Applicant be refused. The filing fee in the amount of \$600 is being transmitted electronically with this submission.

DATED: September 13, 2024

BREVILLE PTY. LTD.

By: /Kristin Lockhart/ _____
James R. Davis, II
Fabricio Vayra
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Attorneys for Opposer Breville Pty Ltd.

EXHIBIT A

Generated on: This page was generated by TSDR on 2024-09-10 11:20:56 EDT

Mark: BREVILLE

BREVILLE

US Serial Number: 74316204

Application Filing Date: Sep. 22, 1992

US Registration Number: 1935749

Registration Date: Nov. 14, 1995

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: Sep. 02, 2015

Publication Date: Nov. 23, 1993 Notice of Allowance Date: Feb. 15, 1994

Mark Information

Mark Literal Elements: BREVILLE

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

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

Foreign Information

Foreign Registration Number: A170039

Foreign Registration Date: Nov. 16, 1960

Foreign Application/Registration Country: AUSTRALIA

Foreign Expiration Date: Nov. 16, 2002

Foreign Registration Number: A296409

Foreign Registration Date: Apr. 30, 1976

Foreign Application/Registration Country: AUSTRALIA

Foreign Expiration Date: Apr. 30, 1997

Foreign Registration Number: A364777

Foreign Registration Date: Aug. 26, 1981

Foreign Application/Registration Country: AUSTRALIA

Foreign Expiration Date: Aug. 26, 2002

Foreign Registration Number: A364778

Foreign Registration Date: Aug. 26, 1981

Foreign Application/Registration Country: AUSTRALIA

Foreign Expiration Date: Aug. 26, 2002

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: food processors, electric food blenders for domestic and commercial use, electric juice extractors

International Class(es): 007 - Primary Class

U.S Class(es): 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE

Basis: 1(a) 44(e)

First Use: Dec. 31, 1976

Use in Commerce: Oct. 11, 1994

For: [vibrators for massage purposes]

International Class(es): 010 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a) 44(e)

First Use: Dec. 31, 1946

Use in Commerce: Oct. 11, 1994

For: electric appliances for domestic use; namely, toasters, [yogurt makers,] combination grills and toasters, [hand held hair dryers and stands or holders thereof, sun lamps, tea and coffee makers]

International Class(es): 011 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a) 44(e)

First Use: Dec. 31, 1950

Use in Commerce: Oct. 11, 1994

For: [electric tooth brushes,] [cast iron fry pans]

International Class(es): 021 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

Basis: 1(a) 44(e)

First Use: Dec. 31, 1979

Use in Commerce: Oct. 11, 1994

Basis Information (Case Level)

Filed Use: No

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: BREVILLE PTY, LTD.

Owner Address: 19400 S WESTERN AVE
TORRANCE 90501

Legal Entity Type: CORPORATION

State or Country Where Organized: The data cannot be loaded

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lindsay B. Allen

Docket Number: 140416-4034

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Lindsay B. Allen
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Fax: 2063599000

Correspondent e-mail: abowles@perkinscoie.com pctrademarks@perkinscoie.com
scoie.com JamesRDavis@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 19, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Aug. 19, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 19, 2021	TEAS WITHDRAWAL AS DOMESTIC REPRESENTATIVE RECEIVED	
Aug. 19, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 19, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 19, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 23, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 23, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 15, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 15, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 02, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Sep. 02, 2015	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Sep. 02, 2015	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	
Sep. 02, 2015	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	
Sep. 02, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Aug. 05, 2015	TEAS SECTION 8 & 9 RECEIVED	
Jun. 04, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jun. 04, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 19, 2007	CASE FILE IN TICRS	
Aug. 18, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 18, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 18, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 16, 2006	ASSIGNED TO PARALEGAL	
May 18, 2006	PAPER RECEIVED	
Jun. 23, 2003	PAPER RECEIVED	
Dec. 31, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Dec. 31, 2001	POST REGISTRATION ACTION CORRECTION	
Nov. 28, 2001	REGISTERED - SEC. 8 (6-YR) FILED	
Nov. 14, 1995	REGISTERED-PRINCIPAL REGISTER	
Sep. 19, 1995	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 15, 1995	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 15, 1995	USE AMENDMENT FILED	
Mar. 29, 1995	SOU EXTENSION 2 GRANTED	
Feb. 15, 1995	SOU EXTENSION 2 FILED	
Sep. 23, 1994	SOU EXTENSION 1 GRANTED	
Aug. 12, 1994	SOU EXTENSION 1 FILED	
Feb. 15, 1994	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 23, 1993	PUBLISHED FOR OPPOSITION	
Oct. 22, 1993	NOTICE OF PUBLICATION	
Aug. 16, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 11, 1993	EXAMINER'S AMENDMENT MAILED	
Jul. 06, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 06, 1993	NON-FINAL ACTION MAILED	
Nov. 30, 1992	ASSIGNED TO EXAMINER	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 109

Date in Location: Sep. 02, 2015

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Breville Holdings Pty. Limited

Assignment 1 of 1

Conveyance: ASSIGNMENT OF AN UNDIVIDED PART OF ASSIGNORS INTEREST

Reel/Frame: [2278/0345](#)

Pages: 3

Date Recorded: Apr. 11, 2001

Supporting Documents: [assignment-tm-2278-0345.pdf](#)

Assignor

Name: [BREVILLE HOLDINGS PTY, LTD.](#)

Execution Date: Mar. 15, 2001

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place of Organization Found

Assignee

Name: [BREVILLE PTY, LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place of Organization Found

Address: BUILDING 2, PORT AIR INDUSTRIAL ESTATE
BOTANY, N.S.W., AUSTRALIA 2019

Correspondent

Correspondent Name: ALLEN J. HOOVER

Correspondent Address: 180 NORTH STETSON AVENUE
TWO PRUDENTIAL PLAZA, SUITE 4700
CHICAGO, IL 60601

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91227351](#)

Filing Date: Apr 13, 2016

Status: Terminated

Status Date: Jul 22, 2016

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Franchising Development Group LLC

Correspondent Address: FRANCHISING DEVELOPMENT GROUP LLC
8333 NW 53RD STREET , SUITE 504
MIAMI FL UNITED STATES , 33166

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREWVILLE		86781486	

Plaintiff(s)

Name: Breville Pty Ltd.

Correspondent Address: SHERRY L ROLLO
HAHN LOESER & PARKS LLP
125 S WACKER DRIVE, SUITE 2900
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: srollo@hahnlaw.com , trademarks@hahnlaw.com , jallison@hahnlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
BREVILLE		74316204	1935749
BREVILLE SOUS CHEF		85297941	4116228
BREVILLE		85653232	4408141
THE BREVILLE BOSS		86196799	4846746
BREVILLE QUICK TOUCH		86553419	4921278
THE BREVILLE BOSS TO GO		86774225	
BREVILLE		86623906	

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 22, 2016	
7	BD DECISION: SUSTAINED	Jul 22, 2016	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 07, 2016	Jul 07, 2016
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2016	May 28, 2016
4	D REQ TO W/DRAW AS ATTORNEY	Apr 26, 2016	
3	PENDING, INSTITUTED	Apr 13, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2016	May 23, 2016
1	FILED AND FEE	Apr 13, 2016	

Int. Cls.: 7, 10, 11, and 21

Prior U.S. Cls.: 2, 13, 19, 21, 23, 26, 29, 30, 31, 33,
34, 35, 39, 40, 44, and 50

United States Patent and Trademark Office

Reg. No. 1,935,749

Registered Nov. 14, 1995

**TRADEMARK
PRINCIPAL REGISTER**

BREVILLE

BREVILLE HOLDINGS PTY. LIMITED (AUSTRALIA CORPORATION)
45 MURRAY STREET
PYRMONT, NEW SOUTH WALES, AUSTRALIA

FOR: FOOD PROCESSORS, ELECTRIC FOOD BLENDERS FOR DOMESTIC AND COMMERCIAL USE, ELECTRIC JUICE EXTRACTORS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 12-31-1976; IN COMMERCE 10-11-1994.

FOR: VIBRATORS FOR MASSAGE PURPOSES, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 12-31-1946; IN COMMERCE 10-11-1994.

FOR: ELECTRIC APPLIANCES FOR DOMESTIC USE; NAMELY, TOASTERS, YOGURT MAKERS, COMBINATION GRILLS AND TOASTERS, HAND HELD HAIR DRYERS AND STANDS OR HOLDERS THEREOF, SUN

LAMPS, TEA AND COFFEE MAKERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 12-31-1950; IN COMMERCE 10-11-1994.

FOR: ELECTRIC TOOTH BRUSHES, CAST IRON FRY PANS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 12-31-1979; IN COMMERCE 10-11-1994.

OWNER OF AUSTRALIA REG. NO. A364778, DATED 8-6-1981, EXPIRES 8-6-2002.

OWNER OF AUSTRALIA REG. NO. A364777, DATED 8-6-1981, EXPIRES 8-6-2002.

OWNER OF AUSTRALIA REG. NO. A296409, DATED 4-0-1976, EXPIRES 4-0-1997.

OWNER OF AUSTRALIA REG. NO. A170039, DATED 11-6-1960, EXPIRES 11-6-2002.

SN 74-316,204, FILED 9-22-1992.

RANDY RICARDO, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2024-09-10 11:21:47 EDT

Mark: BREVILLE

BREVILLE

US Serial Number: 85653232

Application Filing Date: Jun. 15, 2012

US Registration Number: 4408141

Registration Date: Sep. 24, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Apr. 06, 2023

Publication Date: Nov. 06, 2012 Notice of Allowance Date: Jan. 01, 2013

Mark Information

Mark Literal Elements: BREVILLE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 1935749, 3711097, 3711098

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: On-line retail store services featuring electrical appliances; retail store services featuring electrical appliances

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 2006

Use in Commerce: Nov. 2006

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty Ltd.

Owner Address: Suite 2 G
170 Bourke Road
Alexandria NSW 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country Where Organized: The data cannot be loaded

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James R. Davis, II

Docket Number: 140416-4034

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: James R. Davis, II
Perkins Coie LLP
P.O. Box 2608
Seattle UNITED STATES 98111

Phone: 2063598000

Fax: 2063599000

Correspondent e-mail: pctrademarks@perkinscoie.com JamesRDavis@perkinscoie.com abowles@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** James R. Davis, II

Phone: 2063598000

Fax: 2063599000

** Domestic Representative e-mail:** pctrademarks@perkinscoie.com

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

Prosecution History

Date	Description	Proceeding Number
Apr. 06, 2023	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 06, 2023	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 06, 2023	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 06, 2023	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Sep. 26, 2022	TEAS SECTION 8 & 9 RECEIVED	
Sep. 24, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL AS DOMESTIC REPRESENTATIVE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 20, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Nov. 20, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 20, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Oct. 15, 2019	TEAS SECTION 8 & 15 RECEIVED	
Sep. 24, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 23, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 23, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	

Dec. 15, 2015 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
 Dec. 15, 2015 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
 Jun. 04, 2015 APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
 Jun. 04, 2015 TEAS CHANGE OF OWNER ADDRESS RECEIVED
 Sep. 24, 2013 REGISTERED-PRINCIPAL REGISTER
 Aug. 17, 2013 NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED
 Aug. 16, 2013 LAW OFFICE REGISTRATION REVIEW COMPLETED
 Aug. 15, 2013 ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED
 Jul. 23, 2013 STATEMENT OF USE PROCESSING COMPLETE
 Jun. 28, 2013 USE AMENDMENT FILED
 Jul. 23, 2013 CASE ASSIGNED TO INTENT TO USE PARALEGAL
 Jun. 28, 2013 TEAS STATEMENT OF USE RECEIVED
 Jan. 01, 2013 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
 Nov. 06, 2012 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
 Nov. 06, 2012 PUBLISHED FOR OPPOSITION
 Oct. 17, 2012 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
 Oct. 03, 2012 LAW OFFICE PUBLICATION REVIEW COMPLETED
 Oct. 03, 2012 APPROVED FOR PUB - PRINCIPAL REGISTER
 Oct. 02, 2012 EXAMINER'S AMENDMENT ENTERED
 Oct. 02, 2012 ASSIGNED TO LIE
 Oct. 02, 2012 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED
 Oct. 02, 2012 EXAMINERS AMENDMENT E-MAILED
 Oct. 02, 2012 EXAMINERS AMENDMENT -WRITTEN
 Sep. 29, 2012 NOTIFICATION OF PRIORITY ACTION E-MAILED
 Sep. 29, 2012 PRIORITY ACTION E-MAILED
 Sep. 29, 2012 PRIORITY ACTION WRITTEN
 Sep. 29, 2012 ASSIGNED TO EXAMINER
 Jun. 25, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Jun. 19, 2012 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 06, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91227351](#)

Filing Date: Apr 13, 2016

Status: Terminated

Status Date: Jul 22, 2016

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Franchising Development Group LLC

Correspondent Address: FRANCHISING DEVELOPMENT GROUP LLC

8333 NW 53RD STREET , SUITE 504
 MIAMI FL UNITED STATES , 33166

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREWVILLE		86781486	

Plaintiff(s)**Name:** Breville Pty Ltd.**Correspondent Address:** SHERRY L ROLLO
HAHN LOESER & PARKS LLP
125 S WACKER DRIVE, SUITE 2900
CHICAGO IL UNITED STATES , 60606**Correspondent e-mail:** srollo@hahnlaw.com , trademarks@hahnlaw.com , jallison@hahnlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BREVILLE		74316204	1935749
BREVILLE SOUS CHEF		85297941	4116228
BREVILLE		85653232	4408141
THE BREVILLE BOSS		86196799	4846746
BREVILLE QUICK TOUCH		86553419	4921278
THE BREVILLE BOSS TO GO		86774225	
BREVILLE		86623906	

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 22, 2016	
7	BD DECISION: SUSTAINED	Jul 22, 2016	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 07, 2016	Jul 07, 2016
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2016	May 28, 2016
4	D REQ TO W/DRAW AS ATTORNEY	Apr 26, 2016	
3	PENDING, INSTITUTED	Apr 13, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2016	May 23, 2016
1	FILED AND FEE	Apr 13, 2016	

United States of America
United States Patent and Trademark Office

BREVILLE

Reg. No. 4,408,141

Registered Sep. 24, 2013

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

BREVILLE PTY LTD. (AUSTRALIA PROPRIETARY LIMITED COMPANY (P/L OR PTY. LTD.))

BUILDING 2, PORT AIR INDUSTRIAL ESTATE
1A HALE STREET BOTANY
NEW SOUTH WALES, AUSTRALIA 2019

FOR: ON-LINE RETAIL STORE SERVICES FEATURING ELECTRICAL APPLIANCES; RE-
TAIL STORE SERVICES FEATURING ELECTRICAL APPLIANCES, IN CLASS 35 (U.S. CLS.
100, 101 AND 102).

FIRST USE 11-0-2006; IN COMMERCE 11-0-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,935,749, 3,711,097, AND 3,711,098.

SN 85-653,232, FILED 6-15-2012.

MORGAN WYNNE, EXAMINING ATTORNEY



Sean Street Lee

Deputy Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: BREVILLE

BREVILLE

US Serial Number: 86623906

Application Filing Date: May 08, 2015

US Registration Number: 4979582

Registration Date: Jun. 14, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jul. 01, 2022

Publication Date: Jan. 12, 2016 Notice of Allowance Date: Mar. 08, 2016

Mark Information

Mark Literal Elements: BREVILLE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: cookware and cooking utensils, namely, pots and pans, fry pans, skillets, sauce pans, saute pans, tapered pans for concentrating liquids, stock pots, Dutch ovens, grille pans and plates, griddle pans and plates, and lids for all of the above; baking pans, namely, cookie sheets, pizza pans, pizza stones and roasting pans

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: Jan. 01, 2016

Use in Commerce: Jan. 01, 2016

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty Limited

Owner Address: Suite 2
170-180 Bourke Road Ground Floor
Alexandria NSW 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country The data cannot be loaded
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James R. Davis, II

Docket Number: 140416-4034

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: James R. Davis, II
Perkins Coie LLP
PO Box 2608
Seattle UNITED STATES 98111

Phone: 2026615828

Fax: 2063599000

Correspondent e-mail: JamesRDavis@perkinscoie.com abowles@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 01, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 01, 2022	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 06, 2022	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Jun. 03, 2022	OFFICE ACTION ISSUED POU1	
Jun. 03, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
May 03, 2022	TEAS SECTION 8 & 15 RECEIVED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 14, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 23, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 23, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 14, 2016	REGISTERED-PRINCIPAL REGISTER	
May 11, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 10, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 10, 2016	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 06, 2016	USE AMENDMENT FILED	
May 06, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Apr. 06, 2016	TEAS STATEMENT OF USE RECEIVED	
Mar. 08, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 12, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 12, 2016	PUBLISHED FOR OPPOSITION	
Dec. 24, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 09, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 07, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	
Oct. 07, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 07, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 10, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	

Jun. 10, 2015 NON-FINAL ACTION E-MAILED
 Jun. 10, 2015 NON-FINAL ACTION WRITTEN
 Jun. 09, 2015 APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
 Jun. 09, 2015 TEAS CHANGE OF OWNER ADDRESS RECEIVED
 Jun. 09, 2015 ASSIGNED TO EXAMINER
 May 18, 2015 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 May 12, 2015 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Jul. 01, 2022

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91227351](#)

Filing Date: Apr 13, 2016

Status: Terminated

Status Date: Jul 22, 2016

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Franchising Development Group LLC

Correspondent Address: FRANCHISING DEVELOPMENT GROUP LLC
 8333 NW 53RD STREET , SUITE 504
 MIAMI FL UNITED STATES , 33166

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREVILLE		86781486	

Plaintiff(s)

Name: Breville Pty Ltd.

Correspondent Address: SHERRY L ROLLO
 HAHN LOESER & PARKS LLP
 125 S WACKER DRIVE, SUITE 2900
 CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: srollo@hahnlaw.com , trademarks@hahnlaw.com , jallison@hahnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREVILLE		74316204	1935749
BREVILLE SOUS CHEF		85297941	4116228
BREVILLE		85653232	4408141
THE BREVILLE BOSS		86196799	4846746
BREVILLE QUICK TOUCH		86553419	4921278
THE BREVILLE BOSS TO GO		86774225	
BREVILLE		86623906	

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 22, 2016	
7	BD DECISION: SUSTAINED	Jul 22, 2016	

6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 07, 2016	Jul 07, 2016
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2016	May 28, 2016
4	D REQ TO W/DRAW AS ATTORNEY	Apr 26, 2016	
3	PENDING, INSTITUTED	Apr 13, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2016	May 23, 2016
1	FILED AND FEE	Apr 13, 2016	

United States of America
United States Patent and Trademark Office

BREVILLE

Reg. No. 4,979,582

Registered June 14, 2016

Int. Cl.: 21

TRADEMARK

PRINCIPAL REGISTER

BREVILLE PTY LIMITED (AUSTRALIA PROPRIETARY LIMITED COMPANY (P/L OR PTY. LTD.))

170-180 BOURKE ROAD
GROUND FLOOR, SUITE 2
ALEXANDRIA, AUSTRALIA NSW2015

FOR: COOKWARE AND COOKING UTENSILS, NAMELY, POTS AND PANS, FRY PANS, SKILLETS, SAUCE PANS, SAUTÉ PANS, TAPERED PANS FOR CONCENTRATING LIQUIDS, STOCK POTS, DUTCH OVENS, GRILLE PANS AND PLATES, GRIDDLE PANS AND PLATES, AND LIDS FOR ALL OF THE ABOVE; BAKING PANS, NAMELY, COOKIE SHEETS, PIZZA PANS, PIZZA STONES AND ROASTING PANS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 1-1-2016; IN COMMERCE 1-1-2016.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 86-623,906, FILED 5-8-2015.

AISHA CLARKE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2024-09-10 11:23:34 EDT

Mark: BREVILLE

BREVILLE

US Serial Number: 88268458

Application Filing Date: Jan. 19, 2019

US Registration Number: 5853506

Registration Date: Sep. 03, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Sep. 03, 2019

Publication Date: May 14, 2019 Notice of Allowance Date: Jul. 09, 2019

Mark Information

Mark Literal Elements: BREVILLE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: Aerated beverage making machines; Air-cooled condensers; Apparatus for aerating beverages; Beverage preparation machines, electromechanical; Blades for electric food processors; Bread cutting machines; Can openers, electric; Centrifugal compressors; Centrifugal fan condensers; Coffee grinders, other than hand-operated; Components for machines and machine tools, grinding machines, material handling machines, food processing machines, chemistry processing machines and textile industry machines, namely, sand, chemical and reverse osmosis filters; Compressors as parts of machines, motors and engines; Crushers for kitchen use, electric; Electric can openers; Electric cherry pit removing machines; Electric coffee grinders; Electric flour sifters; Electric food blenders; Electric food blenders; Electric food choppers; Electric food grinders; Electric food grinders for domestic use; Electric food preparation apparatus, namely, tumblers for marinating food; Electric food processors; Electric food slicers; Electric fruit peelers; Electric fruit presses; Electric fruit presses for household use; Electric fruit squeezers for household purposes; Electric garlic peeling machines; Electric graters; Electric hand-held mixers for household purposes; Electric ice crushers; Electric juice extractors; Electric juicers; Electric knife sharpeners; Electric knives; Electric meat grinders; Electric milk frothers; Electric mixers; Electric pasta makers for domestic use; Electric pasta makers for household purposes; Electric pasta making machines; Electric pepper mills; Electric pizza cutters; Electric vacuum food sealers for household purposes; Electric vegetable peelers; Electric whisks for household purposes; Electrical coffee grinders; Electrical juice extractors for fruit; Electrical squeezers for fruit and vegetable; Food processors, electric; Fruit core removing machines; Fruit presses, electric, for household purposes; Grating machines for vegetables; Hand-held electric-powered food processors; Heat exchangers being parts of machines; Juice extractors, electric; Juice machines; Kitchen grinders, electric; Kitchen machines, namely, electric standing mixers; Knife grinding machines; Knives, electric; Machines, namely, wine presses; Meat and food grinder attachments for electric mixers for household use; Meat processing machines; Multi-purpose, electric countertop food preparation apparatus, namely, a combination meat tenderizer and marinator, for household use; Non-aerated beverage making machines; Pasta making machines, electric; Pepper mills, other than hand-operated; Power-operated coffee grinders; Power-operated meat grinders; Reciprocating compressors; Soda-pop making machines; Tea processing machines; Vegetable core removing machines; Vegetable grating machines; Vegetable spiralizers, electric; Whisks, electric, for household purposes

International Class(es): 007 - Primary Class

U.S Class(es): 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1976

Use in Commerce: Oct. 11, 1994

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty Limited

Owner Address: Suite 2
170-180 Bourke Road Ground Floor
Alexandria NSW AUSTRALIA 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lindsay B. Allen

Docket Number: 140416-4000

Attorney Primary pctrademarks@perkinscoie.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Lindsay B. Allen
Name/Address: Perkins Coie LLP
P.O. Box 2608
Seattle, WASHINGTON UNITED STATES 98111

Phone: 2063598000

Fax: 2063599000

Correspondent e- pctrademarks@perkinscoie.com JamesRDavis@perkinscoie.com
mail: erkinscoie.com tborisyuk@perkinscoie.com lallen@perkinscoie.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 03, 2024	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL AS DOMESTIC REPRESENTATIVE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 03, 2019	REGISTERED-PRINCIPAL REGISTER	
Aug. 02, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 01, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 30, 2019	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 09, 2019	USE AMENDMENT FILED	
Jul. 30, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Jul. 09, 2019	TEAS STATEMENT OF USE RECEIVED	

Jul. 09, 2019 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
May 14, 2019 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
May 14, 2019 PUBLISHED FOR OPPOSITION
Apr. 24, 2019 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Apr. 01, 2019 APPROVED FOR PUB - PRINCIPAL REGISTER
Apr. 01, 2019 ASSIGNED TO EXAMINER
Feb. 11, 2019 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jan. 23, 2019 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 01, 2019

United States of America

United States Patent and Trademark Office

BREVILLE

Reg. No. 5,853,506

Registered Sep. 03, 2019

Int. Cl.: 7

Trademark

Principal Register

Breville Pty Limited (AUSTRALIA proprietary limited company (p/l or pty. ltd.))
170-180 Bourke Road
Ground Floor, Suite 2
Alexandria, AUSTRALIA 2015

CLASS 7: Aerated beverage making machines; Air-cooled condensers; Apparatus for aerating beverages; Beverage preparation machines, electromechanical; Blades for electric food processors; Bread cutting machines; Can openers, electric; Centrifugal compressors; Centrifugal fan condensers; Coffee grinders, other than hand-operated; Components for machines and machine tools, grinding machines, material handling machines, food processing machines, chemistry processing machines and textile industry machines, namely, sand, chemical and reverse osmosis filters; Compressors as parts of machines, motors and engines; Crushers for kitchen use, electric; Electric can openers; Electric cherry pit removing machines; Electric coffee grinders; Electric flour sifters; Electric food blenders; Electric food blenders; Electric food choppers; Electric food grinders; Electric food grinders for domestic use; Electric food preparation apparatus, namely, tumblers for marinating food; Electric food processors; Electric food slicers; Electric fruit peelers; Electric fruit presses; Electric fruit presses for household use; Electric fruit squeezers for household purposes; Electric garlic peeling machines; Electric graters; Electric hand-held mixers for household purposes; Electric ice crushers; Electric juice extractors; Electric juicers; Electric knife sharpeners; Electric knives; Electric meat grinders; Electric milk frothers; Electric mixers; Electric pasta makers for domestic use; Electric pasta makers for household purposes; Electric pasta making machines; Electric pepper mills; Electric pizza cutters; Electric vacuum food sealers for household purposes; Electric vegetable peelers; Electric whisks for household purposes; Electrical coffee grinders; Electrical juice extractors for fruit; Electrical squeezers for fruit and vegetable; Food processors, electric; Fruit core removing machines; Fruit presses, electric, for household purposes; Grating machines for vegetables; Hand-held electric-powered food processors; Heat exchangers being parts of machines; Juice extractors, electric; Juice machines; Kitchen grinders, electric; Kitchen machines, namely, electric standing mixers; Knife grinding machines; Knives, electric; Machines, namely, wine presses; Meat and food grinder attachments for electric mixers for household use; Meat processing machines; Multi-purpose, electric countertop food preparation apparatus, namely, a combination meat tenderizer and marinator, for household use; Non-aerated beverage making machines; Pasta making machines, electric; Pepper mills, other than hand-operated; Power-operated coffee grinders; Power-operated meat grinders; Reciprocating compressors; Soda-pop making machines; Tea processing machines; Vegetable core removing machines; Vegetable grating machines; Vegetable spiralizers, electric; Whisks, electric, for household purposes



Andrei Iancu

Director of the United States
Patent and Trademark Office

FIRST USE 12-31-1976; IN COMMERCE 10-11-1994

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-268,458, FILED 01-19-2019

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: BREVILLE PRECISION BREWER

BREVILLE PRECISION BREWER

US Serial Number: 87345667

Application Filing Date: Feb. 22, 2017

US Registration Number: 5638591

Registration Date: Dec. 25, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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: Dec. 25, 2018

Publication Date: Feb. 27, 2018 **Notice of Allowance Date:** Apr. 24, 2018

Mark Information

Mark Literal Elements: BREVILLE PRECISION BREWER

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "PRECISION BREWER"

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: Electric coffee and espresso makers; coffee roasting and brewing apparatus, namely, coffee roasters, coffee brewers, coffee making machines, coffee bean roasting ovens; electric coffee makers including espresso and cappuccino coffee makers; electric coffee and espresso machines, percolators, pots and coffee filters not of paper, being part of coffee makers; electrical drip coffee machines; apparatus for filtering and brewing coffee, namely, coffee making machines, coffee making and filtering machines; automatic installations for making coffee; electric coffee brewers; electric coffee filters; electric coffee percolators; electric coffee pots; electrical coffee brewing apparatus, namely, coffee making machines; electrical coffee brewing apparatus for household use, namely, coffee brewing and coffee making machines; electrical coffee brewing apparatus for professional use, namely, automatic drip coffee brewing machines; electrical coffee making apparatus, namely, coffee making machines; electrical coffee pots incorporating percolators; electrically heated apparatus for infusing coffee, namely, hot coffee making machines which infuse coffee; electrically operated machines for making coffee; electric machines for making coffee; electric coffee beverage making machines, electric coffee beverage making machines; electrical coffee pots; electric kettles; electric coffee urns, electric; electric jugs in the nature of kettles; apparatus for instant hot water supply; water heating devices, milk frothers, electric tea kettles; electric tea making machines; parts, fittings, components and accessories for the aforesaid goods

International Class(es): 011 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 2017

Use in Commerce: Apr. 01, 2017

For: Non-electric kettles; insulated jugs; non-electric apparatus for making coffee, namely, manual coffee makers; non-electric coffee filters not made of paper, being part of non-electric coffee makers; coffee grinders, hand-operated; non-electric coffee pots; non-electric coffee makers; non-electric coffee percolators; non-electric coffee pots; milk jugs; parts, fittings, components and accessories for the

aforesaid goods

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: Apr. 01, 2017

Use in Commerce: Apr. 01, 2017

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty Limited

Owner Address: 170 Bourke Road
Suite 2 G
Alexandria NSW AUSTRALIA 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country Where Organized: AUSTRALIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James R. Davis, II

Docket Number: 140416-4041

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: James R. Davis, II
Perkins Coie LLP
P.O. Box 2608
Seattle, WASHINGTON United States 98111

Phone: 2063598000

Fax: 2063599000

Correspondent e-mail: pctrademarks@perkinscoie.com JamesRDavis@perkinscoie.com TBradley@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative Name:** James R. Davis, II

Phone: 2063598000

Fax: 2063599000

** Domestic Representative e-mail:** pctrademarks@perkinscoie.com

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

Prosecution History

Date	Description	Proceeding Number
Apr. 04, 2024	TEAS SECTION 8 & 15 RECEIVED	
Dec. 25, 2023	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	

Jul. 12, 2021 TEAS CHANGE OF OWNER ADDRESS RECEIVED
 Dec. 25, 2018 REGISTERED-PRINCIPAL REGISTER
 Nov. 17, 2018 NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED
 Nov. 16, 2018 ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED
 Nov. 15, 2018 STATEMENT OF USE PROCESSING COMPLETE
 Oct. 20, 2018 USE AMENDMENT FILED
 Nov. 15, 2018 CASE ASSIGNED TO INTENT TO USE PARALEGAL
 Oct. 20, 2018 TEAS STATEMENT OF USE RECEIVED
 Apr. 24, 2018 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
 Feb. 27, 2018 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
 Feb. 27, 2018 PUBLISHED FOR OPPOSITION
 Feb. 07, 2018 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
 Jan. 24, 2018 APPROVED FOR PUB - PRINCIPAL REGISTER
 Jan. 24, 2018 TEAS/EMAIL CORRESPONDENCE ENTERED
 Jan. 24, 2018 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jan. 22, 2018 ASSIGNED TO LIE
 Jan. 08, 2018 NOTICE OF REVIVAL - E-MAILED
 Jan. 07, 2018 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Jan. 07, 2018 PETITION TO REVIVE-GRANTED
 Jan. 07, 2018 TEAS PETITION TO REVIVE RECEIVED
 Dec. 14, 2017 ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND
 Dec. 14, 2017 ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE
 Jul. 23, 2017 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
 Jul. 23, 2017 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
 May 18, 2017 NOTIFICATION OF NON-FINAL ACTION E-MAILED
 May 18, 2017 NON-FINAL ACTION E-MAILED
 May 18, 2017 NON-FINAL ACTION WRITTEN
 May 17, 2017 ASSIGNED TO EXAMINER
 Mar. 01, 2017 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Feb. 25, 2017 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 16, 2018

United States of America

United States Patent and Trademark Office

BREVILLE PRECISION BREWER

Reg. No. 5,638,591

Registered Dec. 25, 2018

Int. Cl.: 11, 21

Trademark

Principal Register

Breville Pty Limited (AUSTRALIA proprietary limited company (p/l or pty. ltd.))
170-180 Bourke Road
Ground Floor, Suite 2
Alexandria Nsw 2015, AUSTRALIA

CLASS 11: Electric coffee and espresso makers; coffee roasting and brewing apparatus, namely, coffee roasters, coffee brewers, coffee making machines, coffee bean roasting ovens; electric coffee makers including espresso and cappuccino coffee makers; electric coffee and espresso machines, percolators, pots and coffee filters not of paper, being part of coffee makers; electrical drip coffee machines; apparatus for filtering and brewing coffee, namely, coffee making machines, coffee making and filtering machines; automatic installations for making coffee; electric coffee brewers; electric coffee filters; electric coffee percolators; electric coffee pots; electrical coffee brewing apparatus, namely, coffee making machines; electrical coffee brewing apparatus for household use, namely, coffee brewing and coffee making machines; electrical coffee brewing apparatus for professional use, namely, automatic drip coffee brewing machines; electrical coffee making apparatus, namely, coffee making machines; electrical coffee pots incorporating percolators; electrically heated apparatus for infusing coffee, namely, hot coffee making machines which infuse coffee; electrically operated machines for making coffee; electric machines for making coffee; electric coffee beverage making machines, electric coffee beverage making machines; electrical coffee pots; electric kettles; electric coffee urns, electric; electric jugs in the nature of kettles; apparatus for instant hot water supply; water heating devices, milk frothers, electric tea kettles; electric tea making machines; parts, fittings, components and accessories for the aforesaid goods

FIRST USE 4-1-2017; IN COMMERCE 4-1-2017

CLASS 21: Non-electric kettles; insulated jugs; non-electric apparatus for making coffee, namely, manual coffee makers; non-electric coffee filters not made of paper, being part of non-electric coffee makers; coffee grinders, hand-operated; non-electric coffee pots; non-electric coffee makers; non-electric coffee percolators; non-electric coffee pots; milk jugs; parts, fittings, components and accessories for the aforesaid goods

FIRST USE 4-1-2017; IN COMMERCE 4-1-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "PRECISION BREWER"

SER. NO. 87-345,667, FILED 02-22-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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Mark: BREVILLE SOUS CHEF

BREVILLE SOUS CHEF

US Serial Number: 85297941

Application Filing Date: Apr. 18, 2011

US Registration Number: 4116228

Registration Date: Mar. 20, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Jul. 27, 2022

Publication Date: Oct. 25, 2011 Notice of Allowance Date: Dec. 20, 2011

Mark Information

Mark Literal Elements: BREVILLE SOUS CHEF

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "SOUS CHEF"

Related Properties Information

Claimed Ownership of US Registrations: 1935749, 3711097, 3711098

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: Electric food processors

International Class(es): 007 - Primary Class

U.S Class(es): 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2011

Use in Commerce: Sep. 01, 2011

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty. Limited

Owner Address: Suite 2
170-180 Bourke Road Ground Floor
Alexandria NSW 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country Where Organized: The data cannot be loaded

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James R. Davis, II

Docket Number: 140416-4044

Attorney Primary Email Address: JamesRDavis@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: James R. Davis, II
Perkins Coie LLP
PO Box 2608
Seattle UNITED STATES 98111

Phone: 2026615828

Fax: 2063599000

Correspondent e-mail: abowles@perkinscoie.com pctrademarks@perkinscoie.com
JamesRDavis@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 27, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 27, 2022	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 27, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 27, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Feb. 10, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL AS DOMESTIC REPRESENTATIVE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 20, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 16, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 16, 2018	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 16, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
May 03, 2018	TEAS SECTION 8 & 15 RECEIVED	
Jul. 23, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 23, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 20, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 15, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 15, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 04, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jun. 04, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 20, 2012	REGISTERED-PRINCIPAL REGISTER	

Feb. 11, 2012 NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED
 Feb. 10, 2012 LAW OFFICE REGISTRATION REVIEW COMPLETED
 Feb. 08, 2012 ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED
 Feb. 07, 2012 STATEMENT OF USE PROCESSING COMPLETE
 Jan. 11, 2012 USE AMENDMENT FILED
 Feb. 06, 2012 CASE ASSIGNED TO INTENT TO USE PARALEGAL
 Jan. 11, 2012 TEAS STATEMENT OF USE RECEIVED
 Dec. 20, 2011 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
 Oct. 25, 2011 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
 Oct. 25, 2011 PUBLISHED FOR OPPOSITION
 Sep. 20, 2011 LAW OFFICE PUBLICATION REVIEW COMPLETED
 Sep. 19, 2011 ASSIGNED TO LIE
 Sep. 01, 2011 APPROVED FOR PUB - PRINCIPAL REGISTER
 Aug. 31, 2011 TEAS/EMAIL CORRESPONDENCE ENTERED
 Aug. 30, 2011 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Aug. 30, 2011 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Jul. 25, 2011 NOTIFICATION OF NON-FINAL ACTION E-MAILED
 Jul. 25, 2011 NON-FINAL ACTION E-MAILED
 Jul. 25, 2011 NON-FINAL ACTION WRITTEN
 Jul. 25, 2011 ASSIGNED TO EXAMINER
 Apr. 21, 2011 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
 Apr. 21, 2011 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 27, 2022

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Opposition

Proceeding [91227351](#)
Number:

Filing Date: Apr 13, 2016

Status: Terminated

Status Date: Jul 22, 2016

Interlocutory ANDREW P BAXLEY
Attorney:

Defendant

Name: Franchising Development Group LLC

Correspondent FRANCHISING DEVELOPMENT GROUP LLC
Address: 8333 NW 53RD STREET , SUITE 504
 MIAMI FL UNITED STATES , 33166

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREWVILLE		86781486	

Plaintiff(s)

Name: Breville Pty Ltd.

Correspondent SHERRY L ROLLO
Address: HAHN LOESER & PARKS LLP
 125 S WACKER DRIVE, SUITE 2900
 CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: rollo@hahnlaw.com , trademarks@hahnlaw.com , jallison@hahnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREVILLE		74316204	1935749
BREVILLE SOUS CHEF		85297941	4116228
BREVILLE		85653232	4408141
THE BREVILLE BOSS		86196799	4846746
BREVILLE QUICK TOUCH		86553419	4921278
THE BREVILLE BOSS TO GO		86774225	
BREVILLE		86623906	

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 22, 2016	
7	BD DECISION: SUSTAINED	Jul 22, 2016	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 07, 2016	Jul 07, 2016
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2016	May 28, 2016
4	D REQ TO W/DRAW AS ATTORNEY	Apr 26, 2016	
3	PENDING, INSTITUTED	Apr 13, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2016	May 23, 2016
1	FILED AND FEE	Apr 13, 2016	

United States of America

United States Patent and Trademark Office

BREVILLE SOUS CHEF

Reg. No. 4,116,228

Registered Mar. 20, 2012

Int. Cl.: 7

TRADEMARK

PRINCIPAL REGISTER

BREVILLE PTY. LIMITED (AUSTRALIA PROPRIETARY LIMITED COMPANY (P/L OR PTY. LTD.))

BUILDING 2, PORT AIR INDUSTRIAL ESTATE
1A HALE STREET
BOTANY, NEW SOUTH WALE, AUSTRALIA 2019

FOR: ELECTRIC FOOD PROCESSORS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 9-1-2011; IN COMMERCE 9-1-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,935,749, 3,711,097, AND 3,711,098.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOUS CHEF", APART FROM THE MARK AS SHOWN.

SN 85-297,941, FILED 4-18-2011.

LIEF MARTIN, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2024-09-10 11:25:22 EDT

Mark: THE BREVILLE BOSS TO GO

THE BREVILLE BOSS TO GO

US Serial Number: 86774225

Application Filing Date: Sep. 30, 2015

US Registration Number: 5079413

Registration Date: Nov. 08, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: May 03, 2023

Publication Date: Mar. 08, 2016 **Notice of Allowance Date:** May 03, 2016

Mark Information

Mark Literal Elements: THE BREVILLE BOSS TO GO

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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

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

For: electric food blenders

International Class(es): 007 - Primary Class

U.S Class(es): 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 05, 2016

Use in Commerce: Apr. 05, 2016

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

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: Breville Pty Limited

Owner Address: Suite 2 G
170 Bourke Road
Alexandria NSW AUSTRALIA 2015

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James R. Davis, II

Docket Number: 140416-4166

Attorney Primary pctrademarks@perkinscoie.com

Attorney Email Yes

Email Address:

Authorized:

Correspondent

Correspondent James R. Davis, II

Name/Address: Perkins Coie LLP
P.O. Box 2608
Seattle, WASHINGTON UNITED STATES 98111

Phone: 2063598000

Fax: 2063599000

Correspondent e-mail: abowles@perkinscoie.com JamesRDavis@perkinscoie.com

Correspondent e-mail Authorized: Yes

Domestic Representative

** Domestic Representative** James R. Davis, II

Name:

** Domestic Representative e-mail:** pctrademarks@perkinscoie.com

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

Prosecution History

Date	Description	Proceeding Number
May 04, 2023	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 03, 2023	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 03, 2023	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Oct. 24, 2022	TEAS SECTION 8 & 15 RECEIVED	
Nov. 08, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 12, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
Jul. 12, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 12, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 23, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 23, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 08, 2016	REGISTERED-PRINCIPAL REGISTER	
Oct. 01, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 30, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 30, 2016	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 12, 2016	USE AMENDMENT FILED	
Sep. 30, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Sep. 12, 2016	TEAS STATEMENT OF USE RECEIVED	
May 03, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 08, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 08, 2016	PUBLISHED FOR OPPOSITION	
Feb. 17, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 22, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 2016	ASSIGNED TO EXAMINER	
Oct. 06, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 104

Date in Location: May 03, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91227351](#)

Filing Date: Apr 13, 2016

Status: Terminated

Status Date: Jul 22, 2016

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Franchising Development Group LLC

Correspondent Address: FRANCHISING DEVELOPMENT GROUP LLC
8333 NW 53RD STREET , SUITE 504
MIAMI FL UNITED STATES , 33166

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREWVILLE		86781486	

Plaintiff(s)

Name: Breville Pty Ltd.

Correspondent Address: SHERRY L ROLLO
HAHN LOESER & PARKS LLP
125 S WACKER DRIVE, SUITE 2900
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: rollo@hahnlaw.com , trademarks@hahnlaw.com , jallison@hahnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BREVILLE		74316204	1935749
BREVILLE SOUS CHEF		85297941	4116228
BREVILLE		85653232	4408141
THE BREVILLE BOSS		86196799	4846746
BREVILLE QUICK TOUCH		86553419	4921278
THE BREVILLE BOSS TO GO		86774225	
BREVILLE		86623906	

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 22, 2016	
7	BD DECISION: SUSTAINED	Jul 22, 2016	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 07, 2016	Jul 07, 2016
5	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 28, 2016	May 28, 2016
4	D REQ TO W/DRAW AS ATTORNEY	Apr 26, 2016	
3	PENDING, INSTITUTED	Apr 13, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 13, 2016	May 23, 2016
1	FILED AND FEE	Apr 13, 2016	

United States of America

United States Patent and Trademark Office

THE BREVILLE BOSS TO GO

Reg. No. 5,079,413

Registered Nov. 08, 2016

Int. Cl.: 7

Trademark

Principal Register

Breville Pty Limited (AUSTRALIA proprietary limited company (p/l or Pty. Ltd.))
Ground Floor, Suite 2
170-180 Bourke Road
Alexandria AUSTRALIA NSW2015

CLASS 7: electric food blenders

FIRST USE 4-5-2016; IN COMMERCE 4-5-2016

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 86-774,225, FILED 09-30-2015
TIMOTHY J FINNEGAN, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

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The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.